

FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Circuit Court Room
July 9, 2019
7:00 p.m. Regular Meeting

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice Chairman
Lewis Johnson
Gequetta “G” Murray-Key
Howard Lagomarsino
Patricia Eager, Board of Supervisors Representative

BOARD OF SUPERVISORS: John M. (Mike) Sheridan, Columbia District, Chair
Tony O’Brien, Rivanna District, Vice Chair
Donald W. Weaver, Cunningham District
Mozell Booker, Fork Union District
Patricia Eager, Palmyra District

ALSO PRESENT: Douglas Miles, Director of Community Development
Brad Robinson, Senior Planner
Holly Steele, Planner
Fred Payne, County Attorney
Valencia Porter, Senior Program Support Assistant
Eric Dahl, County Administrator
Caitlin Solis, Clerk of the Board of Supervisors

ABSENT: None

1. **Open the Regular Meeting:**
At 7:00p.m., 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:

June 19, 2019

ZMP 18:01 Steven L. & Codie C. Peters / Colonial Circle – A request to rezone, from A-1 Agricultural, General and B-1 Business, General to R-3, Residential Planned Community, 61.95 acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The property is within the Rivanna Community Planning Area and the Palmyra Election District. **(Approved 4-1)**

SUP 18:05 Steven L. & Codie C. Peters / Colonial Circle Density – A request to increase density above 2.9 dwelling units per acre with respect to 61.95 acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road (State Route 618). The property is within the Rivanna Community Planning Area and the Palmyra Election District. **(Approved 4-1)**

July 2, 2019

None

Board of Zoning Appeals Actions:

June 18, 2019

BZA 19:03 – Keith Bray: A request for a variance to Fluvanna County Code Sec.22-4-3(G) of the Zoning Ordinance to allow for the reduction of the minimum rear setback, from 75 feet to 51 feet, for the purpose of constructing a new 42’ x 70’ garage building with a gable roof with respect to

2.5 acres of Tax Map 8, Section 6, Parcel 2. The subject property is located in the Palmyra Election District at the intersection of Lake Monticello Road (Route 618) and White Oak Drive. The property is zoned A-1, Agricultural, General and is within the Rivanna Community Planning Area. **(Dismissed 3-0)**

BZA 19:04 – Greenberry’s: A request for a variance to Fluvanna County Code Sec.22-11-5 of the Zoning Ordinance to allow for the reduction of the minimum building setback required from a street right-of-way, from 50 feet to 25 feet, for the purpose of constructing a light manufacturing facility with respect to 1.095 acres of Tax Map 5, Section 24, Parcel 6. The subject property is located in the Columbia Election District within the Zion Station industrial subdivision at the intersection of Zion Station Road (Route 1021) and Zion Station Court (Route 1022). The property is zoned I-1, Industrial, Limited and is within the Zion Crossroads Community Planning Area. **(Denied 3-0)**

Technical Review Committee for June 13, 2019:

- I. **SDP 19:05 Fork Union Fire Training Building** – A site development plan request to construct a fire training building, with respect to 10 acres of Tax Map 51, Section A, Parcel 129. The property is zoned I-1, Industrial, Limited and located on James Madison Highway (Route 15), approximately 1 mile southeast of the intersection with East River Road (Route 6). The property is located in the Fork Union Election District and is within the Fork Union Community Planning Area.
- II. **SDP 19:08 Lane Self Storage** – A site development plan request to construct seven self-storage buildings, parking area and travelways with respect to 4.337 acres of Tax Map 5, Section A, Parcel 59. The property is zoned I-1, Industrial, Limited and located along U.S. Route 15 (James Madison Highway) approximately 0.2 miles south of its intersection with U.S. Route 250 (Richmond Road). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.
- III. **SDP 19:10 Central Virginia Electric Cooperative** – A site development plan request to construct an employee parking area containing 26 spaces with respect to 41.815 acres of Tax Map 10, Section A, Parcel 32. The property is zoned B-1, Business, General and located on the east side of Salem Church Road (Route 644), approximately ¼ mile south of its intersection with Union Mills Road (Route 616). The property is located in the Columbia Election District and is within the Rural Residential Planning Area.
- IV. **SUP 19:05 Mary Jane Cathers** – A request for a special use permit to convert the second floor of an existing 24’ x 48’ barn into a specialty retail store for the sale of alpaca products and to host related workshops, with respect to 4.234 acres of Tax Map 19, Section 13, Parcels 5 and 6. The property is located off of James Madison Highway (State Route 15), approximately 0.3 miles south of the intersection with Bybees Church Road (State Route 613). The parcel is zoned A-1 Agricultural, General and located within the Rural Residential Planning Area and the Columbia Election District.

