



Minutes
Louisa County Planning Commission
Thursday, November 18, 2021
7:00 PM
Louisa County Public Meeting Room

CALL TO ORDER

ROLL CALL

Attendee Name	Title	Status	Arrived
Tommy J. Barlow	Mountain Road District Supervisor	Present	
Gordon Brooks	Commissioner	Present	
Holly Reynolds	Chairman	Present	
Ellis Quarles	Commissioner	Remote	
Garland Nuckols	Mayor/Louisa Town Representative	Absent	
Cyrus Weaver	Commissioner	Present	
George Goodwin	Commissioner	Present	
John Disosway	Vice Chairman	Present	
H. Manning Woodward	Commissioner	Present	
Tony Henshaw	Mineral Town Representative	Absent	

Others present: Robert Gardner, Director of Community Development; Helen Phillips, County Attorney; Tom Egeland, Senior Planner; Bridgette Bittle, Planning and Zoning Technician.

INVOCATION

Mr. Disosway gave the Invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Woodward.

CONSENT AGENDA

On motion by Mr. Goodwin, seconded by Mr. Brooks, the Planning Commission voted to approve the consent agenda by a vote of 7-0; which included approval of the agenda with the addition of one discussion item; and the October 14, 2021 minutes.

APPROVAL OF AGENDA

Chairman Reynolds motioned to add an update on the comprehensive plan to the reports section of the agenda that was approved by Mr. Goodwin, seconded by Mr. Disosway, the Planning Commission voted 7-0 to approve the change.

APPROVAL OF PLANNING COMMISSION MINUTES**Planning Commission - Regular Meeting - Oct 14, 2021 7:00 PM**

Approved by Mr. Goodwin, seconded by Mr. Disosway, the Planning Commission voted 7-0 to approve the minutes.

PUBLIC ADDRESS

Chairman Reynolds opened the Public Address period. Two presentations were given, the first pertaining to solar farms which was not on the agenda for this meeting, and the second pertaining to the sign ordinance.

William Witt, Cuckoo District, expressed a number of concerns about solar farms including:

- Trees being removed (i.e. less oxygen and habitats more wind and noise).
- Animal migration from cleared areas.
- Energy being sold back to the electric company -no guarantee that bills will go down.
- Water usage over next 35 years when cleaning the panels.

Shane Horn, Cuckoo District, voiced opposition of the amendment to the sign ordinance Sec. 86-683. General Provisions included in the Planning Commission packet from the November meeting. The amendment would prohibit the use of “Any sign that displays vulgar, obscene, indecent, or profane language.” Mr. Horn believes it is against First Amendment rights to do so.

Public Address period was closed.

UNFINISHED BUSINESS

None.

PUBLIC HEARINGS**REZ2021-04; Louisa Mini-Storage LLC - Rezoning A-2 and IND to C-2**

Mr. Egeland presented to the Planning Commission the application for Rezoning REZ2021-04; from Industrial (IND) & General Agricultural (A-2) to General Commercial (C-2), to allow for the construction of an approximate 72,000 SF self-service storage facility.

Mr. Egeland explained the property is located, a tenth of a mile east of the intersection of Industrial Drive (Route 780) and Davis Highway (Route 22). The properties are located in the Mineral Voting District. The parcels in the area surrounding the proposed project contain several different zoning types.

Mr. Egeland explained a goal of the 2040 Plan is broadening the County’s tax base. A storage facility does not require many county services.

A Neighborhood Meeting was held in the Louisa County Public Meeting Room on November 18, 2021, at which the individuals that attended expressed concern with traffic and noise.

Mr. Egeland explained that the applicant states in their application on page 22 of the staff packet

that this project would not be a significant generator of noise, smoke, odor, or dust. Users would not be permitted to store hazardous materials. The proposed facility is estimated to generate a total of 7 peak hour trips during the morning and 12 peak hour trips in the evening.

Mr. Egeland stated that this project would require a major site plan with review from agencies such as VDOT and VADEQ.

-The applicant has voluntarily proffered out the following uses:

- Day Care
- Day Care Center
- Private School
- Restaurant
- Restaurant Drive-In

Mr. Egeland stated that the applicants have also proffered vegetative screening buffers for the adjacent eastern property line that would include a mix of evergreen trees; dark sky lighting; and trash control and monitoring.

