

**Orange County Planning Commission
Regular Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, January 16, 2014
Minutes**

Present: Donald Brooks, Andy Hutchison, George Yancey J.P. Tucker, III,
Nigel Goodwin, James Crozier, BOS Representative

Staff Present: Gregg B. Zody, Director; Josh Frederick, Senior Planner; Tom Lacheny,
County Attorney; Janet Jones, Senior Administrative Assistant

All discussion and comment made during this meeting was captured via digital audio recording. The minutes as written below are intended to be a summary of this discussion and comment. Anyone desiring detailed information about comment or discussion made during the meeting is referred to the recording.

1. Call to Order

2. Determination of Quorum

Chairman Brooks called the meeting to order at 7:00 p.m., and stated a quorum was present to conduct business.

3. Approval of Agenda

Chairman Brooks asked if there were any additions to or deletions from the agenda.

There were no additions or deletions from agenda.

A motion was made by Mr. Yancey, seconded by Mr. Tucker that the agenda be approved as presented. Motion carried 5-0.

4. Public Comment

Chairman Brooks opened the floor for public comment.

There were no speakers.

Chairman Brooks closed the public comment period.

5. Old Business

A. Board of Supervisors Report – James Crozier

Mr. Crozier stated the Board met on Tuesday with no change in leadership. Mr. Crozier stated he was looking forward to working with the Commission and people of Orange County.

B. Planning and Zoning Report – Gregg Zody

Mr. Zody introduced Mr. Bryan David the new Interim County Administrator.

Mr. David stated he is looking forward to working with the Commission on upcoming projects.

Mr. Zody stated the stormwater plan has been submitted to DEQ and staff has placed the plan on the county website for public review. Mr. Zody stated a public hearing needs to be held on the stormwater plan as well as work sessions with the BOS.

C. Route 3 Sub-Committee Report

Mr. Goodwin stated March 2-4, 2014 has been set for the Charette. Mr. Goodwin stated information is being gathered and a working draft is being created. Mr. Goodwin stated the Rt. 3 Visioning Committee will not be meeting again before the Charette.

7:15 P.M. PUBLIC HEARING

***REZ13-02/SUP13-04:** Stephen McLean has applied to rezone property in Locust Grove from Agricultural (A) to General Commercial (C-2), and for a special use permit to install a self-storage facility pursuant to Sec. 70-483(7) of the Zoning Ordinance. The property is referenced by tax map #23-12E, 12F and 12H, is a total of 10.882 acres, and is located on the northern side of Constitution Hwy (Rt. 20) approximately 1/3 mile east of the intersection with Flat Run Road (Rt. 601). No proffers have been volunteered with respect to the rezoning request.*

Mr. Frederick, Senior Planner briefed the Commission on the application from Mr. McLean to rezone TM #23,12E, 12F and 12H from Agricultural (A) to General Commercial (C-2) and for a special use permit to install a self-storage facility. Mr. Frederick stated the storage facility will be developed in phases and is anticipated to have approximately 620 units of both climate-controlled and traditional drive-up varieties.

Chairman Brooks opened the public hearing and asked for persons to speak on the public hearing.

There was one speaker on the application:

- Bruce Kay; 105 Constitution Highway, Locust Grove, VA

Mr. Kay was speaking on behalf of the LOWA and the citizens of LOW. Mr. Kay stated the LOWA is concerned with the permissiveness of the C-2 zoning and strongly urges the Commission to use the C-1 zoning designation and consider additional conditions. Mr. Kay stated the LOWA have no objection to the self storage units, but that the C-2 zoning is quite permissive.

Mr. Steven McLean, applicant spoke on his application for the rezoning and special use permit on the construction of the self-storage facility. Mr. McLean stated this is the second facility of this type he has constructed and owned.

There being no other speakers, the public hearing was closed.

The Commission discussed at length the application and why the applicant had requested C-2 vs. C-1 zoning. The Commission also discussed the conditions proposed by staff.

Mr. Lacheney stated verbal agreements are not enforceable and that any verbal agreements made should be a part of the special use permit conditions.

Following the discussion of the General Commercial (C-2) vs. Limited Commercial (C-1), Mr. McLean stated he is in agreement to amend his request from General Commercial (C-2) to Limited Commercial (C-1) with the approval to build the size of buildings he is proposing.

A motion was made by Mr. Goodwin, seconded by Mr. Hutchison to approve the request for rezoning from Agricultural (A) to Limited Commercial (C-1) using the standard resolution of approval. Motion carried with all members voting in the affirmative.

RESOLUTION RECOMMENDING APPROVAL

RE: REZ 13-02: McLean Self-Storage Facility

WHEREAS, Stephen McLean has applied to rezone property, referenced by tax map #23-12E, 12F and 12H and containing a total of 10.882 acres in Locust Grove, from Agricultural (A) to General Commercial (C-2); and

WHEREAS, the Planning Commission held a duly advertised public hearing on this proposed rezoning on January 16th, 2014; and

WHEREAS, Staff of the Department of Planning and Zoning have recommended approval of this rezoning; and

WHEREAS, the applicant verbally amended his application during the public hearing to rezone the property to Limited Commercial (C-1); and

WHEREAS, the Planning Commission has determined that this rezoning is consistent with the Comprehensive Plan and would serve the interests of public necessity, convenience, general welfare, and as good zoning practice.

