

**FLUVANNA COUNTY PLANNING COMMISSION REGULAR MEETING MINUTES**

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

**August 26th, 2015**

**7:00 p.m.**

**MEMBERS PRESENT:** Barry Bibb, Chairman  
Ed Zimmer, Vice Chairman  
Lewis Johnson  
Patricia Eager  
Donald Gaines  
Tony O'Brien Board of Supervisors Rep (7:14 P.M.)

**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:

August 5, 2015:

**Approved 3-0 - SUP 15:04 – George W. Dansey** – A request for a Special Use Permit (SUP) to operate a small restaurant with respect to 1.95 acres of Tax Map 36, Section 1, Parcel 1. The property is zoned R-1, Residential, Limited, and is located on the north side of West River Road (Route 6), approximately .30 miles west of its intersection with The Cross Road (Route 773). The property is located in the Cunningham Election District and is within the Rural Residential Planning Area.

**Approved 3-0 - ZMP 15:04 – George W. Dansey** - An ordinance to amend the Fluvanna County Zoning Map with respect to 1.95 acres of Tax Map 36, Section 1, Parcel 1 to rezone the same from R-1, Residential, Limited, to A-1 Agricultural, General. The affected property is located on the north side of West River Road (Route 6), approximately .30 miles west of its intersection with The Cross Road (Route 773). The property is located in the Cunningham Election District and is within the Rural Residential Planning Area.

2. Board of Zoning Appeals Actions:

*No August meeting.*

3. Technical Review Committee:

August 13, 2015:

**ZMP 15:05– Robin M. Travis** - An ordinance to amend the Fluvanna County Zoning Map with respect to 4.688 acres of Tax Map 5, Section A, Parcel 45 to rezone the same from A-1, Agricultural, General to B-1, Business, General. The affected property is located on the north side of Richmond Road (Route 250), approximately .40 miles northwest of its intersection with James Madison Highway (Route 15). The property is located in the Columbia Election District and is within the Zion Crossroads Community 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. Gaines moved to accept the minutes of July 22, 2015, Mrs. Eager **seconded**. **The motion carried a vote of 5-0-0. AYES: Bibb, Eager, Johnson and Gaines NAYS: None. ABSTAIN: None**

**SUBDIVISIONS:** None

**SITE DEVELOPMENT PLANS:**

**SDP 15:12 – Virginia Electric & Power Co.** - A site development plan request to facilitate a impoundment closure with respect to a portion of 284.045 acres of Tax Map 59, Section 6, Parcels 1, 1A, 2, 2A, 3, 4, 59-A-24, 62-A-1, 59-7-1A (in part), 59-7-1B (two parts), 59-7-1, 59-7-26, 62-A-4 (in part), 62-A-3, 62-A-2, 62-A-4 (in part). The property is zoned A-1, Agricultural, General, and I-1, Industrial, Limited, and is located in the Columbia Election District on the south side of State Route 250 (Richmond Road) approximately .60 miles northwest of its intersection with State Route 15 (James Madison Highway). The property is located in the Fork Union Election District and is within the Rural Residential Planning Area.

**Senior Planner Steve Tugwell** conducted a brief presentation and addressed the Board

**Bibb:** Gave the applicant a chance to come forward and speak

**Applicant:** Declined unless the Board had questions.

**Eager:** Expressed her understanding of the SUP being regulated by the government

**MOTION:**

**Mrs. Eager moved to approve SDP 15:12 –** **Mr. Gaines seconded**. The motion carried **with a vote of 5-0-0. AYES: Bibb, Zimmer, Eager, Johnson & Gaines NAYS: None. ABSTAIN: None**

**Public Hearings:**

**SUP 15:05 – Jeff Jennings Landscape Material Supply Business –** A request for a special use permit to operate a landscaping materials supply business with respect to 1.66 acres of Tax Map 4, Section A, Parcel 53C. The property is currently zoned A-1 (Agricultural, General) and is located on the eastern side of State Route 600 (Paynes Mill Road) approximately 1,200 feet south of its intersection with Carter Lane. The property is located within the Palmyra Election District and is within the Rural Residential Planning Area.

**Senior Planner Steve Tugwell** conducted a brief presentation and addressed the Board

**Bibb:** Inquired about requirements from the TRC meeting in reference to drainage and the septic system.

**Senior Planner Tugwell:** Confirmed Health Dept. septic and drainage regulations.

**Bibb:** Opened the meeting up for questions to the applicant and explained the property was well-kept.

**Jeff Jennings:** Advised he would be open to answering questions if anyone had them.

**Public Hearing Comments**

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

**Eager:** Expressed how neatly and well-kept the business property looks.

**MOTION:**

**Mrs. Eager moved to recommend approval of SUP 15:05 –** **Mr. Johnson seconded**. The motion carried **with a vote of 5-0-0. AYES: Bibb, Zimmer, Eager, Johnson & Gaines NAYS: None. ABSTAIN: None**

**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 (conditional). 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.

