

**Albemarle County Planning Commission
Work Session and Regular Meeting
Final Minutes April 8, 2025**

The Albemarle County Planning Commission held a public meeting on Tuesday, April 8, 2025, at 4:00 p.m.

Members attending were Luis Carrazana, Vice-Chair; Julian Bivins; Corey Clayborne; Nathan Moore; Lonnie Murray (remote).

Members absent: Fred Missel, Chair; Karen Firehock.

Other officials present were Michael Barnes, Director of Planning; Ben Holt; Tori Kanellopoulos; Dr. Stacy Pethia; Khris Taggart; Andy Herrick, County Attorney; and Carolyn Shaffer, Clerk to the Planning Commissions.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Carrazana established a quorum.

Mr. Murray requested to participate in the meeting remotely because a tree was about to fall and block his driveway. He said that he was located at his home in White Hall.

Mr. Bivins motioned that the Planning Commission allow Commissioner Murray to participate in the meeting remotely. Mr. Moore seconded the motion, which was carried unanimously (4-0). (Mr. Missel and Ms. Firehock were absent)

Public Comment on matters pending before the Commission but not listed for a Public Hearing on this agenda

There were none.

Consent Agenda

There was none.

Public Hearing

SP202400024 400 Rio Road W – Outdoor Storage and Display

Khris Taggart, Senior Planner, said that he was joined by Margaret Maliszewski, Planning Manager, who assisted with the review. He said that he would be presenting staff's presentation for the Special Use Permit application. He said that the subject property, located at 400 Rio Road West, was zoned Light Industrial and situated in an area mostly residential with an adjacent light industrial parcel to the west. He said that as a reminder, Rio Road was an entrance corridor (EC).

Mr. Taggart said that the site consisted of two parcels, mostly paved, with chain-link fencing surrounding most of the paved area. He said that at the front of the property was a brick-faced

office building, and at the rear was a large metal shed. He said that the special permit request was for outdoor storage, display, and sales of plumbing, materials, and equipment in the EC Overlay District; he would refer to this as outdoor storage. He said that the proposal included a storage area to the north and west of the existing brick-faced building, highlighted in orange on the concept plan. He said that there was also an existing storage area at the rear of the site, indicated in blue.

Mr. Taggart said that to minimize visual impact, a berm would be used to replace the chain-link fencing along the Rio side of the storage area. He said that additional landscaping was proposed along the employee parking lot, east of the main building, and in the southwest corner of the site to limit visibility of the storage area. He said that furthermore, landscaping would be used between the main building and the street to screen existing equipment and coordinate the landscaping along the storage area.

Mr. Taggart said that the proposed use was by right in the zoning district, but outdoor storage was a special use in the EC. He said that the special permits for outdoor storage were reviewed under §30.6, which limits the factors to be considered to determining whether the outdoor storage was consistent with the EC design guidelines. He said that the Architectural Review Board (ARB) and Site Review Committee reviewed this proposal in January and requested revisions focused on screening of the proposed and existing storage areas in the view of the EC.

Mr. Taggart said that on March 3, the ARB reviewed an updated plan that included revisions to demonstrate that existing vegetation along the eastern and western perimeter of the site would remain and added screen shrubs along a portion of the western perimeter, directly east of the building, and also along the frontage east of the entrance to the employee parking lot.

Mr. Taggart said that the ARB considered the revised plan and unanimously voted to recommend approval with conditions. He said that the conditions were listed here, and they could bring them back up if needed. He said that on February 10, the required community meeting was held at the Places 29 Hydraulic Community Advisory Committee (CAC) meeting. He said that there were questions regarding the development of the site, but no comments on the special use permit.

Mr. Taggart said that staff did not identify any unfavorable factors, and the favorable factor for this request was that outdoor storage use would be consistent with the EC design guidelines if the ARB's recommended conditions were upheld. He said that for this reason, staff recommended approval of the special permit for outdoor storage. He said that he was happy to answer any questions and could bring up the motions and conditions of approval when the Commission was ready.

Mr. Carrazana asked if the applicant had a presentation.