3. **Public Comments:**
None

4. **Minutes:**

MOTION:	Planning Commission Minutes of June 11, 2019				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:		Motion	Seconded		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Approved 5-0				

MOTION:	Joint Work Session with Board of Supervisors Minutes of June 19, 2019				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:				Motion	Seconded
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Approved 5-0				

5. **PUBLIC HEARINGS:**

Chairman Bibb invited the Board of Supervisors to call their meeting to order.

Chairman Sheridan of the Board of Supervisors called the Special Meeting to order at 7:10p.m.

ZTA 19:01—Industrial District Setbacks—Brad Robinson, Senior Planner:

- Proposed text amendment would apply only to business or industrial subdivisions
- Currently I-1 zoning district requires a 50’ setback from a street right-of-way for properties within a subdivision for business or industrial uses
 - Requirement is 100’ for all other properties
- I-2 zoning district requires a 200’ setback from a street right-of-way for all I-2 zoned properties (no exception within a subdivision)

Zoning	Building Setback	Parking Setback
I-1	100’ from any street right-of-way (50’ if said street is an access road within a subdivision for business or industrial uses and serves properties that contain industrial zoning district classifications only)	50’ from any street right-of-way (25’ if said street is an access road within a subdivision for business or industrial uses and serves properties that contain industrial zoning district classifications only)
I-2	200’ from any street right-of-way	None specified

Conclusions:

- Remove the requirement of a minimum building setback from a street right-of-way within industrial subdivisions;
- Allow flexibility with site design and building orientation on a site-specific basis;
- Encourage economic development in the County.

Staff Comments

- May want to consider reducing the current setback requirements as opposed to not having a minimum setback requirement.
- Staff recommends 25’ minimum

Public Comments and Questions:

Payne: This amendment only deals with the setback from the roads. If you thought of anything in between 50ft and 0ft you can amend that. The staff and I recommend the 25ft, and I don’t have a problem with that.

Bibb: In our discussion from earlier the Planning Department and I also thought that it was advisable Idea to also move it to 25ft. Also what I thought about is when they do the underground utilities we will still have to move it back if it became the 0ft setback. So that’s why I thought about the 25 would be great.

Robinson: That’s correct

Murray-Key: I was wondering how we came up with this 25ft setback? Is that with the parking setbacks that we already have?

Robinson: It should because we already have a minimum of 25ft setback for parking, so that’s some of the reason why we chose the 25ft, that way it will line up with the parking setback.

Zimmer: This amendment kind of came to us by a specific request. Would this 25ft meet their propose setback? Will their proposed plan be okay?

Robinson: Yes.

Payne: That was the variance that they were asking for, but that was not the reason the staff picked that number.

Murray-Key: So if I can get just a little more clarification on this. You’re saying 25ft; are you saying that flat out, or did I hear the opportunity, Mr. Payne and you were saying that the situation where you’re trying to get the developers the opportunity to go from 0 to 25ft. Did I misunderstand something?

Payne: Yes, you misunderstood it. The original copy that you have in your packet, it talks about no setback on it for the exception of traffic concerns, but if there is a problem then it will have to be at least 25ft. The revised copy is a minimum of 25ft of setback, which is a hard number.

Zimmer: So they are at least keeping the safety language in there, that way it wouldn’t go below 25ft.

Payne: If you do nothing then it will be 50ft in the I-1, and 200 in the I-2. You can leave it alone, you can reduce it to zero, or you can get more bang for your bucks.

Miles: That’s an important point, we talked about is that in the industrial subdivision, or in Zions Crossroads or what have you, we still like on Route 15 or Route 53 you would want to have a 100ft setback for future widening, straightening, or even for VDOT, that way you will always have that adequate space. That way in 10-15 years from now you wouldn’t have to worry about that.

Public Hearing:

None

Suggested Motion:

I move that the Planning Commission recommend approval of ZTA 19:01, an ordinance to amend Chapter 22 of the Fluvanna County Code by the addition of a new Subsection 22-11-5 and 22-12-5 to reduce the minimum building setbacks for properties in industrial subdivisions.

MOTION:	Industrial District Setbacks (Ordinance version 1)				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:		Motion	Seconded		
VOTE:	No	Yes	Yes	Yes	Yes
RESULT:	Approved 4-1				

Chairman Sheridan of the Board of Supervisors adjourned the Board of Supervisors Special Meeting for July 9, 2019.

