

**Albemarle County Planning Commission
Work Session and Regular Meeting
FINAL Minutes January 23, 2024**

The Albemarle County Planning Commission held a public hearing on Tuesday, January 23, 2024, at 6:00 p.m.

Members attending were: Fred Missel, Chair; Corey Clayborne; Karen Firehock; Julian Bivins; Luis Carrazana; and Lonnie Murray, Nathan Moore (arrived at 6:05 p.m.).

Members absent: None.

Other officials present were: Michael Barnes, Director of Planning; Kevin McDermott, Deputy Director of Planning; Stacy Pethia; Syd Shoaf; Kevin McCollum; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Other Matters Not Listed on the Agenda from the Public.

There were none.

Consent Agenda

Mr. Clayborne motioned to approve the Consent Agenda. Mr. Murray seconded the motion, which carried unanimously (6-0).

Public Hearing

ZMA202300011 4102 Dickerson Road

Syd Shoaf, Senior Planner, said that the proposal involved rezoning a 2.22-acre lot from rural areas to light industry. He said that the subject property was located north of the City of Charlottesville near the Charlottesville Albemarle Airport, and it could be found at 4102 Dickerson Road, situated north of the Airport Road, south of Chris Green Lake Park, west of US 29 North, and east of the airport.

Mr. Shoaf said that the tax map parcel was 32-9H, and the entire parcel measured approximately 2.22 acres. He said that it currently housed an existing one-story single-family dwelling unit and an existing detached garage. He said that the property was previously zoned as rural areas, which appeared as white on the map. He said that the parcels to the north and northwest were also designated as rural areas.

Mr. Shoaf said that the properties to the north primarily consisted of single-family residential units, while the property to the west was the Charlottesville Albemarle Airport. He said that to the south and southeast, a majority of the properties were zoned light industry. He said that the parcel to the east, across Dickerson Road, was designated as planned development industrial park and was zoned by the University of Virginia Foundation. He said that the airport impact area overlay district affected this property due to its proximity to the airport.

Mr. Shoaf said that the subject property was situated within the community of Hollymead in the Places 29 master plan. He said that future land use designated light industrial, which involved manufacturing from prepared materials, processing, fabrication, assembly, and distribution of products. He said that for this application, the applicant was requesting to rezone the entire 2.22-acre property from rural areas to light industry.

Mr. Shoaf said that the applicant proposed to utilize the existing home and garage as office and storage space. He said that both structures met the light industry setback requirements, with a front minimum setback of 10 feet and side and rear setbacks of 50 feet if adjacent to a parcel zoned for rural areas. He said that the ordinance also required a 30-foot use buffer and landscape screening along the northern property line to meet this requirement. He said that the concept plan illustrated a proposed parking area and one-story warehouse, both subject to site plan review by internal and external staff to ensure compliance with all codes and regulations.

Mr. Shoaf said that currently, the site was one of six parcels in the development area not connected to the Albemarle County Service Authority jurisdictional area for water and sewer. He said that the site was served by well and septic systems. He said that the map provided by the Albemarle County Service Authority illustrated the existing water and sewer connections in the area, with the subject property highlighted as yellow in the northwest corner of this map, and the closest connections to water and sewer being approximately 700 feet away.

Mr. Shoaf said that according to County Code subsection 18-26.2, a special use permit may be required if the site is not served by public sewer or water and consumes more than 400 gallons of water per site acre per day. He said that there were two factors in favor: first, the request aligned with the County's growth management policy and recommendations in the Places 29 Master Plan; second, no significant impacts to neighboring properties were expected. He said that there was one factor unfavorable: the property was not connected to the Albemarle County Service Authority water and sewer facilities. He said that staff recommended approval of the request.

Mr. Murray asked for information about expanding the ACSA jurisdictional area.

Rebecca Ragsdale, Planning Manager, said that the Board of Supervisors would need to amend the jurisdictional area in order to authorize water and sewer service for this unique spot within the development area. She said that this particular location represented a gap in the usual designation for water and sewer services, as most of the development area was already designated for these utilities. She said that it would be a Board of Supervisors action to update the jurisdictional area map to first authorize the water and sewer service. She said that with some rezonings in that area, they had considered adopting a more comprehensive look at those six parcels rather than having it an applicant-initiated case-by-case approach.

Mr. Murray asked whether they have the ability to include a separate motion as part of this proposal to recommend to the Board of Supervisors that they take that action.

Mr. Herrick said that the Planning Commission could consider making recommendations, but this was not the business before them. He said that the process was more appropriately a Board of Supervisors issue rather than a Planning Commission issue. He said that the Planning Commission had the freedom to provide any suggestions it deemed appropriate. He said that if the Commission wished to address this matter, he recommended presenting it as a separate motion distinct from the one currently before the Commission.

Ms. Firehock said that in the illustration, it indicated that a setback of 50 feet was required from the property line. She said that the proposed gravel parking lot extended up to the edge, which seemed illogical to her.