Valerie Long said that she was with the law firm of Williams Mullen and represented the applicant, now the landowner of this property. She said that she would like to introduce the applicant team, who were joining her virtually tonight. She said that they also had representatives from Ferguson Enterprises present, who could provide operational insights. She said that she would like to thank staff for their presentation, which covered most of the key issues. She said that she would briefly review some further points.

Ms. Long said that many of them were fairly familiar with this location, which had been owned by the phone company since the 1970s. She said that it was zoned light industrial. She said that as

Mr. Taggart mentioned, the applicant's proposed use for Ferguson as a wholesale waterworks distributor was a by-right use. She said that the reason they were here tonight was that, under the light industrial zoning district, any materials stored outside in an entrance corridor, including those for sale or display, required a special use permit to determine if the proposed screening would bring the site into compliance with the ARB guidelines.

Ms. Long said that aerial photographs from UVA's database showed that the site had remained largely unchanged since the early 1970s. She said that the photographs demonstrated that the site was used by the phone company in the past, with trucks stored on the property and minimal screening. She said that the existing conditions were not ideal from a visual perspective. She said that the chain link fencing made it easy to see materials and equipment stored on site, and there were few plantings. She said that there were a handful of trees, but they did not show up well. She said that the area was cluttered with various items, which were clearly visible from Google Street View.

Ms. Long said that to provide context, she had included representative photographs of the types of materials Ferguson would use at the site, such as piping for wholesale waterworks, fire hydrants, and other materials, which were part of the facilities. She said that the provided images served as a reference for what they were discussing. She said that next was the existing conditions plan, which Mr. Taggart had walked through.

Ms. Long said that Ferguson would use the existing paved parking area for storing their materials. She said that the area in the back, which was currently shown in a purple shade, had a history of material storage that predated regulations against it. She said that although it was currently non-conforming, they were incorporating it into the special use permit application, making it conforming with the rest of the site.

Ms. Long said that they proposed replacing the chain link fence, which could be seen with the handful of trees and the gate. She said that there was also mechanical equipment in the front of the building without screening, which they planned to screen. She said that this was the conceptual plan that would be informative or binding on the site plan amendment.

Ms. Long said that they planned to replace the chain link fence with a new aluminum picket fence and implement a new landscape plan, featuring a berm along the front. She said that Timmons Group, the civil engineers, and their landscape architect were designing this plan. She said that it would be a robust screening plan, with new plantings and screens added at the request of the Architectural Review Board.

Ms. Long said that they had also agreed to a condition that required anything taller than the eight-foot fence to be located beyond a 50-foot line from the entrance corridor. She said that the site's terrain sloped downward as one moved away from Rio Road, but the fence was eight feet tall. She said that most of the existing features, including the employee parking lot, would remain unchanged, with additional screening added in specific areas. She said that there was an old driveway that would no longer be in use. She said that as a result, it would be closed off and additional landscaping would be added to help screen the back of the site. She said that the displayed enlargement was a representation of the same area.

Ms. Long said that provided were photos of the new landscaping they were proposing along the front of the building. She said that while it was not required to screen the materials being stored, they thought it was a good idea to extend the plantings to the front of the building as well, and

most importantly, to screen the outdoor equipment. She said that next was a cross-section view of how the landscape plan would function with the berm, which would provide some density and variety of plantings and elevation to help screen.

Ms. Long said that the renderings, conceptual in nature, showed how the pipe storage would be screened and how the new planting plan would look over time. She said that the Architectural Review Board had determined that there was a need for additional screening to help screen the view. She said that the mechanical equipment would be screened, and the renderings demonstrated how the planting plan would develop and substantially improve the views, both from the entrance corridor and the outdoor materials being stored. She said that she was happy to answer any questions or provide further clarification on these plans.

Mr. Clayborne said that he was wondering if the inert materials, such as those not classified as chemicals, were the products that they had showcased in the slides.

Ms. Long said that was correct.

Mr. Murray said that this property predated their stormwater ordinance. He asked if there was any consideration for removing some of the impervious surface and converting it into a permeable area to absorb stormwater on site, particularly in the storage area.

Ms. Long said that she knew they were currently addressing some of the issues. She said that a site plan amendment would be required at a later stage. She said that their client and Ferguson were hesitant to invest in preparing a site plan until they had confirmation of the special use permit's approval. She said that however, they were working through these issues with Timmons Group.