Mr. Egeland closed with a staff recommendation to set the hours of operation from 7am to 9pm.

Mr. Shimp introduced himself as the engineer of this project along with the owners Daryl and Brandon Payne.

Mr. Shimp went through a number of slides that showed the buffer and screened area during his presentation and discussed the proposed layout of the business and proffers.

Mr. Goodwin asked why the applicant was only omitting five uses from the list of uses for C-2 zoned properties. He further explained that the uses were concerning because of the traffic, speed limit, and entrance to the facility.

Mr. Disosway asked questions regarding the gate functions and the hours of operation for the facility. Mr. Brandon Payne explained that the gates are timed and would be set to operate during their proposed business hours of 5am-10pm. He went on to explain that the facility will have cameras and after hours facility reports in addition to the gates having set hours of access.

Mr. Brooks asked for examples of the storage facility in Greene County.

Photos were presented and copies were made and handed out.

Mr. Quarles agreed with limiting the usage by proffer.

The Commission discussed at length the entrance options and why the uses were concerning; and concluded with re-visiting the zoning request once the applicant proffered out all uses that would pose an issue to the traffic.

Chairman Reynolds opened the public comment period for Louisa Mini Storage, LLC.

Demetrious Washington Sr. spoke against the zoning change. He stated that the property is closely located to his uncle's property and he doesn't want to inherit a trash problem due to the

proposed storage facility.

Chairman Reynolds closed the public address period.

Vote to continue discussion of the Re-Zoning at the next regular meeting.

Motion to move to December: Disosway

Second: Quarles

Vote: 6:1

Dissenting votes: Weaver

NEW BUSINESS

Notification & Review - Variance Application - Vallerie Holdings of Virginia LLC

It was the consensus of the Planning Commission to have no discussion on this topic.

DISCUSSION

Discussion - Amendment to the Sign Regulations (Prohibited Signs)

Chairman Reynolds opened discussion of amending the sign regulations.

Helen Phillips, Louisa County Attorney, opened the discussion, stating that there has been a request to change the sign ordinance to include a sentence under the list of prohibited signs. "Any sign that displays vulgar, obscene, indecent, or profane language."

Mr. Disosway asked for definitions of the terms vulgar, obscene, indecent, and profane.

Ms. Phillips stated there are definitions in the code of Virginia and case law that helps with how these are defined. She further stated that case law has determined the "four letter word" in question is not considered to be defined by these words.

Mr. Goodwin asked what prompted this discussion.

Mr. Barlow stated that he has constituents in his area complaining about a sign that can be seen from the road by drivers and children on school busses that has the "F" word on it.

Mr. Barlow stated that he believes the ordinances are to protect the health, safety, and welfare of the Louisa County residents. His constituents want to know why Louisa County allows signs that have inappropriate language for minors.

Mr. Barlow agreed that if it turns out that this language is allowed by State and Federal law then "so-be-it" but he wants Louisa county residents to know that it was addressed by the Board and isn't condoned. He stated that the describing words added are consistent with what isn't allowed over public airways.

Mr. Goodwin asked Chairman Reynolds what the Board expects moving forward.

Helen Phillips, County Attorney, says it needs to be referred for a public hearing.

Mr. Woodward asked if this applies to decals, as on the back of vehicles.

Ms. Phillips stated that our sign ordinance isn't worded that way.

Mr. Woodward expressed a concern of "What meets this criteria".

The discussion continued and was generally agreed upon.

Chairman Reynolds asked to have it put on the next agenda for public hearing.

REPORTS

Mr. Gardner stated that the comprehensive plan and small area plans have been put on hold due to a staffing shortage. Additional personnel has been requested to cover the surge that the department has experienced along with the large utility scale solar projects.

ANNOUNCEMENTS AND ADJOURNMENT

On motion by Mr. Goodwin, seconded by Mr. Woodward, the regular meeting of the Louisa County Planning Commission was adjourned at 8:05 PM.

BY ORDER OF:

HOLLY REYNOLDS, CHAIRMAN
PLANNING COMMISSION
LOUISA COUNTY, VIRGINIA