6. **PRESENTATIONS:**

None

7. **SITE DEVELOPMENT PLANS**

SDP 19:05 Fork Union Fire Training Building—Holly Steele, Planner

- Request for approval to construct a fire training building, with respect to 10 acres of Tax Map 51, Section A, Parcel 129.
- Parcel is zoned I-1 and is located within the Fork Union Community Planning Area and Election District;
- Adjoining parcels are zoned I-1 and A-1.

Conclusion:

- Sketch plan is a request to construct a fire training building, with respect to 10 acres of Tax Map 51, Section A, Parcel 129.
- Appears to meet the requirements of zoning ordinance;
- Final site plan that complies with all aspects of the zoning ordinance must be submitted for final review and approval from all agencies;
- Staff recommends approval of SDP 19:05, subject to the three (3) conditions listed in the staff report and on the following slide.

Public Comments and Questions:

Payne: The County of Fluvanna already owns that section of the property. It is under contract, and will close by the end of this month.

Zimmer: This will be a fire training building where they learn the different types of fires, is that correct? It's also called a burn building.

Steele: Yes, that is correct. Right now we currently have to go to other counties to have this type of training, so this is definitely in need of.

Ben Powell, Applicant: This is a Virginia Department of Fire program, type 2, class A building. The building will not burn, we will have straw and other monitor type of paper, a special type of heating system. That way when it gets to a certain amount of temperature, it will contact an alert type of system and calm itself down. Nothing can be used in there except for the Class A material.

Lagomarsino: Are there any future plans for class room work?

Dahl: The nice thing about this is that there is the Community Center is right there and there is a space for work right there inside of the firehouse right next to it. Plenty of parking also.

Lagomarsino: Is the site big enough for an elevate training?

Ben Powell, Applicant: Whatever the Fire and Rescue Association wants to plan ahead or get funding for that is a large site there, but there have been some discussion of some tower work, and there will be a 2 to 3 stories of the building. It will be ground ladders or area ladders, also it's for people with rescue that will be able to defined space. After the construction we are trying to put a picnic space there that way if you need it that that will be more space also. With the electric service we are trying to put in, we are thinking that that way if someone wanted to use the classroom so they can use the PowerPoint that will be great.

Murray-Key: Is there going to be since its right there at the community center, is there going to be a different drive-way in what the public normally uses?

Ben Powell, Applicant: Right now it is going to be the entrance for the Community Center, they will go across the entrance to the front of the building. That will be the right side of the driveway for them to come along the back to where it is.

Murray-Key: So will there be something that says authorized users only, so that folks won't be able to go back there?

Dahl: Certainly are going to be some signs up.

Bibb: There is going to be a locked gate, right?

Ben Powell, Applicant: Yes.

Suggested Motion:

I move to approve SDP 19:05, a sketch plan request to construct a fire training building, with respect to 10 acres of Tax Map 51, Section A, Parcel 129, subject to the three (3) conditions listed in the staff report.

MOTION:	SDP 19:05 Fork Union Fire Training Building				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:			Motion		Seconded
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Approved 5-0				

SDP 19:08—Lane Self Storage—Brad Robinson, Senior Planner

- Request for sketch plan approval to construct seven self-storage buildings, parking area and travelways with respect to 4.337 acres of Tax Map 5, Section A, Parcel 59.
- Parcel is zoned I-1 and is located within the Zion Crossroads Community Planning Area;
- Adjoining parcels are zoned A-1

Conclusion:

- Sketch plan is for seven self-storage buildings
- Appears to meet the requirements of zoning ordinance;
- Final site plan that complies with all aspects of the zoning ordinance must be submitted for final review and approval from all agencies;
- Staff recommends approval of SDP 19:08, subject to the three (3) conditions listed in the staff report

Public Comments and Questions:

Bibb: VDOT is saying that the entrance will probably have to be approved for either a low volume commercial, or a commercial, which will come up later in the site plan?

Robinson: That's correct.

Eager: Will any of the storage units be climate controlled?
Michael Chandler, Shimp Engineering: Yes, there will be climate control. Two buildings on the lower half of the site plan, seven buildings total.
Lagomarsino: Did the fire chief express his concerns about access?
Michael Chandler, Shimp Engineering: Yes, the fire chief wanted us to provide access so that they can go all around the property without having to make any turns. There will be a motorized gate all the way around with a keyless entry where you would have to open the gate with a security code.

Suggested Motion:
I move to approve SDP 19:08, a sketch plan request to construct a self-storage facility with respect to 4.337 acres of Tax Map 5, Section A, Parcel 59, subject to the conditions listed in the staff report.

