Orange County Planning Commission
Regular Meeting Minutes
Public Safety Building; Board Meeting Room
11282 Government Center Drive, Orange, Virginia 22960
Thursday, November 10, 2022

Members Present: Donald Brooks, Chairman; Jason Capelle, Vice Chairman; George Yancey; Adam Bryington; and Bryan Nicol.

Members Absent: None.

Others Present: Nicole Ganoe-Washington, Development Services Director; Thomas Lacheney, County Attorney; Josh Frederick, Planning and Zoning Services Manager; Eric Bittner, Planner; Kyra Davis, Planner; and Alyson Simpson, Planning Commission Secretary.

1. Call to Order and Determination of Quorum

Chairman Brooks called the meeting to order at 6:00 p.m. and a quorum was established.

Mr. Yancey joined via Zoom video conference so that he could participate in the meeting remotely as he was recovering from a recent illness. As such, the minutes are required to reflect that he participated from his residence, located at 16170 Cox Mill Road, Orange, Virginia, for the duration of the meeting.

2. Adoption of Agenda

On the motion of Mr. Capelle, seconded by Mr. Bryington, which carried by a vote of 5-0, the Commission adopted the agenda, as presented.

Ayes: Capelle, Yancey, Brooks, Bryington, Nicol. Nays: None.

3. Adoption of Minutes

a. October 6, 2022 Regular Meeting

On the motion of Mr. Capelle, seconded by Mr. Nicol, which carried by a vote of 5-0, the Commission adopted the October 6, 2022 Regular Meeting minutes, as presented.

Ayes: Capelle, Yancey, Brooks, Bryington, Nicol. Nays: None.

4. Public Comment

At 6:02 p.m., Chairman Brooks opened the floor for Public Comment.

There being no speakers, Public Comment was closed at 6:02 p.m.

5. Public Hearings

There were no Public Hearing matters at this time.

6. **Worksession**

There were no Worksession matters at this time.

7. **New Business**

a. **Preliminary Plat for Winterberry Creek Subdivision**

Eric Bittner, Planner, presented the Preliminary Plat for Winterberry Creek Subdivision to the Commission for its review and consideration. He explained the plat was for 100 homes across several tax map parcels located along Willy Miser Lane and Ridgeway Drive in District One. Mr. Bittner summarized the items for review that were contained in the Subdivision and Zoning Ordinances, presented the density calculation and staff and agency review comments, and recommended approval of the Preliminary Plat and Improvements Plan, as presented.

Discussion ensued among the Commission regarding: the reason the development was not connecting to the Rapidan Service Authority system available nearby; the various requirements to be met in the Orange County Code of Ordinances; verification of whether sewer services were available nearby; questions regarding wetlands delineation on the plat compared to what was reported on the Online GIS; the fact that letters of commitment for the provision of water and wastewater services were not provided; improvements to the ingress and egress, specifically for school buses and emergency vehicles; and the fact that two full entrances and exits were now proposed for the development.

Justin Shimp, Engineer for the project, remarked on the wetlands delineation, indicating that what was included on the Preliminary Plat was approved by the Army Corps of Engineers. The applicants explained that a letter had been provided by Greene County stating the project could not connect for water service nearby and that sewer service had never been presented as an option.

On the motion of Mr. Capelle, seconded by Mr. Yancey, which carried by a vote of 5-0, the Commission deferred action on the Preliminary Plat for Winterberry Creek Subdivision until its next regularly-scheduled meeting, with the understanding that staff would advise the applicants of the remaining items concerning available sewer service, available water service, and letters of commitment.

Ayes: Capelle, Yancey, Brooks, Bryington, Nicol. Nays: None.

b. **Site Plan for A&K Development Corp. for Multi-Tenant Retail Center**

Kyra Davis, Planner, presented the Site Plan for a Multi-Tenant Retail Center requested by A&K Development Corp. to the Commission. She explained that approval of the Major Site Plan was ultimately the responsibility of the Zoning Administrator. However, because of the issues with A&K Boulevard, through which the site receives access, staff had chosen to refer the Site Plan to the Commission for review and feedback.