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Planning Commission hereby recommends that the Orange County Board of Supervisors **approve** REZ 13-02, as amended, to rezone 10.882 acres, as referenced by tax map #23-12E, 12F and 12H, from Agricultural (A) to Limited Commercial (C-1).

SUP 13-04: McLean Self-Storage Facility

The Commission discussed at length the proposed conditions for the self storage facility.

A motion was made by Mr. Goodwin that a buffer be added to the front of the building from Rt. 20. Motion dies due to lack of a second.

Chairman Brooks noted this proposed project does not impact the schools or infrastructure.

A motion was made by Mr. Hutchison, seconded by Mr. Tucker to approve the amended conditions as per standard resolution. Voting Aye: Tucker, Hutchison, Brooks, Yancey; Voting Nay: Goodwin. Motion carried 4-1.

RESOLUTION RECOMMENDING APPROVAL

RE: SUP 13-04: McLean Self-Storage Facility

WHEREAS, Stephen McLean has applied for a special use permit, pursuant to Sec. 70-483(7) of the Zoning Ordinance, to install a self-storage facility on property in Locust Grove, referenced by tax map #23-12E, 12F and 12H and containing a total of 10.882 acres; and

WHEREAS, the Planning Commission held a duly advertised public hearing on this proposed special use permit on January 16th, 2014; and

WHEREAS, the Planning Commission's approval of REZ 13-02, as amended, is necessarily subsequent to approval of this special use permit as a matter of permitted uses; and

WHEREAS, Staff of the Department of Planning and Zoning have recommended approval of this special use permit subject to certain conditions; and

WHEREAS, the Planning Commission has determined that this special use permit, as conditioned, would further the purposes of the Comprehensive Plan and the Zoning Ordinance; not threaten the public health, safety or welfare; promote compatibility with the surroundings; and not result in substantial detriment to the surrounding property.

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Planning Commission hereby recommends that the Orange County Board of Supervisors **approve** SUP 13-04 for tax map #23-12E, 12F and 12H with the attached conditions, amended during the public hearing, in order to mitigate the impacts of the proposed use.

**SUP 13-04: McLean Self-Storage Facility
Orange County Tax Map #23-12E, 12F & 12H**

The conditions of this special use permit ("SUP") shall apply to the properties identified on county tax map 23 as parcels 12E, 12F & 12H, as well as any future division or consolidation of said properties. Compliance is the responsibility of the applicant, owners and assigns. The following conditions are intended to offset and mitigate impacts of the proposed development, and to render the application consistent with the applicable provisions of the Comprehensive Plan. If the conditions of the SUP or the information on the SUP plans are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless, specifically modified, waived or otherwise specified in these conditions.

1. Controlling documents – Controlling documents shall be the conditions as set forth herein and the documents submitted with the application.
2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine "substantial conformance." The business owner and/or property owner shall be responsible for obtaining all required site plan approvals, building permits, health permits, VDOT permits, zoning and erosion & sediment control permits.

The business owner and/or property owner shall be responsible for complying with all local, state and federal laws and regulations that are applicable to the business.

3. Uses – This SUP shall permit the operation of a self-storage facility as generally shown on the site plan and described in the application.
4. Performance Standards:
 - Per recommendations by the Culpeper Soil & Water Conservation District in their comment letter dated November 18th, 2013:
 - A stormwater concept plan shall be submitted as part of a site plan that includes the delineation of critical slopes (>15%), streams, soils,

and wetlands. The concept plan shall estimate the required storage volumes necessary for maintaining the 1-year peak flow rate and 1-year volume in forested condition as per a full LID design.

- For the intermittent stream channel on the western side of the property, an undisturbed 35' stream buffer shall be maintained where slopes are 3% or less. An undisturbed 50' stream buffer shall be maintained where slopes are greater than 3%.
- A minimum 50' natural, treed buffer shall be maintained on the sides and rear of the property.
- Any freestanding sign for the site shall be monument-style with a maximum height of 10' in order to reduce the visual impact for motorists along Constitution Hwy (Rt. 20).
- Storage of motor vehicles, boats, recreational vehicles, motorcycles, etc. shall be screened so as to blend into the natural surroundings and not be visible from any public right-of-way.
- A parking concept plan shall be submitted as part of a site plan that clearly delineates the area reserved for storage of motor vehicles, boats, recreational vehicles, motorcycles, etc. This area shall not be used to satisfy any other parking requirement.
- There shall be no minimum parking requirement for the drive-up storage units, provided they front on a drive aisle with a minimum width of 24' (or 12' for perimeter units). For any indoor climate-controlled storage units, 1 parking space shall be required for every 20 units.

6. New Business

There was no new business.

7. Commissioner Comments

Chairman Brooks stated the County Administrator is getting direction prepared for the Commission. Chairman Brooks stated he would like to get permission from the Commission to talk with Mr. Zody to see what direction to go in. The Commission agreed that the Chairman Brooks should meet with Mr. Zody to discuss priorities and procedures for the work. Mr. Goodwin asked that the staff report for future SUP applications include comment on how the requirement for a concept plan from the applicant was handled at the Application Review Committee meeting.

8. Next meeting

The next meeting of the Commission will be February 6, 2014.

9. Adjourn

A motion was made by Mr. Tucker, seconded by Mr. Goodwin that the meeting be adjourned. Motion carried 5-0. Meeting adjourned at 8:53 pm.

Donald Brooks, Chairman

Gregg B. Zody, Secretary