

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES**

**Carysbrook Performing Arts Center
8660 James Madison Hwy
Fork Union, VA 23055**

**August 9, 2022
Regular Meeting 7:00 pm**

MEMBERS PRESENT:

Barry Bibb, Chair
Gequetta “G” Murray-Key, Vice Chair
Mike Goad, Commissioner
Howard Lagomarsino, Commissioner
Patricia Eager, Board of Supervisors Representative

ABSENT:

Ed Zimmer, Commissioner

STAFF PRESENT:

Eric Dahl, County Administrator
Fred Payne, County Attorney
Douglas Miles, Community Development Director
Jason Overstreet, Senior Planner
Valencia Porter, Administrative Programs Specialist

1. CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:

At 7:00 pm, Chair Bibb, called to order the Regular Meeting of August 9, 2022. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

2. DIRECTOR’S REPORT – Douglas Miles, AICP, CZA, Community Development Director

Comprehensive Plan & Planning Commission meetings

Day	Date	Time	Regular Meeting or Advisory Group meeting	Location
THRUS	AUG 11 TH	4:30 PM	Rural & Historic Preservation Advisory Group	Morris Room
WEDS	AUG 17 TH	7:00 PM	Board of Supervisors Regular meeting	Performing Arts Center
TUES	SEP 13 TH	7:00 PM	Regular Planning Commission meeting	Performing Arts Center
WEDS	SEPT 21 ST	7:00	Board of Supervisors Regular meeting	Performing Arts Center

3. PUBLIC COMMENTS #1

Chair Bibb opened up the Public Comments at 7:0 pm by giving each public speaker a limit of five (5) minutes to speak and asked that they state their name and their address for the record.

Jan Tatangelo at 3955 Kidds Dairy Rd: Spoke in favor of ZMP 22:03

James Tatangelo at 3955 Kidds Dairy Rd: Spoke in favor of ZMP 22:03

Katherine Gardner at 669 Taylor Ridge Way: Spoke in favor of ZMP 22:03

Suzy Morris at 6840 Thomas Jefferson Pkwy: Spoke in favor of ZMP 22:03

Brittney Gray at 2 Watts Circle: Spoke in favor of ZMP 22:03

Online:

Donna D’ Aguanno at 148 Crepe Myrtle Drive: Spoke in favor of ZMP 22:03

Sandra Radford at 121 Mulberry Drive: Stated that she is striving to maintain the rural character of this county, the use of natural materials to create beauty. We need to preserve all the rural characteristics which is a major attraction to both residents and tourists.

Kara Menfi at 18 Rockwood Ln: spoke in favor of ZMP 22:03

With no one else wishing to speak in person or online, Chair Bibb closed the first round of Public Comments at 7:29 pm.

4. MINUTES:

MOTION:	July 12, 2022 minutes were moved to the September 13, 2022 meeting				
MEMBER:	Bibb	Goad	Murray-Key	Lagomarsino	Zimmer
ACTION:					
VOTE:					
RESULT:					

5. PUBLIC HEARINGS:

None

6. PRESENTATIONS:

None

7. SITE DEVELOPMENT PLANS:

None

8. SUBDIVISIONS:

None

9. UNFINISHED BUSINESS:

ZMP 22:03 Wolfpack Properties LLC A request to rezone from A-1, General Agricultural to the B-1, General Business Zoning District of 35 +/- acres of Tax Maps 9 Section A Parcels 11, 11B, 11C, 11D, 11F and 11G. The subject properties are generally located along the south line of Lake Monticello Road (SR 618) and west of Glen Burnie Road, approximately two (2) miles east on Lake Monticello Road from its intersection with Thomas Jefferson Parkway (SR 53) and are in the Rivanna (Lake Monticello) Community Planning Area and Palmyra Election District.