Mr. Shoaf said that it was a conceptual representation of what it could look like. He said that the proposed gravel area and warehouse would be subject to a site plan review, and during this review, they would ensure compliance with their code and meet all requirements.

Ms. Firehock said that the parking lot would not extend to the property line.

Mr. Shoaf said that was correct.

Ms. Firehock said that it would be easier and less confusing to amend that prior to presenting it to the Board.

Mr. Bivins said that he noticed there were vehicles on the property in the parking area currently. He said that when the applicant arrived, or whoever represented them, they could inform him about those vehicles presently there. He said that this other aspect continued to puzzle him. He said that it appeared that nowhere in their ordinances was anything that defers or grants legal power or standing to Monticello based on its viewshed.

Mr. Herrick said that the primary instance where the Monticello View Shed pertained was related to the acquisition of conservation easements program. He said that it did not influence rezoning applications.

Mr. Bivins said that he appreciated it if they could reach a point where they no longer argued that a piece of property was or was not within the Monticello viewshed. He said that it did not matter, nor should it at this point. He said that if the Supervisors wanted them to consider this as a County, they should include the Monticello viewshed in the County ordinances, just like water requirements and setbacks from property edges.

Mr. Bivins said that its impact on development and the built environment in the County was an issue that an organization with over \$300 million in assets should not receive for free. He said that when he lived in Manhattan and other urban areas, if an organization desired air rights, they purchased them. He said that an organization possessing over \$300 million worth of assets had the opportunity to buy viewsheds if they wished to preserve them. He said that they should stop focusing on whether something was in or out of the Monticello viewshed when considering special use permits, ZMAs, or similar requests.

Mr. Missel opened the public hearing.

Darren Giacalone, representing the applicant, said that he also owned the property next door, which he had rezoned to light industrial 16 years ago for Rooftop Services office. He said that essentially, the neighboring family wanted to sell their property, so they purchased it with the intention of expanding their business. He said that the property consisted of a house with two front doors and was similar to theirs in terms of well and septic systems. He said that they planned to convert the house into office space, accommodating approximately four offices. He said that the garage would be used for storing materials and equipment, while potentially adding a warehouse at the back for further storage.

Mr. Giacalone said that it had been challenging for contractors, such as landscapers, to remain in Albemarle County. He said that everyone else was going outside, so staying there seemed appealing. He said that it made sense to rezone the property as it increased its value. He said that he operated a business there and paid taxes, which benefited everyone. He said that they must stay below the airspace for the airport and other necessary restrictions. He said that the primary goal was to have more space for expanding his business into solar shingles and gutter divisions. He said that they may rent out part of the building and warehouse to other contractors in the County.

Mr. Giacalone said that the property was currently on well and septic systems, and four people were living in the house. He said that the office use would use less water than the residential use. He said that he contacted the service authority, who explained that hiring an engineer was required. He said that they will collaborate with the County to get the design approved, and once approved, they would obtain estimates from contractors for completing all the work. He said that he would have to spend \$100,000 or more to have water and sewer infrastructure extended to his property. He said that he questioned why he should pay \$100,000 for water infrastructure in this area when his operations did not really require it.

Mr. Clayborne asked whether they would be performing vehicle maintenance on the site.

Mr. Giacalone said that Airport Auto performed all of their vehicle maintenance, and they utilized car wash businesses.

Mr. Bivins said that the vehicles he saw behind the property had the Rooftop logo on them.

Mr. Giacalone said that those were company vehicles.

Mr. Bivins asked where the metal roofs were manufactured.

Mr. Giacalone said their facility specialized in processing rolls of copper, weighing up to a thousand pounds each, using pan machines. He said that these machines operated similarly to gutter machines. He said that unlike some competitors, they did not travel to the valley for their operations; instead, they had been based in this area since 2000. He said that as a result, the majority of their work was completed within the County.

Mr. Bivins said that anything that was manufactured was done within an enclosed environment.

Thomas Martin, co-owner of the property, said that they transported the trailer to the job site and proceeded to shape the metal there. He said that they did not manufacture the metal themselves; instead, they transformed it into a different form and installed it on the roof of the homeowner's house. He said that their shop did not produce any components at the facility.

Mr. Giacalone said that they fabricated metal sheets and flashing components for the roof.

Mr. Missel opened the hearing for public comment. There was no one wishing to speak, so he closed the public hearing and brought the matter back before the Commission.

Mr. Bivins said that he understood that these unfavorable factors were not a condition for the Planning Commission's approval of the request but rather an observation.

Mr. Shoaf said that was correct.

Mr. Carrazana motioned that the Planning Commission recommend approval of ZMA 202300011 for the reasons stated in the staff report. Ms. Firehock seconded the motion, which carried unanimously (7-0).

Adjournment

At 8:34 p.m., the Commission adjourned to Tuesday, February 13, 2024, at 6:00 p.m.



Michael Barnes, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 02/13/2024
Initials: CSS