

FLUVANNA COUNTY PLANNING COMMISSION
MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Highway, Fork Union, VA 23055
Tuesday, November 18, 2025
Work Session 6:00 pm
Regular Meeting 7:00 pm

MEMBERS PRESENT:

Barry Bibb, Chair
Howard Lagomarsino, Vice-Chair*
Kathleen Kilpatrick, Commissioner
Loretta Johnson-Morgan, Commissioner
Bob Dorsey, Commissioner
Mike Goad, Board of Supervisors Representative*
*(Present for PC Meeting, not Work Session)

STAFF PRESENT:

Todd Fortune, Director of Planning
Dan Whitten, County Attorney
Jason Overstreet, Senior Planner
Victoria Melton, Director of Finance
Eric Dahl, County Administrator
Kelly Harris, Assistant County Administrator
Jennifer Schmack, Director of Economic Development
Jenny Cassell Faulknier, Administrative Programs Specialist
Andy Notman, Director of Information Technology

WORK SESSION – CALL TO ORDER

At 6:08 pm Chairman Bibb called the November 18, 2025 Work Session to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

Capital Improvements Plan – Victoria Melton, Director of Finance:

Ms. Melton presented a copy of the Capital Improvement Plan to the Planning Commission Members with no changes. She said she would present changes to the December 9, 2025 meeting and asked if there were any questions. There were no questions, but some discussion about process.

ADJOURNMENT:

Chair Bibb adjourned the November 18, 2025 Work Session at 6:14 pm.

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

At 7:00 pm Chairman Bibb called the November 18, 2025 meeting to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

- **Adoption of the Agenda:**

MOTION:	To Approve the Adoption of the Agenda of the Planning Commission meeting for November 18, 2025 Meeting with one change: Moving a Presentation by Mr. Whitten up the agenda.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:				Second	Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Director’s Report – Todd Fortune, Director of Planning:**

Wawa

- Closing has occurred for the property.
- Permits have been issued.
- Construction expected to start soon.

Village Residential Zoning

- Staff have been in conversation with representatives from the VCU Grace E. Harris Leadership Institute and the Virginia Chapter of the American Planning Association (APA) about possible assistance with development of concepts for Village Residential Overlays to present to the Planning Commission and the public.
- A representative from the Virginia Chapter of the APA reached out last week to let staff know they are coordinating with some of their APA student representatives to gauge their availability and interest.

- o Staff hopes to have an update for the Commission at its next meeting.

Upcoming cases

- o There are two public hearings on the agenda for tonight.
 - ZTA 25:10: Data Centers
 - ZMP 25:04: Tax Map 17-A-10
 - o There are three items under Unfinished Business for tonight.
 - SA 25:01 (Substantial Accord Review, Tenaska Power generation plant)
 - Public hearing held in October; case deferred until tonight. Staff will recommend further deferral until January.
 - ZMP 25:03 Map 11-A-88 and Tax Map 11-A-93
 - Public hearing held in October; case deferred.
 - Comprehensive Plan
 - Additional committee appointment needed.
- For rezoning or Special Use Permit applications that are submitted to our office, this is the standard process:**
- o **If received by the first of the month:**
 - Goes to the Technical Review Committee by the second Thursday of the month.
 - Goes to the Planning Commission the following month.
 - If the Commission passes it on with a recommendation, it goes to the Board of Supervisors the following month (Board public hearings are typically the second meeting of the month).
 - o **Example: an application is received by our office by December 1, 2025.**
 - Goes to the Technical Review Committee December 11, 2025.
 - Goes to the Planning Commission January 13, 2026 (public hearing).
 - If the Commission passes it on with a recommendation, it goes to the Board of Supervisors on February 18, 2026 (public hearing – second Board meeting of the month).

• **Future Meetings:**

Day	Date	Time	Public Hearings and Public Meetings	Location
Tuesday	Dec. 9, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm
Tuesday	Jan. 13, 2026*	6pm 7pm	Work Session (TDB) Regular Meeting	TBD
Tuesday	Feb. 10, 2026	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm

- o Planning Commission meetings will be held in the Morris Room (other locations to be considered if larger crowds anticipated).
- o The January 13, 2026 meeting will be the Commission’s organizational meeting for the year.