**Senior Planner Steve Tugwell** conducted a brief presentation and addressed the Board

**Bibb:** Questioned the safety and welfare of the rezoning if there is no roundabout because of fatalities at this intersection in the past

**Senior Planner Steve Tugwell:** Explained there is a possible plan for the roundabout, however there are stipulations and steps that need to be taken to make that happen. He then directed any other questions in reference to the roundabout to Mr. Shimp.

**Mr. Gaines:** Asked is there a time limit?

**Senior Planner Steve Tugwell:** Advised staff is not clear what the exact interpretation is on the proffers because it is listed as 3 to 5 years, he then referred the interpretation of the property and proffers to Mr. Shimp.

**Bibb:** Asked if there were any more questions for Tugwell because he wanted to speak with Mr. Wood. He then asked Mr. Wood to come forward to explain the letter that he sent the Planning Dept. in reference to the intersection and safety concerns.

**Wood:** Offered clarification of the letter and his explanation of why turning lanes would be needed at the location. He then confirmed that currently VDOT has no plans of a roundabout in this particular area because of a lack in funding.

**O'Brien:** Inquired about the competitive process of the project.

**Wood:** Gave an explanation of a comparison of traffic issues and processes in various areas in Virginia

**O'Brien:** Queried about the process of putting a traffic light at the location.

**Wood:** Explained that a traffic signal being put up requires warrants analysis. If a request is made the information will be forwarded to Joel Denuncio to further the process.

**Bibb:** Questioned if 2 million dollars was an appropriate amount for the cost of constructing a roundabout?

**Wood:** Confirmed the amount.

**Bibb:** Advised there is an issue because the proffer doesn't state the land will be donated to the County, however he wanted to ask Justin Shimp for clarification.

**Shimp:** Explained that regardless of the proffer, all new entrances would have to meet turn lane warrants and sight distances. He expressed that the roundabout is the ideal improvement however if that option is not available, the sight entrance may have to be moved down 500 feet and maybe a left or right turn lane. He then explained that there will be no build out over 20,000 ft. without a roundabout.

**Bibb:** Inquired about traffic control measures

**Shimp:** Advised his goal is to set a path for everyone to work together on the visible solution

**Zimmer:** Asked for an explanation of how the buildout would conceptually equal around 20,000 sq. ft.

**Shimp:** Offered an explanation.

**Bibb:** Advised that in the packet, there is no clear planning in reference to the roundabout and also reiterated an issue of in and out traffic concerns.

**Shimp:** An explanation on how the new development would not have a huge effect on an increase of traffic in the area.

**Bibb:** Inquired if the proffer stated dedicated to the County or VDOT?

**Payne:** Advised in the proffer it states the law would be dedicated to the County.

**Bibb:** Asked Shimp when funding will be available for the roundabout and does VDOT advise if it's realistic?

**Shimp:** Explained that the possibility of a roundabout has not been discussed in grave detail with VDOT because there was no submittal date.

**Eager:** Asked Shimp was he willing to dedicate the land to the County?

**Shimp:** Advised as long as everything gets approved they are obligated to dedicate the land to the County.

**Zimmer:** Asked Wood if because the proffer exists, if the rezoning is approved, will that count as the County's contribution to the project without actually having possession of the land?

**Wood:** Advised that question would have to be forwarded to the funding division?

**Bibb:** Confirmed with Wood that a 3 to 5 year deal for a roundabout is unrealistic and spoke of the roundabout at the intersection of Rt. 15 and Rt. 53 that has been worked on for 9 years currently in which money has been approved for.

**Payne:** Explained that if anything came later, for instance the roundabout, it would have to be amended on the site plan.

**\*Various restatement of discussion in reference to the dedication of the land, roundabout, traffic congestion and a possible flashing light with and without the proffer\***

**Public Hearing Comments**

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

**George Bland:** Advised he has property adjacent to the rezoning area. His concern is during peak hours, it can take anywhere from 15 to 20 mins to get on Rte. 53. Traffic is heavy and there is a bad curve where people can't see too well. Also he would like to know more about the type of business that is going to be put there.

**Chairman Bibb closed the public hearing section and opened Planning Commission discussion.**

**Eager:** Asked Mr. Stewart to read the B-1 allowances for Mr. Bland so that he would know the different type of businesses' that could be put there.

**Stewart:** Proceeded to read B-1.

**Bibb:** Expressed his concerns of the danger that the area can have on traffic control issues

**O'Brien:** Explained there is already a lot of traffic issues in the area however he doesn't see the business adding traffic to the road instead allow VDOT to make improvements in that area. However, the applicants/VDOT is going to have to commit to some sort of road improvement.

**Bibb:** Explained his main concerns are related to the danger of exit headed towards Palmyra, not so the much entrance, similarly the proffer being only 3 to 5 years.

**O'Brien:** Explained he understands the applicant not wanting to by rite give the land to the County; however he can see no other practical use for it.

