

**FLUVANNA COUNTY PLANNING COMMISSION**  
**REGULAR MEETING MINUTES**  
**Morris Room**  
**February 11, 2020**  
**7:00 pm Regular Meeting**

**MEMBERS PRESENT:** Barry Bibb  
Ed Zimmer  
Lewis Johnson  
Gequetta "G" Murray-Key  
Howard Lagomarsino

**ALSO PRESENT:** Douglas Miles, Community Development Director  
Brad Robinson, Senior Planner  
Fred Payne, County Attorney  
Valencia Porter, Senior Program Support Assistant

**ABSENT:** Patricia Eager, Board of Supervisors Representative

1. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND MOMENT OF SILENCE**

At 7:00pm, Chairman Bibb called the Regular Meeting to order, followed by the Pledge of Allegiance and a moment of silence.

2. **DIRECTOR'S REPORT-- Douglas Miles**

**Board of Supervisors Actions:**

December 18, 201

*No Zoning Cases*

January 8, 2020

*No Zoning Cases*

**Board of Zoning Appeals Actions:**

*No Variance Cases*

**Technical Review Committee for December 12, 2019:**

- I. **SDP 19:18 Mechanical Building Solutions** – A site development plan request to construct a contractor's storage yard/office building with respect to 0.957 acres of Tax Map 5, Section 9, Parcel 2. The property is zoned B-1, Business, General and is located along James Madison Highway (U.S. Route 15) approximately 0.4 miles south of the intersection with Richmond Road (U. S. Route 250). The property is located within the Zion Crossroads Community Planning Area and the Columbia Election District. *(This commercial project was rescheduled from the November 14, 2019 TRC agenda)*
- II. **SDP 19:23 Foothill Irrigation** – A site development plan request to construct an office building, warehouse and carport with respect to 1.952 acres of Tax Map 5, Section 24, Parcel 4. The property is zoned I-1, Industrial, Limited and located within the Zion Station Subdivision between Zion Station Road (Route 1021) and Richmond Road (Route 250). The parcel is located within the Zions Crossroads Community Planning Area and the Columbia Election District. *(A setback Variance has been filed for this commercial project to the required one hundred (100) foot setback taken from 250)*

- III. **ZMP 19:02 2428 Richmond Road LLC** – A request to conditionally rezone, from A-1 Agricultural, General to I-1 Industrial, Limited, (front portion) 29.4 acres of Tax Map 4, Section A, Parcel 27. The property is located along Richmond Road (US Route 250), approximately 0.16 miles west of the intersection of Zion Road (State Route 627) and Memory Lane (State Route 698). The parcel is within the Zion Crossroads Community Planning Area and the Palmyra Election District.

**Planning District Commission Regional Meetings and Fluvanna Projects:**

January 7, 2020: 2020 US Census GIS Mapping Project has begun to further clarify and correct the existing Fluvanna County jurisdictional boundaries to be more accurate with our adjoining neighbors with surrounding GIS Coordinators working together to complete project by March 1.

January 13, 2020: Zion Crossroads Gateway Plan Technical Committee meeting was held in Fluvanna County with the PDC Planning Staff facilitating the project update meeting. VDOT’s traffic engineering firm will be presenting some preliminary traffic analysis and observations in the US 15 and US 250 interchange and other prescribed intersections along both of these routes.

3. **PUBLIC COMMENTS:**  
No comments were provided.

4. **MINUTES:**

<b>MOTION:</b>	<b>Planning Commission Minutes of January 14, 2020</b>				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>		<b>Seconded</b>	<b>Motion</b>		
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0 Approved</b>				

5. **PUBLIC HEARINGS:**

**ZMP 19:02—2428 Richmond Road LLC—Douglas Miles, Community Development Director**

To amend the Fluvanna County Zoning Map by a request to conditionally rezone, from A-1 Agricultural, General to I-1, Industrial, Limited, of approximately 7.5 acres of Tax Map 4, Section A, front portion of Parcel 27. The affected property is located along Richmond Road (U.S. Route 250), approximately 0.16 miles west of the intersection of Zion Road (State Route 627) and Memory Lane (State Route 698). The property is within the Zion Crossroads Community Planning Area and the Palmyra Election District.