• **Presentaiton on Duties of the Planning Commission – Dan Whitten, County Attorney:**

Mr. Whitten gave a presentation on duties of the Planning Commission:

Dillon Rule

- o Local governing bodies have only those powers that are expressly granted, those necessarily or fairly implied from expressly granted powers, and those that are essential and indispensable.
- o The Dillon Rule is a rule of strict construction, and if there is a reasonable doubt whether legislative power exists, the doubt must be resolved against the local governing body.
- o Therefore, any acts done by localities that do not meet the standards for authority under Dillon Rule are unlawful and void.

The Role of the Planning Commission

- o The Planning Commission is a nonpolitical advisory body required under the Virginia Code (Sec. 15.2-2210).
- o Its primary role is to advise in the decision-making of the County Board of Supervisors.
- o Planning Commission powers include developing and recommending the comprehensive plan (Sec. 15.2-2223), making determinations on Substantial Accord (Sec. 15.2-2232), providing recommendations on Special Use Permits (Sec. 15.2-2286); and amendments of the zoning regulations or district maps (Sec. 15.2-2286).

Advisory Role of Planning Commission

- o After a comprehensive plan is adopted, the Commission continues to have ongoing responsibilities involving the plan.
- o It must review and make recommendations regarding any proposed amendments to the plan (Sec 15.2-2229).
- o It must review the plan every 5 years and report to the Board whether any amendments are needed (Sec. 15.2-2230).
- o It must review substantial accord determinations, using the adopted plan as the framework

(Sec. 15.2-2232).

The Comprehensive Plan (Sec. 15.2-2223)

- All localities are required to develop a comprehensive plan regarding the development of their communities.
- Comprehensive plans are one of the most important decision-making and priority-setting tools available to local governments to guide decision-making in land use matters.
- It is the duty of the Planning Commission to draft and recommend the County comprehensive plan to the Board, taking into consideration present and future land uses.
- The Commission may conduct surveys, hold forums, and use consultants to gather information needed to prepare the plan.

The Comprehensive Plan

- After a comprehensive plan is adopted, the Commission continues to have ongoing responsibilities involving the plan.
- It must review and make recommendations regarding any proposed amendments to the plan (Sec 15.2-2229).
- It must review the plan every 5 years and report to the Board whether any amendments are needed (Sec. 15.2-2230).
- It must review substantial accord determinations, using the adopted plan as the framework (Sec. 15.2-2232).

Substantial Accord (Sec. 15.2-2232)

- Unless a feature is already shown on the adopted master plan or part thereof . . . no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility. . . whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof.

- The Planning Commission may, and at the direction of the Board must, hold public hearing.
- The Planning Commission has 60 days from submission to make a decision or it is deemed approved, unless the time is extended by the Board.
- The Board may overrule the action of the Commission by a vote of a majority of its membership.

Substantial Accord Analysis

- The Planning Commission shall communicate its findings to the Board indicating approval or disapproval and include written reasons.
- The question is whether “the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof.”
- The Virginia Code doesn’t authorize the Planning Commission to request that the applicant provide independent studies of environmental or traffic impact as part of the substantial accord analysis.

Special Use Permit (Sec. 15.2-2286)

- A: A zoning ordinance may include, among other things, reasonable regulations and provisions as to any or all of the following matters:
 3. For the granting of special exceptions under suitable regulations and safeguards; notwithstanding any other provisions of this article, the governing body of any locality may reserve unto itself the right to issue such special exceptions. . . Conditions may include the period of validity for a special exception or special use permit; however, in the case of a special exception or special use permit for residential projects, the period of validity shall be no less than three years.

