

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES**

**Carysbrook Performing Arts Center
8880 James Madison Highway
Fork Union, VA 23055**

**May 10, 2022
Regular Meeting 7:00 pm**

MEMBERS PRESENT:

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

ABSENT:

None

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 7:03 pm, Chair Bibb, called the May 10, 2022 Regular Meeting to Order, led in the Pledge of Allegiance and then he conducted a Moment of Silence.

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

April 14, 2021 Technical Review Committee (TRC) meeting:

- **Shannon Hill Regional Business Park: Louisa County Utilities**
Louisa County and Timmons Group, their water and wastewater consultant, propose to construct County water and sewer lines from Ferncliff down to Shannon Hill paralleling straight down US 250.
- **Zion Crossroads Industrial Park Lot 5—Roudabush Engineering**
Roudabush Engineering is completing the Site Development Plan for a proposed 15,000 square foot industrial warehouse building that originally began back in 2005 and 2006.

Next Step in the 2040 Comprehensive Plan Review Process:

- **May 12th 2040 Comp Plan Open House Event:**
Location: Fluvanna County Library Meeting Room
Time: 5:00 pm to 7:00 pm Advisory Group: 5:00 pm to 6:30 pm

GIS MAPS: 2040 Comprehensive Plan – Land Use, Preservation and Transportation GIS Maps are reviewed along with proposed Fluvanna County Gateways, Rural Crossroads and the Route 15 Corridor maps that will provide for our future commercial growth.

3. PUBLIC COMMENTS #1

Chair Bibb opened up the Public Comments at 7:10 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.

With no one wishing to speak in person or online, Chair Bibb closed the first round of Public Comments at 7:11 pm.

4. MINUTES:

Chair Bibb: mentioned he talked about the average household income in Fluvanna is 91, 395 in relation to the Albemarle County and City of Charlottesville same average household incomes.

MOTION:	To Approve the minutes of the Planning Commission of March 8, 2022, that had been deferred on April 12, 2022 to add Mr. Bibb’s regional housing comments after the second public comments period section.				
MEMBER:	Bibb	Vacant	Murray-Key	Lagomarsino	Zimmer
ACTION:			Second		Motion
VOTE:	Yes		Yes	Yes	Yes
RESULT:	4-0 Approved				

MOTION:	To Approve the minutes of the Planning Commission of April 12, 2022.				
MEMBER:	Bibb	Vacant	Murray-Key	Lagomarsino	Zimmer
ACTION:			Second		Motion
VOTE:	Yes		Yes	Abstain	Yes
RESULT:	3-0-1 Approved				

5. PUBLIC HEARINGS:

ZMP 22:02 Johnston & Co LLC - Douglas Miles, Community Development Director

A Conditional Rezoning from A-1, General Agricultural to the B-1, General Business Zoning District on 6.4 +/- acres of Tax Map 17 Section 2 Parcel 2. The subject property is located 900 feet north of the Route 53 and Turkeysag Trail intersection and is adjacent to the UVA Community Credit Union in the Rivanna Community Planning Area and the Cunningham Election District.

SUP 22:01 Johnston & Co LLC - Douglas Miles, Community Development Director

A Special Use Permit request in the B-1, General Business Zoning District to permit a contractor’s storage yard with respect to 6.4 +/- acres of Tax Map 17 Section 2 Parcel 2. The subject property is located 900 feet north of the Route 53 and Turkeysag Trail intersection and is adjacent to the UVA Community Credit Union in the Rivanna Community Planning Area and the Cunningham Election District.

The Rivanna Community Planning Area is the main growth area of the county and it contains a mixture of both residential and commercial uses. Medium and small commercial uses and along with office and residential uses all combine to form a series of commercial shopping centers that are interconnected with the Lake Monticello mixed-use development. The proposed request is located in the Neighborhood Mixed Use Area which includes a mix of retail and office uses. The applicant, he proposes to run his electrical contracting office along with potential office uses that are located within the B-1 District and which complies with the 2015 Comprehensive Plan.

Recommended Conditions:

1. The administrative site development plans shall be in substantial conformance with the Route 53 Self-Storage Sketch Plan that was submitted with the Special Use Permit application dated March 16, 2022.
2. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance, it shall be submitted for administrative approval.
3. Any lighting shall not be directed toward the adjacent properties and it shall comply with Article 25 Outdoor Lighting Control of the Fluvanna County Zoning Ordinance.
4. Any noise shall comply with Chapter 15.1 of the Fluvanna County, Virginia Code.
5. The site shall be maintained in a neat and orderly manner so that the visual appearance from the public right-of-way and adjacent properties is acceptable to County officials.
6. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.

7. Under Section 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.

Cory Johnston, Applicant: stated that he owns a local electrical contracting company and he is seeking to operate his business on-site with a proposed 1,000 square feet of office space for his small business. He stated he plans to construct 60,000 square feet of self-storage space on the premises and his electrical contracting company would utilize a portion of it for company storage.