The applicant has proffered out these I-1 by right land uses as a part of their conditional rezoning request on the property:

Commercial Uses: Car Washes, Financial Institutions, Flea Markets, Gas Stations, Laundries, Medical Clinics, Professional Schools, Retail Stores, general, large scale and neighborhood convenience, Shooting Ranges, indoor, and Transportation Terminals.

Industrial Uses: Railroad Facilities, Research Laboratories, Sawmills, temporary, and Solid Waste Collection Facilities.

These I-1 land uses by Special Use Permit (SUP) have been proffered out in this rezoning case:

Commercial Uses: Shooting Ranges, indoors

Industrial Uses: Sanitary Landfills, Sawmills, permanent, and Solid Waste material recovery facilities.

Miscellaneous Uses: Aviation Facilities and Major Utilities

**Questions, Comments, and Concerns:**

**Harry Austin, Representative:** We would like to have a Vehicle Impound facility. In the zoning ordinance, there currently is not a way to apply for a towing business and despite the normal business hours they might have to use it after hours for towing vehicles to this property.

**Bibb:** So any county residents that get a vehicle towed now it will have to go into a neighboring county like Albemarle or go to Richmond? This will be an ideal place for the tow trucks to bring our vehicles and keep them in the county.

**Austin:** Even if the car or truck needs to be towed to another auto repair shop, we could do that. That would not be a problem. Even though we know we would apply for a Special Use Permit (SUP) to permit a Vehicle Impound Facility on this property at a later date in the Zoning process.

**Bibb:** I do realize the Noise Ordinance is no noise prior to 6:00 am or after 11:00 pm. With an SUP request could the Planning Commission and the Board of Supervisors condition the times?

**Miles:** Yes.

**Zimmer:** 6:00 am to 11:00 pm is in the noise ordinance. So they can operate as long as they do not violate the noise ordinance time frames?

**Miles:** Correct, regular zoning typically does not restrict the hours of operation. What they are asking is that when there is an accident at 2:00 am that instead of them towing the vehicle into Charlottesville, we would like for them to bring the vehicles here for the county residents. That way if any vehicles are stuck on the side of the road in Fluvanna County or in an accident they will not cause another accident with the vehicle located in the roadway until the morning hours.

**Zimmer:**

**Miles:** Yes, backup beepers we have to look at the Federal OSHA law requirements not noise but that would become more of a business management issue to avoid future calls for service there.

**Public Hearing:**

**Salvatore Zambito, 394 Glen Circle:** I have an issue with potential lighting and noise. That the lights are going to be bright in the middle of the night. What is a commercial amusements use, if someone could clarify that up for me? We would like them to be a good neighbor to us, just as we want to be a good neighbor to them.

**Bibb:** Mr. Miles, the lighting that this gentlemen is talking about it would be limited on the site.

**Miles:** Yes.

**Joseph Ryan, 113 Glen Circle:** Would like no bright lights at night, and not a lot of noise early in the morning and on the weekends.

**Kary Clarke, 504 Glen Circle:** What type of plants and trees are they planning to install there?

**Miles:** There is a fifty (50) foot setback and twenty-five (25) feet for parking and loading areas.

<b>MOTION:</b>	I move that the Planning Commission recommend approval of ZMP 19:02, a request to amend the Fluvanna County Zoning Map with respect to approximately 7.5 acres of Tax Map 4, Section A, front portion of Parcel 27, to conditionally rezone the same from A-1 Agricultural, General to I-1, Industrial, Limited with proffered conditions. The Planning Commission added additional I-1 land uses to be proffered out by the applicant during their motion that was forwarded onto the Board of Supervisors.				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>		Motion		Seconded	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	Recommended Approval 5-0				

**ZTA 19:04 – Vehicle Impound Facility—Douglas Miles, Community Development Director**

An Ordinance To Amend Chapter 22 Zoning Of The Fluvanna County Code By The Addition Of A Definition under 22-22-1 Definitions; Uses Permitted By Special Use Permit in A-1 Zoning Under 22-4-2.2 , In B-1 Zoning Under 22-9-2.2 and in I-1 Zoning Under 22-11-2.2 and Uses Permitted By Right in I-2 Zoning Under 22-12-2.1 To Permit A Vehicle Impound Facility.