Special Use Permits under the County Code (Sec. 22-17-4)

- Special use permits may be authorized by the governing body upon the governing body’s finding that the proposed use will not be detrimental to the character and development of the adjacent area.
- The governing body shall consider the following guidelines:
 - (1) The proposed use shall not tend to change the character and established pattern of the area or community in which it proposes to locate.
 - (2) The proposed use shall be compatible with the uses permitted by right in that zoning district and shall not adversely affect the use and/or value of neighboring property.
 - (3) The applicant shall also submit with the application a current survey of the subject property and a sketch plan of all proposed improvements.

Special Use Permit Conditions

- The locality may impose reasonable conditions on the issuance of the special use permit in contract to proffers that come voluntarily from the applicant.
- Once issued, the locality may only revoke a permit for failure to comply with the conditions.
- The authority to impose conditions does not extend to any requirement for dedication or construction of on- or off-site road improvements if the need for these improvements is not

- o substantially generated by the development at issue.
- o Courts will look at the reasonableness and the constitutional validity of any involuntarily imposed condition.

Special Use Permit Analysis

- o The Planning Commission can recommend conditions to ensure the appropriate agencies are reviewing and approving the use before construction begins.
- o The Virginia Code doesn’t authorize the Planning Commission to add conditions that require the applicant to provide independent studies of environmental or traffic impact.
- o However, the applicant can voluntarily offer to pay for such independent studies commissioned by the locality if the applicant desires to do so.

Conditional rezoning under County Code (Sec. 22-17-9)

- o The owner of any property subject to any application for such rezoning or amendment to the zoning map, may voluntarily proffer, in writing submitted to the Zoning Administrator prior to a public hearing before the governing body, reasonable conditions for such rezoning or amendment to the zoning map, in addition to the regulations provided for the zoning district by this chapter, provided that such proffered conditions comply in full with all provisions of sections 15.2-2297 and 15.2-2298 of the Code of Virginia.
- o No such dedication or cash payment shall be made until the facilities for which such property is dedicated or cash is tendered are included in the capital improvement program.

Proffers under Virginia Code

- o Proffers may be accepted provided the (1) zoning itself gives rise to the need for the condition, (2) such conditions have a reasonable relation to the rezoning and (3) all conditions are in conformity with the comprehensive plan.
- o Reasonable conditions may include proffers for off-site road improvements or off-site transportation improvements that are adopted as amendment to the comprehensive plan and incorporated into the capital improvement program.
- o Proffers are legally required to be voluntary and, once accepted, they bind the use of the property and run with the land.
- o The Recommendation of the Planning Commission
- o The Planning Commission will make a determination whether relevant standards and policies are met by the application.
- o Members will make a decision after hearing fact-based public testimony and asking questions of staff and the applicant within the context of applicable standards.
- o The Planning Commission is making a recommendation to the Board of Supervisors, who will make the ultimate decision.

• Mr. Bibb opened the first round of Public Comments:

o **The following came forward to speak:**

- **Donna Daguanno**, 148 Grape Myrtle Dr., Palmyra, VA 22963, spoke about her oath to work against the County in every way because of her displeasure with how it is growing.
- **Sasha Morgan**, 18 Lake Rd., Troy, VA 22963, spoke about her desire to see more “due diligence when approving anything in Zion Crossroads” comparable to Tenaska.
- **Suzy Morris**, 6840 Thomas Jefferson Pkwy., Palmyra, VA 22963, spoke about historic and rural preservation, the Comprehensive Plan not being complete, and her desire to see development paused until it is.
- **James Von Ottenritter**, 2126 Nahor Manor Rd., Palmyra, VA 22963, spoke about his perceived delay in producing the updated Comprehensive Plan, the emphasis on rural preservation in the current Comp. Plan, and his desire to receive response to his letters.
- **Sandra Radford**, 121 Mulberry Dr., Palmyra, VA 22963, suggested scheduling Planning Commission meetings differently around the holidays, and making sure all desired documentation is in place at the time of accepting applications.
- **Tracey Smith**, 2 Sandy Beach Ct., Palmyra, VA 22963, spoke about her displeasure regarding the updated Comprehensive Plan not being complete.

• With seeing no one else coming forward to speak, Mr. Bibb, Chair, closed the first round of Public Comments.