Mr. Miles: stated that when reviewing this conditional rezoning application case, the Planning Commission should take into consideration any potential adverse impacts that the development may have on this portion of Fluvanna County and that traffic generation concerns have been analyzed by the applicant's engineering consultant. There are additional concerns along the Lake Monticello Road (SR 618) corridor to be addressed and as it has been discussed the opportunity to consider having an additional gate access into Lake Monticello in the rear portion of this proposed development. He stated he would allow for additional LMOA traffic to not have to use any of the additional ingress and egress areas onto SR 618. He stated this needs to be studied further by the applicant's engineering consultant in conjunction with both the VDOT Louisa Residency staff and LMOA Public Safety staff to reach agreements on a potential gate to lessen the Am/Pm peak period traffic impact upon Lake Monticello's main gate. VDOT would only be involved where the commercial entrance would be designed to line up with the Village Oaks Phase IV subdivision entrance for traffic analysis to be completed during the site development plan review and approval process based upon the range of proposed uses on the subject site.

Proffer Condition #1: Conceptual Exhibit:

An illustrative exhibit is attached as: EXHIBIT A and it is conceptual in nature and is shown in consideration of rezoning request ZMP 22:03. The final site plan(s) shall provide for safe and convenient vehicular and pedestrian circulations between sites to be occupied by complementary uses.

Proffer Condition # 2 Site Screening:

The Property shall be screened from view in substantial accordance with the Illustrative Exhibit, submitted August 3, 2022 as prepared by Shimp Engineering, PC along with the requirements of Section 22-24-7 of the Fluvanna County Zoning Ordinance. The Developer will maintain a one hundred (100) foot vegetative buffer along the shared property boundaries and with adjacent properties fronting on Jefferson Drive, starting at the intersection of Glen Burnie Road and Jefferson Drive.

Proffer Condition #3 Construction Entrance:

The VDOT approved construction entrances (s) for the Property, including primary ingress and egress for any logging operations, shall be established from Route 618. The Developer shall notify VDOT and Fluvanna County prior to commencing any construction or logging activity. No constructions entrance shall be permitted to connect to Jefferson Drive, or any road inside the gates of Lake Monticello.

Proffer Condition #4 Excluded Uses:

The following permitted by right land uses shall be excluded from the Property under B-1 Zoning Section 22-9-2.1:

Commercial Uses: Automobile sales, Boarding houses; Self-storage facilities; and Shooting ranges, indoor

The Following uses permitted by special use permit only shall be excluded from the Property under B-1 Zoning Section 22-9-2.2:

Commercial Uses: Entertainment establishments, adult; Retail stores, adult; and Transportation terminals.

Industrial Uses: Lumberyards, Railroad facilities

Mr. Joseph Jones: Wolfpack Properties, LLC came forward to represent his case and provided additional information relative to the proposed conditional rezoning case request and the uses.

Chair Bibb: asked how did the Emergency center use come about and other retail store uses?

Mr. Jones: stated we had proposed something more like a Patient First or an urgent care office. A meeting with Lake Monticello actually Mrs. Mary Hansen is the one that actually brought up the Emergency center which we thought was a fantastic idea. Yet, until we can get this rezoned the hospital systems do not want to talk with us but we have looked into if the need is there.

Chair Bibb: asked what will be planned if Emergency center or Grocery store does not come to fruition and what would be your other commercial options to be located on this subject site?

Mr. Jones: stated that would be very concerning to me, and we would have to revisit that if the situation comes up. He stated he was confident that the retail grocery store and shops would work. The development team would work on the Emergency center use to get what Fluvanna County needs as they feel that the justifiable numbers are there to support these type of uses.

Mr. Goad: stated hopeful and confident. My biggest concern here is the lack of assurance that absolutely we are going to get these things. As I do want a 24-hour Emergency center land use. What makes you so confident?

Mr. Jones: stated those are my confidential conversations with others such as hospital systems. He stated I cannot promise you that, but based on conversations with other people that will come forward there is a lot of confidence we will get it done. As I have done proper research and the necessary numbers are there and we will do our best to convince them of that to then locate within the County.