Kelsey Schlein, Shimp Engineering: stated the Sketch Plan they provided proposed landscaped screening along the Route 53 frontage where the office space and security gate would be located and along the adjacent properties that are zoned R-4 in Lake Monticello and the A-1 land to the north would be screened with fifty (50) foot landscaped areas but not along the commercial site.

She stated the applicant proposes a full access entrance onto Route 53 that has been reviewed by VDOT for the proposed B-1 land uses of mini-storage warehouses, a small office building and specialty trade contractor under the ITE Trip Generation, 10th edition manual. The new vehicle trips generated by the applicant's proposed uses would not be a significant impact on a major corridor like Route 53 that experiences an average daily volume of 4,900 trips. The proposed site is located adjacent to one of the main commercial shopping center areas at the Falcon Hills gate into the Lake Monticello development along Turkeysag Trail with its intersection onto Route 53.

Mr. Lagomarsino: asked about the fire apparatus turnaround radius in the rear of the complex.

Ms. Schlein: replied that the proposed fire apparatus turn around radius is 96 feet in diameter.

Chair Bibb: asked the County Attorney if they could conduct a Joint Public Hearing on these cases?

Mr. Payne: indicated that would be appropriate and you would take any action separately on the two (2) cases following the Joint Public Hearing.

Chair Bibb: opened up the Public Hearing at 7:34 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.

Corven Flynn at Gate Plaza, 202 Turkeysag Trail: Spoke in opposition to this proposal relative to screening and site design concerns as his commercial property backs up to the subject property.

Nancy Quantock at 19 Fleetwood Drive: Spoke in opposition to this proposal relative to additional traffic on Route 53, stormwater management concerns and any potential site screening concerns.

Valerie Palamountain at 17 Fleetwood Drive: Spoke in opposition to this proposal relative to the potential for site noise, stormwater management concerns and potential site screening concerns.

Dorothea Mayhew at 29 Fleetwood Drive: Spoke in opposition to this proposal relative to the fact that she lives directly behind the proposed storage facility and had access and noise concerns.

Chair Bibb: asked the applicant, Mr. Johnson, what would be the storage hours of operation?

Mr. Johnston: stated we would like it to be 24 hours at our self-storage facility and we will have a security gate, so the only employee vehicle will be mine coming into the office. There are no trucks coming or going into the storage space area as all of his electrical contracting employees take their employee vehicles home with them and would come to this location to load contracting supplies from the storage facility and be provided with the electrical contracting job assignments.

Vice Chair Murray-Key: asked the letter that went out to the adjacent property owners was that like an eight-day notice and is that customary. When I looked at the packet it was dated May 2nd for the scheduled Planning Commission Public Hearing on Tuesday, May 10th?

Mr. Miles: Yes, that is the proper timeframe for notification by First class mail and there are two consecutive Legal ads prior to the Public Hearing. The applicant also held a community meeting virtually back on March 24th and a Zoning sign was posted on Route 53 for advanced notification.

Mr. Miles: responded to Chair Bibb that in B-1 zoning there is not an hours of operation restriction it is usually a restriction for hours of operation based upon the applicant. Mr. Johnston does know that he has the opportunity between now and the Board of Supervisors to amend his proffers.

Chair Bibb: asked if there was anyone online, if they would like to speak and there was no one online to speak during the Public Hearing. At 7:55 pm Chair Bibb he closed the Public Hearing.

Mr. Zimmer: stated that while he is sympathetic to some of the folks who are against the change related to this request. As it is hard to require somebody to go out and buy other B-1 property just because there is other B-1 zoned land available. As it is also difficult for me to not look at rezoning this property to B-1 when it is adjacent to other B-1 zoned property. It seems like while not everybody may agree that this is a legitimate use and it is a legitimate way to continue to develop this shopping center and office park space area and is business zoning and not industrial.

After a brief discussion by the Planning Commissioners Chair Bibb asked if we have a separate motion on ZMP 22:02 Johnson & Co LLC and then a motion on case SUP 22:01 Johnson & Co LLC.