• Minutes:

MOTION:	Deferral of Minutes from October 7, 2025			
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino
ACTION:		Motion	Second	
VOTE:	Aye	Aye	Aye	Aye
RESULT:	5-0 Deferred			

Public Hearings:

- ZTA 25:10 – Data Centers, Todd Fortune, Director of Planning
 - This proposed ZTA would amend the Fluvanna County Code by amending §§ 22-11-2.1, 22-11-2.2, 22-12-2.1, 22-12-2.2, and 22-22-1 to change data centers from a by-right use to a use allowed by special use permit in the I-1, Industrial, Limited and I-2, Industrial, General districts, and to modify the definition of “Data Center.”
 - At its regular meeting on September 17, 2025, the Board of Supervisors approved a moratorium on new Data Center applications to begin immediately and end January 31, 2026.
 - Subsequently, at its regular meeting on October 1, 2025, the Board passed a resolution of intention to amend the Fluvanna County Code to change data centers from a by-right use to a use allowed by special use permit in the I-1, Industrial, Limited and I-2, Industrial, General Districts, and to modify the definition of “Data Centers.
 - The Planning Commission approved a resolution at its October 7, 2025 meeting to authorize advertisement of a public hearing to consider this proposed ZTA.

Public Hearing for ZTA 25:10 opened by Mr. Bibb:

- The following people spoke regarding ZTA 25:10:
 - Michelle Dubert-Bellrichard, 1830 Hunters Lodge Rd., Troy, VA 22974, spoke in favor of requiring Special Use Permits for Data Centers.
 - James Scott, 116 Tulip Dr., Palmyra, VA 22963, spoke in favor of data centers not being allowed by right, and suggested limiting the size as well.
 - James Von Ottenritter, 2126 Nahor Manor Rd., Palmyra, VA 22963, suggested getting a “definition” from someone other than the entity itself.
 - Sasha Morgan, 18 Lake Rd., Troy, VA 22974, spoke in favor of data centers requiring a Special Use Permit for a start, but suggested putting them in a technology district.
 - Donna Daguanno, 148 Grape Myrtle Dr., Palmyra, VA 22963, suggested appointing Sasha Morgan to a committee.
 - Suzy Morris, 6840 Thomas Jefferson Pkwy., Palmyra, VA 22963, spoke against allowing Data Centers.

- With seeing no one else coming forward to speak, Mr. Bibb closed the Public Hearing for ZTA 25:10.

Planning Commission Members Discussion:

Planning Commission Members discussed Data Centers, Technology Overlay districts, vested rights, SUPs, and strict restrictions, and the possible unintended consequences of the same. The Planning Commission Members requested that Board of Supervisors Representative, Mike Goad, share with the Board their desire to extend the moratorium on Data Centers to allow time for the development of a Technology Overlay district.

MOTION:	I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF ZTA 25:10 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-11-2.1, 22-11-2.2, 22-12-2.1, 22-12-2.2, AND 22-22-1 TO CHANGE DATA CENTERS FROM A BY-RIGHT USE TO A USE ALLOWED BY SPECIAL USE PERMIT IN THE INDUSTRIAL, LIMITED I-1 AND INDUSTRIAL, GENERAL I-2 DISTRICTS, AND TO MODIFY THE DEFINITION OF “DATA CENTER.”				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:			Second		Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- ZMP 25:04 – NVA Properties, LLC, Jason Overstreet, County Planner
 - Request to rezone to B-1 in order to permit construction of an automobile repair service establishment on 5.8-acre parcel, Tax Map 17-A-10.
 - Within the Rivanna CPA located near the intersection of Garden Lane and Thomas Jefferson Parkway.
 - The applicant proposes to construct a 9,000-square-foot, 12-bay automobile repair service establishment with 25 parking spaces.
 - Automobile repair service establishment: A facility for the general repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, or providing collision services, including body, frame, or fender repair, and overall painting.