MOTION:	SDP 19:08 Lane Self Storage				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:		Seconded		Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Approved 5-0				

SDP 19:10 Central Virginia Electric Cooperative—Brad Robinson, Senior Planner

- Request for sketch plan approval to construct an employee parking area containing 26 spaces with respect to 41.815 acres of Tax Map 10, Section A, Parcel 32;
- Parcel is zoned B-1 and is located within the Rural Residential Planning Area;
- Adjoining parcels are zoned A-1.

Conclusion:

- Sketch plan is for an additional employee parking area;
- Appears to meet the requirements of zoning ordinance;
- Final site plan that complies with all aspects of the zoning ordinance must be submitted for final review and approval from all agencies;
- Staff recommends approval of SDP 19:10, subject to the three (3) conditions listed in the staff report

Public Comments and Questions:
Bibb: This will be gravel parking this time, then come back and pave it later on.
Robinson: That’s correct.
Bibb: One of the necessary things that they have been doing is working with the Firefly here in the county. They need these additional spaces for the workers that will be working there.
Robinson: That’s correct.
Dahl: Yes, one of the CVEC operations here in the county, they have property there, I actually have spoken to them, and they have eleven new employees, a dozen of fire fly broad bands that’s coming into the county.

Suggested Motion:
I move to approve SDP 19:10, a sketch plan request to construct an employee parking area Containing 26 space with respect to 41.815 acres of Tax Map 10, Section A, Parcel 32, subject to The conditions listed in the staff report.

MOTION:	SDP 19:10 Central Virginia Electric Cooperative				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:				Motion	Seconded
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Approved 5-0				

8. **SUBDIVISIONS:**
SUB 18:25 Rivanna Investments & Steger Investments—Brad Robinson, Senior Planner
Request for sketch plan approval for a rural cluster minor subdivision with respect to 12.53 acres of Tax Map 9, Section A, Parcel 11F.
- 4 building lots (3.1 acres) and 5 dwelling units (one unit in open space)
 - 9.43 acres in open space

- Parcel is zoned A-1 and is located within the Rivanna Community Planning Area

Conclusion

- Sketch plan is for a rural cluster minor subdivision with 4 lots and 5 dwelling units (when including open space);
- Appears to meet the requirements of zoning and subdivision ordinances;
- Preliminary and final plats must be submitted for final review and approval from all agencies;
- Staff recommends approval of SUB 18:25, subject to the four (4) conditions listed in the staff report

Public Comments and Questions:

Bibb: Seems to me most of the open space is actually up against Lake Monticello.

Robinson: They concentrated the open space against Lake Monticello.

Murray-Key: Do residents would like to reserve the path for the areas, is this the first time we ever done?

Robinson: A minor rural cluster subdivision.

Murray-Key: So what in what sense will they make of, are they liking what they see, or there?

Robinson: This has been under administrative review, there hasn't been any input or comments from the residents. What I was speaking of was when the county did its last comprehensive plan and sought input from residents, concerning the Rivanna community planning area. One of the priorities that was mentioned was they would like to see preserving and protecting rural character. So they haven't commented on this specific proposal.

Murray- Key: That's what I was trying to clarify.

Lagomarsino: Looking at the sketch plan, does this meet the access road requirement, do we know what the cul-de-sac radius is going to be?

Bibb: 100 foot radius, 50 foot easement.

Kelly Strickland, Shimp Engineering: The access road will have to meet the fire entrance requirement, what we are showing on the cover sheet is a 20 foot travelway, but only 14 Feet is paved. The shoulders are 3 feet each and will have to show requirements for the fire access.

Eager: Is it going to be paved or gravel?

Kelly Strickland, Shimp Engineering: I believe it's going to be gravel.

Suggested Motion:

I move that the Planning Commission approve SUB 18:25, a request for four (4) residential lots plus open space, with respect to 12.53 acres of Tax Map 9, Section A, Parcels 11, 11B, 11F and 11G, subject to the four (4) conditions listed in the staff report.

MOTION:	SUB 18:25 Rivanna Investment & Steger Investments				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:		Seconded		Motion	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Approved 5-0				

9. **UNFINISHED BUSINESS:**

None

10. **NEW BUSINESS:**

None

11. **PUBLIC COMMENTS:**

None

12. **ADJOURN:**

Chairman Bibb adjourned the Planning Commission meeting of July 9, 2019 at 8:29p.m.

Minutes recorded by Valencia Porter, Senior Program Support Assistant.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission