

**Albemarle County Planning Commission
December 13, 2016**

The Albemarle County Planning Commission held a regular meeting on Tuesday, December 13, 2016, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Bruce Dotson, Mac Lafferty, Pam Riley, Jennie More, Daphne Spain, Tim Keller, Chair; Karen Firehock, Vice Chair and Bill Palmer, University of Virginia (UVA) representative.

Other officials present were J.T. Newberry, Senior Planner, Rachael Falkenstein, Senior Planner; Sharon Taylor, Clerk to Planning Commission; Andrew Gast-Bray, Assistant Director of CDD/Director of Planning and John Blair, Senior Assistant County Attorney.

Call to Order and Establish Quorum:

Mr. Keller, Chair, called the meeting to order at 6:00 p.m. and established a quorum.

SP-2016-00021 Tommy Shull's Wrecker and Repair

PROJECT: SP201600021 Shull's Wrecker and Repair

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL: 09000-00-00-035Q0

LOCATION: 1815 Avon Street

PROPOSAL: To permit automotive repair in conjunction with existing towing and body shop uses

PETITION: General commercial use under Section 26.2(a) of the Zoning Ordinance (via Section 24.2.1(2) "Automobile, truck repair shops")

ZONING: LI – Light Industry – industrial, office, and limited commercial uses (no residential use)

OVERLAYS: Entrance Corridor, Steep Slopes (Managed)

COMPREHENSIVE PLAN: Office/R&D/Flex/Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use in Neighborhood 4 of the Southern and Western Neighborhoods Master Plan

(JT Newberry)

Mr. J.T. Newberry summarized the staff report in a PowerPoint presentation, referencing an area map of the property on Avon Street Extended. He said that the map shows the comprehensive plan designation of the area, stating that the Lake Renovia subdivision borders the property on the west, and to the north is the edge of the Avinity residential development. Mr. Newberry reported that this request is to permit commercial auto repair, which the ordinance calls an "automobile/truck repair shop," that would be conducted in conjunction with an existing body shop and towing use that is operating on the site currently. He pointed out that Attachment C in the staff report is the conceptual plan, which would also likely serve as the site plan amendment for the site – with the previous site plan dating from 1973, for a certified welding shop. Mr. Newberry said that the applicant has delineated some different parking areas for towed vehicles, employee parking, customer parking, company vehicles.

Mr. Newberry reported that factors for consideration of adding auto repair to the existing body shop and towing use include that the requested use is compatible and supportive of the other existing industrial uses on the property. He said that staff's recommended conditions are fairly standard: in general accord with the concept plan as shown in Attachment C, limited hours of

operation Monday through Friday 8 a.m. to 5 p.m. Mr. Newberry stated that staff recommends approval of SP 2016-00021 with the conditions included in the staff report.

Mr. Keller invited questions for staff.

Ms. Spain noted a typographical issue on page 5 of the staff report; letter F, stating that it should say, "there are no expansion plans associated with this proposal."

Mr. Newberry confirmed that this is correct.

Mr. Keller opened the public hearing and invited comment from the applicant.

Mr. Clint Shifflet of the Timmons Group addressed the Commission and stated that he represents the applicant, Tommy Shull. He stated that Mr. Newberry's summary did a good job of explaining what the applicant was proposing and why. Mr. Shifflet said that there is no new infrastructure proposed onsite, and they were simply using the building already onsite – with no new impervious area proposed – so this was just a request to add the repair use to the existing facility. He offered to answer questions.

Ms. Firehock said that the applicant said in the future, he might pave the lot to make it more stable, and asked if they would be required to have a storm water management plan for paving such a small area.

Mr. Shifflet responded that he did not think so, and the new regulations actually consider gravel area as impervious surface, so paving that would be the same.

Mr. Dotson said that condition #2 says 8 a.m. to 5 p.m., and he asked if he felt that was adequate because someone needing to be at work at 8 a.m. would need to drop a vehicle off earlier, and similarly in terms of picking up a vehicle after 5 p.m.

Mr. Tommy Shull stated that he is the owner of the facility, they have a nighttime drop box for drop-offs before hours, and if they are picking it up after hours, they can pay by credit card over the phone and pick up their vehicle after hours.

Mr. Keller said that the Commission is trying to help him at this point in suggesting that he ask for a little more time so he would not have to come back again. He stated that if Mr. Shull could see a benefit to being open earlier or later, this is his opportunity to do that – and it would not necessarily affect the application.

Mr. Shull responded that he would ask for 7 a.m. to 6 p.m.

Mr. Keller invited public comment. There being none, the public hearing was closed and the matter before the Planning Commission for discussion and action.

Ms. Riley said she had attended the community meeting and she thinks that in general people were feeling that Mr. Shull had been a very neighbor in the past, and that there is not going to be a lot of new impact in the neighborhood. She stated that one person expressed slight concern about noise, but Ms. Riley felt that he allayed her fears that there is not going to be a lot of new activity. Ms. Riley added that she thinks there is general support in the community for it.

Ms. Firehock added that this was another very well prepared application and she did not have to come up with lots of questions, which she appreciated.

Mr. Newberry noted that this was true with the exception of the typo.

Mr. Dotson said that whoever makes the motion, he would hope they would incorporate opening at 7:30 a.m., which does not require it to open at 7:30 a.m., and closing at 5:30 p.m., which does not mean that it has to stay open beyond 5:00 p.m.

Ms. Spain pointed out that the applicant asked for 7 a.m. to 6 p.m.

Mr. Dotson noted his comment was 7:30 a.m. and 5:30 p.m.

Mr. Keller asked if there was a motion.

MOTION: Ms. Riley moved to recommend approval of SP 2016-00021 Tommy Shull's Wrecker and Repair with the conditions included in the staff report; but, with a change under recommendations #2 for the hours of operation to begin no earlier than 7 a.m. and end no later than 6 p.m., Monday through Friday.

Mr. Lafferty seconded the motion.

Mr. Keller invited discussion over the hours, because Mr. Dotson has suggested one set of hours and Ms. Riley another.

Mr. Dotson said that he was fine with the recommended hours.

Mr. Keller asked for a roll call.

The motion was approved unanimously by a vote of 7:0.

Mr. Keller said that SP-2016-00021 Tommy Shull's Wrecker and Repair would be forwarded to the Board of Supervisors with a recommendation for approval.