- Proposed access off of Garden Lane near its intersection with Village Boulevard.
- The parcel was rezoned from A-1 to B-1 in 1997 and rezoned from B-1 to R-3 in 2004 as part of the original Nahor Village master planned community.
- A community meeting was held on 11/10 at which the attendees expressed concerns regarding the proposed entrance off of Garden Lane. Route 53 would be preferred. Concerns about the limited lines of sight at the intersection of Garden Lane and Route 53 were also voiced. Additionally, concerns about the number of cars and “junk” vehicles on the lot were expressed. Further, residents of the Nahor Village were concerned about the potential increased use of Village Boulevard. Finally, several comments were made about the location not being the right fit for an automobile repair service establishment.
- VDOT requested trip generations and turn lane warrants for the Site Plan.
- Water and sewer to be provided by Aqua Virginia, LLC.
- Potential impacts to the surrounding community will be increased traffic on Garden Lane and the potential increased use of Village Boulevard. Increased lighting at night, noise associated with the various services provided, and visual clutter could also impact the nearby residential uses.
- As of Monday (11/17), the applicant has offered the following proffers for this rezoning:
 - Enhanced Screening: At least 50% of plantings used to meet the screening requirements (of Sec. 22-24-6-E of the Fluvanna County Zoning Ordinance) shall be evergreen trees or shrubs.
 - Hours of operation: Hours of operation for the automobile repair facility shall be limited to 7 a.m. – 7 p.m. Days of the week for operation of the automobile repair facility shall be limited to Monday through Friday.

o **Applicant presentation by Justin Shimp, P. E. Founder and Principal, Shimp Engineering, P.C.**

- This will be a second location for Goodson’s Auto Repair.
- The property is located at the intersection of Route 53 and Garden Lane in Nahor.
- Entrance from Route 53 would be preferable, but the cost to a small business to build turning lanes is not practical or affordable.
- The entrance from Garden Lane is not the Applicant’s first choice.
- If the entrance is from Garden Lane, there would be a left only exit to deter traffic from cutting through The Villages at Nahor.
- By right the parcel can hold 35,000 square feet of retail, office, restaurants, and other related units.
- The approved Master Plan for Villages at Nahor shows this parcel’s use as more of a Commercial use as a part of that development.
- The Goodsons’ plan to acquire the land in early December.
- A signed proffer statement stipulating that the entrance will be from 53 is VDOT will allow it without a left turning lane.

o **Applicant presentation by Keith Goodson of Goodson’s Auto Repair**

- Goodson’s Auto Repair has outgrown the current location.
- Technicians are having trouble keeping up with demand and new technology like self-driving cars.
- One location will probably be dedicated to AOS systems, which is the self-driving part of the cars.
- Goodson’s is trying to hire more employees as they are turning away work every day.

• **Public Hearing for ZMP 25:04 opened by Mr. Bibb:**

- o **The following people spoke regarding ZMP25:04:**
 - **Llyod Wayne Nye**, 176 Village Blvd., Palmyra, VA 22963, spoke in opposition mentioning his concerns about the historic buildings next to the site, the number of vehicles parked at the Goodson’s current location, adverse traffic implications, elderly pedestrians, and the Comprehensive Plan.
 - **Bruce Langevin**, 85 Grape Myrtle Dr., Palmyra, VA 22963, spoke in opposition mentioning his concerns about storage units, traffic and pedestrian concerns, noise, light pollution, home values, and possible environmental impacts.
 - **Suzy Morris**, 6840 Thomas Jefferson Pkwy., Palmyra, VA 22963, spoke in opposition mentioning her concerns about the historic building, rural preservation, spot zoning, substantial necessity for rezoning, ground water and storm water, and aesthetics.
 - **Gerald Joy**, 160 Grape Myrtle Dr., Palmyra, VA 22963, spoke in opposition mentioning the numbers of homes and vehicles in the county, potential traffic increase on Villages at Nahor’s private road, elderly pedestrians, noise, light pollution, and aesthetics.
 - **Kristine Krechowucky**, 83 Mulberry Dr., Palmyra, VA 22963, spoke in opposition mentioning her concerns about the addition of new and increased commercial and/or industrial uses