Mr. Goad: asked what if it does not work out? As you stated it is not a guarantee to the County.

Mr. Jones: stated we will go back and look at some type of urgent care facility maybe a smaller grocery store, maybe a smaller space that is not 50,000 square feet. Looking at plan B, might not be to the scale but we are confident the additional retail stores and office space is needed there.

Chair Bibb: Stated that he thinks that an Emergency center would be great fit in this area and it seems like the applicant is committed to doing this for the county as he works through this use.

Vice-Chair Murray-Key: Stated that she would like to double back on Chair Bibb's comments and to say that also being able to provide job opportunities in the community is important. As we know this will not be built tomorrow but we live in a society where there is forward thinking and for others to do things here and it is a great opportunity for our community.

Mr. Lagomarsino: Stated that nothing is guaranteed based on a business plan and whether you can get a 24-hour standalone Emergency center and that really depends on the business model. He stated the concern that this could be reverted back to residential uses instead of commercial is not a valid concern as it would have to go back through the rezoning process which is unlikely.

Mr. Goad: Stated that his concern is that 10 years down the road and what if the 24-hour center does not come about and residential uses get zoned and built then that is why I may not support this request. That is my biggest concern with this conditional rezoning case request at this time.

After a discussion with the applicant and commissioners Chair Bibb asked is there a motion.

MOTION:	I move that the Planning Commission recommends Approval of ZMP 22:03, a request to conditionally rezone from A-1, General Agricultural to the B-1, General Business Zoning District of 35 +/- acres of Tax Maps 9 Section A Parcels 11, 11B, 11C, 11D, 11F and 11G. The subject properties are generally located along the south line of Lake Monticello Road (SR618) and west of Glen Burnie Road, approximately two (2) miles east on Lake Monticello Road from its intersection with Thomas Jefferson Parkway (SR53) and are in the Rivanna (Lake Monticello) Community Planning Area and Palmyra Election District with Proffers dates August 3, 2022.				
MEMBER:	Bibb	Goad	Murray-Key	Lagomarsino	Zimmer
ACTION:			Motion	Second	
VOTE:	Yes	No	Yes	Yes	Absent
RESULT:	3-1-1				

10. NEW BUSINESS:

None

11. PUBLIC COMMENTS #2:

Chair Bibb opened up the Public Comments at 8:00 pm by giving each speaker a limit of five (5) minutes to speak and asked that they state their full name and property address for the record.

Valerie Palamountain at 17 Fleetwood Drive: Stated are we selling out our earth for money? No more farms, baby boomers are very healthy, a generation to create a health care need, support another grocery store? Are we going to make the E. W. Thomas store extinct?

Brittney Gray at 2 Watts Circle: Stated that her father-in-law and her friends in the nursing and health care fields are more than happy to help out to locate an Emergency center in the County.

Bob Holbrook at 3 Pelican Court: Spoke in opposition of ZMP 22:03

Online:

Donna D'Aguzzo at 148 Crepe Myrtle Drive: Stated please pick up the new Fluvanna Review. We need better information on the requested uses.

Peggy Flick at 51 Marwood Drive: Stated she was on the Planning Commission for over 13 years. One of the things that disturbed her was watching the Colonial Circle property being clear cut. When clearing this commercial shopping center property she would like to see that better things and measures are done to relative to erosion and sediment control measures and buffer areas.

Mr. Miles: Stated that would be done via the administrative Site Plan and E&SC Plan review process and those plans would be made available for public review at Fluvanna County offices.

With no one coming forward wishing to speak in person or online, Chair Bibb closed the Public Comments period at 8:19 pm.

12. ADJOURNMENT:

Chair Bibb adjourned the Planning Commission meeting on August 9 2022 at 8:19 pm.

Minutes were recorded by Valencia Porter, Administrative Programs Specialist.

Barry A. Bibb, Chair
Fluvanna County Planning Commission

APPROVED