Mr. Murray said that the existing parking lot would qualify for some County incentive programs for impervious surface removal, if the client was interested. He said that it was worth noting that this was an option that could be explored if the applicant wished to pursue it.

Ms. Long said that she would look into that with their clients, and she was sure Timmons Group was aware of it, but she appreciated Mr. Murray's suggestion because she had been unaware.

Mr. Carrazana asked if the non-conforming area of the parcel was paved as well.

Ms. Long said that some areas of it was paved, but not all of it. She said that it was likely that most of the pavement had deteriorated. She said that in some areas, the pavement had been worn away slightly, and in other areas, grass had begun to grow where the pavement was broken.

Mr. Bivins said that he thought it would be helpful for the Commission and the community to understand this concept. He said that there were actually two properties involved, one of which would not be developed. He said that this might help people appreciate the scope of the project, which had been presented in more detail at the CAC meeting.

Ms. Long said that Mr. Bivins was correct. She said that there were two tax map parcels. She said that the first parcel was a rectangular shape along the frontage, while the second parcel encompassed the remaining area inside the circle, as well as the back section. She said that the four-acre area in the center was owned by the state, which had acquired it from the phone company as part of the western bypass project. She said that unlike many landowners, the phone

company had chosen not to repurchase this land, possibly due to its limited utility. She said that the remaining site, although large, was largely unused by the applicant, leaving approximately six acres undisturbed.

Mr. Bivins said that he appreciated the opportunity to address the question about water management that Mr. Murray had brought up. He said that in addition to the berm, he was wondering about any other measures being considered to address this issue.

Ms. Long said that there were none in connection with the special use permit, but as part of the site plan application, there may be stormwater management regulations that will apply, as well as other requirements. She said that they had not yet reached that point in the process.

Mr. Bivins said that given the presence of a single-family residence at 4525 A.

Ms. Long said that it was a business. She said that this parcel was also zoned light industrial, and she believed the adjacent parcel may also be zoned in the same category.

Mr. Bivins said that he drove past this parcel in his daily commute, and he noticed the blinking lights over there. He asked how that would be addressed.

Ms. Long said that she had worked with the client who was now the property owner, and they had worked with electricians. She said that the lights had been either disconnected or removed, so they were no longer in operation.

Mr. Bivins said that he assumed they would reinstall some form of lighting in the storage area, considering the amount of inventory.

Ms. Long said that it was likely that there would be site lighting for the reasons Mr. Bivins mentioned. She said that any new light fixtures would be subject to the site plan regulations and the Architecture Review Board guidelines, including the requirement that light fixtures be full cutoff and did not spill over. She said that the hours of operation for this facility were in the range of 7:30 a.m. to 4:30 p.m.

Mr. Carrazana asked if there were any members of the public who wished to address this item. Seeing none, he closed the public hearing and the matter rested with the Commission.

Mr. Bivins said that he attended the CAC meeting for this application and supported the applicant's proposal. He said that it was intriguing because he did not realize that the telephone company had vacated the premises for a while, and the presence of random trucks scattered across the parking lot seemed to be a result of this. He said that there was a flickering light that had been disturbing the housing development nearby, but he could attest that it had been removed and was no longer a nuisance. He said that as someone who regularly drove this route, it was interesting that the ARB guidelines necessitated that pipes could not be seen and must be obscured behind an eight-foot fence, but trucks on parking lots did not require any screening.

Mr. Murray said that it seemed like an improvement.

Mr. Bivins said that he agreed; it would be a great improvement for the area.

Mr. Carrazana said that he agreed that there was an improvement from the current state.

Mr. Moore motioned that the Planning Commission recommend approval of SP202400024 Rio Road W – Outdoor Storage and Display. Mr. Bivins seconded the motion, which carried unanimously (5-0). (Mr. Missel and Ms. Firehock were absent; Mr. Murray was remote)

Adjournment

At 6:32 p.m., the Commission adjourned to Tuesday, April 22, 2025, Albemarle County Planning Commission meeting, Lane Auditorium.



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: 04/22/2025
Initials: CSS