Discussion ensued among the Commission regarding: the components of the Site Plan that would be reviewed and approved by VDOT; the vehicle trips per day and whether the parking lot could handle that level of traffic; buffer and setback requirements from

Route 3; whether anything would be planted along Route 3 for screening or buffering; clarification on the easement and site access points; whether the proposed access point was acceptable to the utility already onsite; clarification on how the vehicle trips per day were calculated; concerns with the site layout and whether the requested waivers should even be considered; concerns with pedestrian access and the surrounding residential and commercial traffic; whether there was an option for the site to orient towards A&K Boulevard; and what commercial signage would be required or allowed.

Jonathan Fairbanks, Engineer for the project, remarked on the aspects of the development that were controlled by Starbucks as a tenant, the overall grade of the site, and the fact the County requirements were met.

Further discussion ensued among the Commission regarding: the fact that County requirements were not met without waivers; the idea the client was driving the site layout and creating the constraints; other options for site layout; pedestrian safety; lack of support for the requested waivers concerning loading space, parking, and sidewalks; loading space logistics; and the fact the Planning Commission's comments would be taken into consideration as the Zoning Administrator considered approval or denial of the Site plan.

Staff thanked the Commission for its feedback.

c. Site Plan for Redfish Solar Partners, LLC (SUP 20-05)

Kyra Davis, Planner, presented the Site Plan for the Solar Energy Generation Facility requested by Redfish Solar Partners, LLC to the Commission. She explained that approval of the Major Site Plan was ultimately the responsibility of the Zoning Administrator. However, because of site changes from the time of SUP approval, staff had chosen to refer the Site Plan to the Commission for review and feedback.

Discussion ensued among the Commission regarding: site buffering requirements and whether additional plantings were required.

Staff thanked the Commission for its feedback.

8. Old Business

There were no Old Business matters at this time.

9. Reports

a. Board of Supervisors Report

Mark Johnson, Board of Supervisors Liaison, was not present and, as such, did not provide a report.

b. Planning and Zoning Services Report

Josh Frederick, Planning and Zoning Services Manager, explained that the location of the pending planning and zoning cases had been updated on the County website, noting the pages had been consolidated for ease of use.

Staff explained that Application Review Committee comments were due soon for the Wilderness Crossing rezoning. The Commission discussed when the materials would be provided for review; conflicts with the upcoming holidays and a desire to consider the rezoning after the first of the year; the fact that it would not be fair to the applicant or to the public to rush through the application; and the desired format of the worksessions to discuss and consider the application.

10. Commissioner Comments

Mr. Yancey stated he had recently participated in a Freedom of Information Act (FOIA) training session hosted by the County and the information received had been very beneficial.

Mr. Nicol and Mr. Bryington remarked on the Wilderness Crossing application and process, noting comments made throughout the community. Mr. Nicol thanked the Commission for its leadership on the project review and staff for its work.

Mr. Capelle thanked staff for allowing the Commission to review and provide feedback on the recent site plans. He also remarked on the new community pool for Gordonsville.

11. Next Meeting

The Commission agreed unanimously to skip the third Thursday meeting in November, to cancel its Regular Meeting in December, and to skip the third Thursday meeting in December. As such, the Commission was reminded of its next meeting, to take place on January 5, 2023.

12. Adjourn

On the motion of Mr. Nicol, seconded by Mr. Capelle, which carried by a vote of 5-0, the Commission adjourned its meeting at 7:27 p.m.

Ayes: Capelle, Yancey, Brooks, Bryington, Nicol. Nays: None.

Donald Brooks, Chairman

Alyson A. Simpson

Alyson Simpson, Planning Commission Secretary

While the events of this meeting were captured via digital audio recording, these written minutes shall serve as the official record of actions taken during the meeting.