**Bibb:** Asked how can land that was supposed to be dedicated for a future roundabout be used for turning lanes and if so, how far back with the roundabout?

**Shimp:** Explained that enough space would be left when the building is built so that the roundabout can be constructed.

**Bibb:** Inquired how much land would the roundabout take from the project?

**Shimp:** Advised he believed it is 1 1/2 acres.

**Eager:** Inquired to ensure all the site plan requirements would be met and also confirmed that Mr. Peters would be willing to extend the proffers after the rezoning is improved.

**Shimp:** Confirmed.

**Bibb:** Asked Payne, if the Commission approved extending the proffer without Mr. Peters being present would the Board be obligated to the proffer?

**Payne:** Explained the options are, the Board can recommend denial and the applicant would have to renew the proffer, he could revise it tonight in front of the Board or ask for a deferral until the next meeting.

**\*Various discussion on the decision to recommend approval, denial, change the proffers tonight or defer the meeting in Mr. Peters absence\***

**Payne:** Advised the Board to give the applicant a chance to decide if he wants to defer or proceed before a vote is made.

**Shimp:** Explained that he does not want to defer it and would rather the Board make a decision.

**\*Various discussion about negotiating the proffer on record, speaking with the applicant and VDOT on regulations\***

**Bibb:** Advised the Rezoning should be deferred and the applicant (Steven Peters) should be given more time to make a decision.

**MOTION:**

**Mr. Gaines moved to defer ZMP 1502 – Mrs. Eager seconded.** The motion carried **with a vote of 5-0-0. AYES: Bibb, Zimmer, Eager, Johnson & Gaines NAYS: None. ABSTAIN: None**

**Fluvanna County 2015 Comprehensive Plan** - Fluvanna County's Comprehensive Plan has undergone an extensive rewrite. The proposed revisions to the Comprehensive Plan are in accordance with the applicable sections of Chapter 15.2 of the Code of Virginia. The Comprehensive Plan sets forth the community's Vision, as developed with public input and numerous discussions with the Planning Commission and Board. The Plan contains subject areas that are divided into chapters: Natural Environment, Land Use and Community Design, Infrastructure, Economic Development, Historic Preservation, Parks and Recreation, Housing, Human Services, Education, Public Safety, and Transportation. All chapters have been reviewed and updated, and have their own visions, goals, and strategies. The County's Future Land Use Map corresponds with the visions, goals, and strategies set out in the Land Use and Community Design chapters. The successful adoption and implementation of the Plan relies on continued public input and interaction.

The Planning Commission public hearing is an important step in the process of adopting the Comprehensive Plan. The public hearing offers citizens the opportunity to formally express their opinions about the Plan to the Planning Commission.

**Planner Jay Lindsey** conducted a brief presentation and addressed the Board

**Bibb:** Reminded Planner Lindsey about recommendations to be added to the Comprehensive plan made by Mr. Sorrell.

**Eager:** Presented Planner Lindsey with edits from various pages of the Comprehensive Plan. She also questioned the accuracy of the 150 gallons per day usage of the Palmyra package plant.

**Lindsey:** Advised the information came from Wayne Stephens in Public Works.

**Eager:** Mentioned the water issue at Pleasant Grove.

**O'Brien:** Spoke of the Pleasant Grove water usage.

**Eager:** Presented Lindsey with additional corrections.

**Bibb:** Offered Lindsey an explanation of what the definition of rural, primary and secondary roads means for the County. Also advised there has been no citizen input of need expressed for the property at Zions Crossroads, explained however that the Comprehensive plan can be amended at any time if need be.

**Public Hearing Comments**

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

**Overton McGee-** Lives at 924 Courthouse Rd. and first off thanked the Planning Staff and Planning Commission for listening to citizens recommendations about shrinking the Palmyra planning area. He then advised there is nothing being done to reduce the density in the rural preservation area and his fear is that Fluvanna's rural preservation areas will become cluster and not rural. In closing he suggested that the Planning Commission work hard to employ businesses, limit residential preservation and support the schools.

**Bibb:** Explained that by law 40% of rural preservation has to be provided for cluster subdivisions.

**\*Planning Commission members thanked Jay Lindsey for all his hard work\***

**MOTION:**

**Mr. Gaines moved to recommend approval of the 2015 Comp plan,** with the amendments. **Mr. Zimmer seconded.** The motion carried **with a vote of 5-0-0. AYES: Bibb, Zimmer, Johnson, Eager & Gaines NAYS: None. ABSTAIN: None**

**PRESENTATIONS: None**

**UNFINISHED BUSINESS: None**

**NEW BUSINESS: None**

**PUBLIC COMMENTS #2**

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

With no one wishing to speak, Chairman Bibb closed the second public comment section.

**ADJOURN**

There being no further business, Chairman Bibb adjourned the Planning Commission meeting of August 26, 2015 at 9:28 p.m.

Minutes recorded by Deidre Creasy, Senior Program Assistant.