Orange County Planning Commission
Regular Meeting Minutes
Public Safety Building; Board Meeting Room
11282 Government Center Drive, Orange, Virginia 22960
Thursday, January 19, 2023

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

Members Absent: None.

Others Present: 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.

2. Adoption of Agenda

On the motion of Mr. Capelle, seconded by Mr. Nicol, which carried by a vote of 5-0, the Commission adopted the agenda, as modified, to include an amendment to the date of the next meeting.

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

3. Worksession

a. REZ 22-03 (Wilderness Crossing)

Before the Worksession discussions began, Mr. Brooks requested that the applicant and the applicant's consultants introduce themselves for the public record.

Design Guidelines

Charlie Payne, agent for the applicant, presented updates to the application, which had been made in response to the Commission's feedback at the last Worksession on January 5, 2023.

Discussion ensued among the Commission, the applicant, and the applicant's consultants, regarding: amendments to the proffers related to the voluntary remediation program; project buffering; setbacks from Route 3; confirmation of VDOT's concurrence with the land bay changes and subsequent impacts on the Transportation Impact Analysis; clarification on the property ownership and environmental "constraints" along Route 3; clarification on the buffering from what ultimately ends up being the Route 3 right-of-way; GWAP and County Code requirements on minimum setbacks and buffering; compliance with State Code, County Code, and VDOT as the controlling authorities; the proposed buffering at Pilgrim Church; the proposed realignment of and improvements to Pilgrim Church Road; the number of proposed access points to the project; and the importance of including language in the proffers because components could otherwise be changed or renegotiated in the future.

The Open Space and Recreational Facilities Plan

Eric Bittner, Planner, continued review of the staff presentation related to Wilderness Crossing, specifically on discussion of the Open Space and Recreational Facilities Plan, picking up where the last Worksession left off.

Discussion ensued among the Commission, the applicant, and the applicant's consultants, regarding: the timing or phasing for construction of the planned parks; the responsible party to install the recreational programs; the amendment to the proffers regarding the recreational programs; use of the cash proffers for recreation; alignment of the recreational programs with the residential development to ensure opportunities and amenities were available in a timely manner; and the fact that there was no clubhouse required and no commitment from the developer to provide any.

The applicant provided remarks on the following: a review of the minimum number of amenities; the importance of phasing community amenities and infrastructure to align with the development; the residential development requirement for the planned regional park; and plans for the future ownership of the development.

Further discussion ensued regarding: compliance with the proffers and design guidelines regardless of who owned the property in the future; performance of a legal review of the proffers by the County Attorney; clarification on the planned pocket parks; and access to the Rapidan River.

* The Commission took a brief recess at 8:15 p.m. before reconvening at 8:25 p.m.

The Generalized Development Plan

Eric Bittner, Planner, continued review of the staff presentation related to Wilderness Crossing, specifically on discussion of the Generalized Development Plan.

Discussion ensued among the Commission, the applicant, and the applicant's consultants, regarding: whether the public sites would go through the voluntary remediation program before being turned over to the County and inclusion of that commitment in the proffer language; the idea that the County should not have to incur any financial liabilities to clean up the mines; how to engage in discussions where the impacts of this development extended beyond the property lines of the development; the fact that certain uses of the subject property would become by-right upon approval of the requested Rezoning; and acknowledgement that a noise ordinance did not exist in the County, but the desire to see a noise standard established for this particular development.

Further discussion ensued regarding: the fact that industrial users would be traveling through residential areas based on the current land bay configuration; dedication of land for the reservoirs; the permitting and public hearing process for reservoirs; determination of when an additional water source would be necessary to support this development; whether or not RSA could handle this development; the capacity of the reservoirs, as reflected on the current development plans; taking a regional water planning approach; truck traffic throughout the development; the fact the development seemed to be bisected by the proposed parkway; the magnitude or scale of the proposed roadways; pedestrian traffic needs and concerns; and the proposed school site location.

In concluding the Worksession discussion for the time being, Chairman Brooks allowed each of the Commissioners to make closing remarks. Mr. Capelle expressed an interest in seeing a better reflection of style in the proposed design guidelines. Mr. Brooks thanked the applicant and his team for attending again and for opening discussions related to the proffer for Pilgrim Church. Mr. Yancey thanked staff for their continued support. Mr. Bryington thanked everyone for their continued involvement and urged the applicant to give more thought to the available water resources. Mr. Nicol thanked the applicant for the continued discussions and for listening and reacting to the concerns of the Commission from the last Worksession.

4. Next Meeting

The Commission agreed unanimously to reschedule its next meeting from the first Thursday of February to the second Thursday of February, acknowledging that may require them to have meetings on back-to-back Thursdays. As such, the Commission was reminded of its next meeting, to take place on February 9, 2023.

5. Adjourn

On the motion of Mr. Capelle, seconded by Mr. Nicol, which carried by a vote of 5-0, the Commission adjourned its meeting at 9:36 p.m.

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

Donald Brooks, Chairman

Alyson 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.