- around the Villages of Nahor, traffic, loss of buffer, noise, light pollution, noxious fumes, elderly pedestrians, and property values.
- **Donna Daguanno**, 148 Grape Myrtle Dr., Palmyra, VA 22963, spoke in opposition stating that the time and location of meeting was a hardship for seniors, and other of her various concerns.
- **Lori Kline**, 113 Mulberry Dr., Palmyra, VA 29963, said that she felt this business was not the right fit, mentioning possible increased traffic, elderly pedestrians, and property values.
- **Joseph Chesser**, 19 Mulberry Dr., Palmyra, VA 22963, spoke in opposition mentioning his safety and traffic concerns.
- **James Von Ottenritter**, 2126 Nahor Manor Rd., Palmyra, VA 22963, spoke in opposition mentioning Robert's Rules of Order, how he personally likes the Goodsons, his concerns over this being a possible towing site, parking spaces, hazardous materials and soil samples.
- **Sandra Radford**, 121 Mulberry Dr., Palmyra, VA 22963, spoke in opposition mentioning the importance given to preserving the rural character of the County in the Comprehensive Plan, her concerns about spot zoning and the Village Concept, hazardous materials, traffic and buffers.
- **John Allen**, 24 Grape Myrtle Dr., Palmyra, VA 22963, spoke in opposition mentioning his concerns about potentially dangerous traffic issues.
- **Tracey Smith**, 2 Sandy Beach Ct., Palmyra, VA 22963, spoke in favor of supporting this small locally owned business, and the tax benefits. She shared concerns about the traffic.
- **Michael Montgomery**, 180 Village Blvd., Palmyra, VA 22963, spoke in opposition and shared his concerns about increased traffic and the safety of elderly pedestrians.
- **Colby Goodson**, 82 Ponderosa Ln., Palmyra, VA 22963, spoke in favor of approving his family's application. He stated that this will not be a towing shop. He responded to concerns expressed about light, air, and noise pollution. He also addressed traffic and pedestrian concerns, saying the family and their business strive to be good neighbors.
- **Jennifer Ruffner**, 11 Zephyr Rd., Palmyra, VA 22963, spoke favorably of Goodson's Auto Repair Service listing the ways in which they have been a "wonderful local business" and "good community neighbor".
- **Steve Bevis**, 149 Tulip Dr., Palmyra, VA 22963, spoke in opposition of the application based on its proposed proximity to the elderly residents living at the Villages at Nahor.

- With seeing no one else coming forward to speak, Mr. Bibb closed the Public Hearing for ZMP 25:04.
- Applicant invited to share rebuttal by Mr. Bibb, Chair:
 - The following spoke in rebuttal, on behalf of the Applicant:
 - **Justin Shimp, P. E. Founder and Principal, Shimp Engineering, P.C.**, clarified the wording in the application saying it is not "spot zoning" and that this has been zoned as commercial for 20 years. He mentioned the tax revenue, new jobs, and needed service to be provided to the community. He said they are committed to trying to get the entrance out on to Route 53. He spoke about the by-right uses that would use more square feet and create more traffic. He offered to discuss any specific proffers.
 - **Commission Members asked various questions of the Applicant and, and Applicant responded:**
 - Yes, this will be a second location.
 - This second location was chosen to serve their existing and loyal customer base as they have outgrown the one current location.
 - The Applicant do not own the current location, and purchasing it is not an option.
 - The property is currently zoned R-3, which permits some businesses by right, but not the one being proposed for this location.
 - The Master Plan for Villages of Nahor that was approved called for 8,000 square feet of commercial development. This property, by right, could be developed with up to a 35,000 square foot building.
 - By right, this property could hold up to 16 residences, including multi-family dwellings and townhouses.
 - The Applicant uses their oil waste for heating the shop, and the used antifreeze gets picked-up once a month. The oil that does not get used for heat is picked-up by recyclers as does the used batteries.
 - The shop will have 6 bays, double-deep.
 - The Applicant does not desire to take anyone's vehicle if they abandon it because they cannot afford the repair. But they will look at charging storage fees for those that are left for extended periods.
 - The Applicant is not willing to limit what types of business can be built on the subject property by proffer so that his children may have future options, but is willing to consider

- proffers about additional landscaping or square feet and number of bays, etc.
- The R-3 (Residential, Planned Community) District permits low-medium density residential development in a village-style setting, with limited commercial uses serving the surrounding neighborhood.