MOTION:	I move that the Planning Commission Recommend Approval of ZMP 22:02, a request to amend the Fluvanna County Zoning Map on 6.4 +/- acres of Tax Map 17, Parcel 2 to conditionally rezone the same from A-1, General Agricultural, to B-1, General Business and subject to the proffers received on March 16, 2022.				
MEMBER:	Bibb	Vacant	Murray-Key	Lagomarsino	Zimmer
ACTION:			Second		Motion
VOTE:	Yes		Yes	Yes	Yes
RESULT:	4-0 Recommended Approval with proffers dated March 16, 2022				

MOTION:	I move that the Planning Commission recommend Approval of SUP 22:01 request in the B-1, General Business Zoning District to permit a contractor's storage yard with respect to 6.4 +/- acres of Tax Map 17 Section 2 Parcel 2 and subject to the seven (7) case conditions in the staff report.				
MEMBER:	Bibb	Vacant	Murray-Key	Lagomarsino	Zimmer
ACTION:			Second		Motion
VOTE:	Yes		Yes	Yes	Yes
RESULT:	4-0 Recommended Approval with seven conditions in the staff report				

SUP 22:02 Louisa County - Douglas Miles, Community Development Director

A Special Use Permit to allow for major utilities, with respect to Louisa County constructing new public water and sewer lines from Ferncliff to Shannon Hill and will be constructed within the limits of the US Route 250 right-of-way. The subject properties of the request are known as Tax Maps 24-3-2, 24-2-1A4, 24-A-11A, 24-A-11, 24-A-15B, 24-A-GL15 and 24-A-16. They are zoned A-1, General Agricultural and are generally located along US Route 250 and at its intersection with Three Chopt Road in the Rural Preservation Area and in the Columbia Election District.

Mr. Miles: stated that Louisa County has requested a Special Use Permit for a public water and sewer infrastructure project which consists of linear, underground water and sewer lines that are to be constructed from Ferncliff to Shannon Hill and paralleling Route 250. The water and sewer line project will be underground and not visible to the adjoining property owners and all infrastructure will be constructed within the Route 250 right-of-way limits. In the event that driveways are open cut or mailboxes are temporarily removed for construction purposes, the applicant will return all of the disturbed areas to equal or better conditions upon completion of the water and sewer line project. All existing driveways to individual properties will remain open during construction of the lines.

Recommended Conditions:

1. The construction, operation and maintenance of the Louisa County water and sewer lines located in Fluvanna County shall comply with all local, state and federal requirements.

2. Vehicular access to all of the residences and parcels along the Route 250 right-of-way shall be maintained at all times and Louisa County shall be responsible for returning all affected access points or mailboxes to equal or better conditions upon project completion.

Andy Wade, Louisa County Economic Development Director, he provided his presentation slides that illustrated the water and sewer lines that would be installed along Route 250 in Fluvanna County through Goochland County and then ending up in Louisa County in the Shannon Hill area.

Bruce Strickland, PE, Timmons Group (Online) indicated that this water and wastewater lines project has been in modelling design for several months and has been discussed with the public.

Chair Bibb: opened up the Public Hearing at 8:17 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.

With no one coming forward wishing to speak in person or online, Chair Bibb closed the Public Hearing at 8:18 pm.

Mr. Wade: asked if the Fluvanna County Planning Commission was finding this SUP case request in substantial accordance with the Comprehensive Plan under the 2232 state code designation?

Mr. Payne: stated in case you did not understand the question from the applicant, Virginia State Code Section 15.2-2232 requires that a lot of public buildings and structures and, public utilities in particular, are required to be reviewed by the Commission for substantial accordance with the Comprehensive Plan. The staff report did elaborate on this legal finding, so in my judgement a Recommendation for Approval of this special use permit would satisfy the statutory requirement.

Chair Bibb: asked are there any more questions or do we have a motion on this request.

MOTION:	I move that the Planning Commission Recommends Approval of SUP 22:02 Louisa County - A Special Use Permit to allow for major utilities, with respect to Louisa County constructing new public water and sewer lines from Ferncliff to Shannon Hill and will be constructed within the limits of the US Route 250 right-of-way. The subject properties of the request are known as Tax Maps 24-3-2, 24-2-1A4, 24-A-11A, 24-A-11, 24-A-15B, 24-A-GL15 and 24-A-16 and along with the two (2) conditions found in the staff report.				
MEMBER:	Bibb	Vacant	Murray-Key	Lagomarsino	Zimmer
ACTION:			Motion	Second	
VOTE:	Yes		Yes	Yes	Yes
RESULT:	4-0 Recommended Approval with two conditions in the staff report and this request was found in Substantial Accordance with the 2015 Plan.				

6. **PRESENTATIONS:**
None

7. **SITE DEVELOPMENT PLANS:**
None

8. **SUBDIVISIONS:**
None

9. **UNFINISHED BUSINESS:**
None

10. **NEW BUSINESS:**
None

11. **PUBLIC COMMENTS #2:**

Chair Bibb opened up the Public Comments at 8:21 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.

With no one coming forward wishing to speak in person or online, Chair Bibb closed the Public

Comments period at 8:21 pm.

12. ADJOURNMENT:

Chair Bibb adjourned the Planning Commission meeting on May 10, 2022 at 8:21 pm.

Minutes were recorded by Valencia Porter, Administrative Programs Specialist.

Barry A. Bibb, Chair
Fluvanna County Planning Commission

APPROVED