**Automotive Repair Service:** A facility for the general repair, rebuilding, or the reconditioning of engines, motor vehicles or trailers, or providing collision services, to include body, frame or fender repair and painting. (Zoning Ordinance)

**Vehicle Impound Facility:** A facility for the temporary, screened storage of operable or inoperable vehicles to be claimed by their titleholders or agents; or those vehicles that are awaiting insurance adjustments or claims within 30 days or less for insurance purposes. (ZTA proposed definition)

Vehicle impound facilities are used by Virginia cities, towns and counties to impound vehicles that have been abandoned on public roadways or have not paid personal property taxes for years. They are also used by private vehicle recovery operators to temporarily store damaged vehicles that have been removed from public roads such as on the I-64, US 250, and US 15 commercial areas awaiting insurance claims adjusters to review the impounded vehicles for insurance purposes.

The proposed Zoning Text Amendment (ZTA) to the Fluvanna County Zoning Ordinance will create a definition, provide for new land uses in the A-1, B-1 and I-1 Districts by Special Use Permit, and in the I-2 District by right with the required site screening requirements.

**Public Hearing:**

No comments were provided.

<b>MOTION:</b>	I move that the Planning Commission recommend approval of ZTA 19:04, An Ordinance To Amend Chapter 22 Zoning Of The Fluvanna County Code By The Addition Of A Definition under 22-22-1 Definitions; Uses Permitted By Special Use Permit in A-1 Zoning Under 22-4-2.2 , In B-1 Zoning Under 22-9-2.2 and in I-1 Zoning Under 22-11-2.2 and Uses Permitted By Right in I-2 Zoning Under 22-12-2.1 To Permit A Vehicle Impound Facility.				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>				Motion	Seconded
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	Recommended Approval 5-0 as presented				

6. **PRESENTATIONS:**

None

7. **SITE DEVELOPMENT PLANS:**

**SDP 19:18—Mechanical Building Solutions—Brad Robinson, Senior Planner**

Approval of a sketch plan request to construct an office building with respect to 0.957 acres of Tax Map 5, Section 9, Parcel 2. The property is located along James Madison Highway (U.S.Route 15) approximately 0.4 miles south of the intersection with Richmond Road (U. S. Route 250).

The submitted sketch plan appears to meet the sketch plan requirements of Section 22-23-8.A of the Fluvanna County Zoning Ordinance. Prior to final approval, a site development plan that meet the requirements of Articles 23 through 26 of the Fluvanna County Zoning Ordinance must be submitted for staff review and approval.

<b>MOTION:</b>	<b>I move to approve SDP 19:18, a sketch plan request to construct an office with respect to 0.952 acres of Tax Map 5, Section 9, Parcel 2, subject to the conditions listed in the staff report.</b>				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>			<b>Seconded</b>	<b>Motion</b>	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0 Approved</b>				

**Sidewalk Waiver**

<b>MOTION:</b>	<b>I move to approve a sidewalk waiver to SDP 19:18, a sketch plan request to construct an office building with respect to 0.957 acres of Tax Map 5, Section 9, Parcel 2, pursuant to County Code Section 22-23-6.6.A.</b>				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>		<b>Motion</b>		<b>Seconded</b>	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0 Approved</b>				

8. **SUBDIVISIONS:**

None

9. **UNFINISHED BUSINESS:**

<b>MOTION:</b>	<b>I move to adopt the Fluvanna County Planning Commission By-Laws and Rules of Procedure for 2020 presented during the Organizational meeting.</b>				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>				<b>Motion</b>	<b>Seconded</b>
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0 Approved</b>				

<b>MOTION:</b>	<b>I move to adopt the Fluvanna County Planning Commission Meeting 2020 Calendar dates that were reviewed during the Organizational meeting.</b>				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>			<b>Seconded</b>		<b>Motion</b>
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0 Approved</b>				

10. **NEW BUSINESS:**

None

11. **PUBLIC COMMENTS # 2**

No comments were provided.

12. **ADJOURN:**

Chairman Bibb adjourned the Planning Commission meeting of February 11, 2020 at 8:39pm

Minutes recorded by Valencia Porter, Senior Program Support Assistant.

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**Barry A. Bibb, Chairman**  
**Fluvanna County Planning Commission**

APPROVED