Uses permitted by right:

- Financial Institutions
- Medical Clinics
- Offices
- Pharmacies
- Restaurants
- Retail Stores
- Single-Family Dwellings (Attached and Detached)
- Townhouses
- Multi-Family Dwellings
- Tow-Family Dwellings
- Group Homes
- Accessory Dwellings
- *Maximum Gross Residential Density: 2.9 dwelling units per acre

Uses by Special Use Permit:

- Assisted Living
- Bed and Breakfast
- Car Washes
- Grocery Stores
- Hospitals
- Other commercial uses

- The Applicant plans to close on the land purchase whether the application is approved or not.

Planning Commission Members Discussion:

Planning Commission Members discussed the concerns expressed in the Public Hearing, and their own. Mr. Goad, encouraged the Commission members that if they could not see themselves getting to a “yes” down the road, then they should not defer but deny as to not waste the Applicant’s time. If recommended for denial by the Planning Commission the application would still go to the Board of Supervisors.

MOTION:	I MOVE THAT THE PLANNING COMMISSION RECOMMEND DENIAL OF ZMP 25:04, A REQUEST TO AMEND THE FLUVANNA COUNTY ZONING MAP TO REZONE 5.809 +/- ACRES OF TAX MAP 17 SECTION A PARCEL 10 FROM R-3 RESIDENTIAL, PLANNED COMMUNITY TO B-1, BUSINESS, GENERAL, ZONING DISTRICT.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:				Motion	Second
VOTE:	Aye	Nay	Nay	Aye	Aye
RESULT:	3-2 Approved				

RECESS:

Chair Bibb called for a recess at 10:09 pm, and reopened the Meeting at 10:20 pm.

- **Resolutions:**
 - None
- **Site Development Plans:**
 - None
- **Subdivisions:**
 - None
- **Unfinished Business:**
 - SA 25:01, Substantial Accord Review Expedition Generation Holdings - Todd Fortune, Director of Planning:

- Tenaska Generation Holdings has requested a review and determination per Section 15.2-2232 of the State Code to determine whether their proposed electric generation facility is substantially in accord with the County's Comprehensive Plan per Section 15.2-2223 of the Code of Virginia. This request is related to Tenaska's request or a SUP to construct the facility.
- The Commission held a public hearing on this request at its meeting on October 7, 2025 and deferred the request until tonight. Upon a request from the applicant and action by the Board of Supervisors, staff recommended a further deferral until January 13, 2026.

MOTION:	I MOVE THAT THE PLANNING COMMISSION FURTHER DEFER A DECISION ON THIS REQUEST UNDER VIRGINIA CODE§ 15.2-2232 REGARDING THE PROPOSED TENASKA PROJECT EXPEDITION ELECTION GENERATION STATION, UNTIL THE PLANNING COMMISSION MEETING SCHEDULED FOR JANUARY 13, 2026.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:			Motion		Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Deferred				

- **ZMP 25:03, Zion South - Todd Fortune, Director of Planning**
 - **ZMP 25:03 Zion South** – A request to rezone from A-1, Agricultural, General to the I-1, Industrial, Limited Zoning District 182.586 +/- acres of Tax Map 11 Section A Parcel 93 and Tax Map 11 Section A Parcel 88. The subject properties are generally located on the east side of James Madison Highway (U.S. 15) approximately 0.95-mile south of the intersection with Three Notch Road (U.S. 250). The parcels are located in the Zion Crossroads Community Planning Area (CPA) and the Zion Crossroads Urban Development Area (UDA), and in the Columbia Election District.
 - The Planning Commission held on public hearing on this request at its Regular Meeting on October 7, 2025. The Commission deferred this request.

Planning Commission Members Discussion:

Planning Commission Members discussed their concerns.

MOTION:	I MOVE THAT THE PLANNING COMMISSION RECOMMEND DENIAL OF ZMP 25:03, A REQUEST TO AMEND THE FLUVANNA COUNTY ZONING MAP TO REZONE 182.586 +/- ACRES OF TAX MAP 11 SECTION A PARCEL 93 AND TAX MAP 11 SECTION A PARCEL 88 FROM A-1, AGRICULTURAL, GENERAL TO I-1, INDUSTRIAL, LIMITED SUBJECT TO THE PROFFERS DATED OCTOBER 3, 2025.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:					Motion
VOTE:					
RESULT:	No Second was made. Motion failed.				

MOTION:	I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF ZMP 25:03, A REQUEST TO AMEND THE FLUVANNA COUNTY ZONING MAP TO REZONE 182.586 +/- ACRES OF TAX MAP 11 SECTION A PARCEL 93 AND TAX MAP 11 SECTION A PARCEL 88 FROM A-1, AGRICULTURAL, GENERAL TO I-1, INDUSTRIAL, LIMITED SUBJECT TO THE PROFFERS DATED OCTOBER 3, 2025.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion	Second		
VOTE:	Aye	Aye	Aye	Aye	Nay
RESULT:	4-1 Approved				

- **Comprehensive Plan Update - Todd Fortune, Director of Planning**

Updates to Plan Sections:

- Work is proceeding on individual sections of the Plan update.

- Introduction
- Section 1 (Natural Environment)
- Section 2 (Land Use)*
- Section 3 (Infrastructure)*
- Section 4 (Transportation)*

- Section 5 (Economic Development)*
- Section 6 (Historic Preservation)*
- Section 7 (Parks and Recreation)*
- Section 8 (Housing)*
- Section 9 (Human Services)*
- Section 10 (Education)*
- Section 11 (Public Safety)*
- Section 12 (Financial Sustainability)*

* A new section will be added to address Rural Preservation. Consequently, numbers for existing sections will be changed.

Advisory Groups

- The advisory groups continue to meet regularly to review documents related to the Comp Plan.
 - The exception is Historic Preservation Advisory Group, which is dealing with logistical issues.
- Next meetings for each group:
 - Economic Development – December 15 at 4:30
 - Rural Preservation – December 10 at 5:30
 - Housing – December 1 at 3:00
 - Historic Preservation – TBD
- The Rural Preservation Group had been debating where to add text about Rural Preservation.
 - The group has revamped the Rural Preservation Advisory Group report, and verbiage has been drafted to incorporate the report recommendations into the Plan. They have decided to include this information as its own section of the Plan.
- Some of the groups have debated the number of Community Planning Areas to have in the Plan – keep it at three or reduce it to two.
 - This arose due to the recent change in the County Code regarding Rural Cluster Subdivisions.
- The Historic Preservation group has not met recently.
- Staff have been working to identify a new member for the group.
- A new member has been identified.
 - Gibson Worsham
- The Chair will be asked to formally appoint Mr. Worsham to the Historic Preservation advisory group tonight.
 - Per Planning Commission by-laws, the Chair makes appointments to ad-hoc committees.
- Mr. Bibb appointed Gibson Worsham to the Historical Preservation Advisory Group.

• **New Business:**

- None

• **Public Comments #2:**

- Mr. Bibb opened the second round of public comments.
- With no one else coming forward to speak, Mr. Bibb closed the public comment period.

• **ADJOURNMENT:**

- Chair Bibb called for a motion to adjourn the December 9, 2025 Planning Commission regular meeting at 10:36 pm.

MOTION:	Motion to Adjourn the September, 2025 Planning Commission regular meeting at 10:36 pm.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagamarsino	Morgan
ACTION:		Motion		Second	
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

Minutes were recorded by Jenny Cassell Faulknier, Administrative Programs Specialist.


Barry Bibb, Chair
Fluvanna County Planning Commission