Orange County Planning Commission
Regular Meeting Minutes
Public Safety Building; Board Meeting Room
11282 Government Center Drive, Orange, Virginia 22960
Thursday, March 23, 2023

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

Members Absent: None

Others Present: Nicole Ganoe-Washington, Director of Development Services; Thomas Lacheney, County Attorney; Josh Frederick, Planning and Zoning Services Manager; Eric Bittner, Planner; Kyra Davis, Planner; and Susan Crosby, 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. Yancey, seconded by Mr. Nicol, which carried by a vote of 5-0, the Commission adopted the agenda, as modified, to include moving item 3. Adoption of Minutes to after the public hearing.

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

3. Public Comment

At 6:00 p.m., Chairman Brooks opened the floor for Public Comment.

There being no speakers, Public Comment was closed at 6:01 p.m.

4. Public Hearings

a. **REZ 22-03 (Wilderness Crossing):** Eric Bittner, Planner
The Planning Commission will consider an application from Kenny Dotson of KEG III Associates, to rezone property located along north Germanna Highway (Route 3), between Rapidan Rd and the Spotsylvania County-Orange County line, and between Germanna Highway (Route 3) and the Rapidan River to Planned Development-Mixed-Use (PDM). The proposal includes the creation of six land use types, mixed-use development, and proffered conditions. The total area of the proposed development is ±2,618.4 acres and is part of Sub-Area 4 of the Germanna-Wilderness Area Plan.

Chairman Brooks addressed the public regarding the process for the public hearing.

Chairman Brooks opened the public hearing at 6:05 p.m. and called staff forward. Eric Bittner, County Planner, presented the staff report and answered questions from the commission. Discussion ensued.
Chairman Brooks made a disclosure concerning a potential conflict of interest as he chairs the board of deacons at the Pilgrim Baptist Church and understands proffers are involved concerning the church. Tom Lacheney, County Attorney, asked Chairman Brooks to clarify that he could still give a fair and unbiased opinion, Mr. Brooks answered with absolutely.

Chairman Brooks called the applicant forward. Charlie Payne came forward on behalf of the applicant, made introductions and gave presentation. Discussion ensued.

Following discussion, Commission asked staff how many letters had been received to date which are part of public comment, staff stated they had received 685 comment letters/emails. Chairman Brooks opened the floor to public speakers. The speakers came forward to share their thoughts and concerns on the proposed rezoning for Wilderness Crossing.

* The Commission took a brief recess at 8:41 p.m. before reconvening at 8:51 p.m.

Following the recess, additional speakers were called forward. There was a total of 30 speakers.

Chairman Brooks closed public comment and public hearing at 9:28 p.m. Discussion ensued among Commissioners.

On a motion from Mr. Yancey, seconded by Mr. Bryington, to defer decision until the April 6, 2023 regular meeting to allow applicant adequate time to address comments and concerns identified by the commission. Discussion ensued. On a motion from Mr. Capelle, seconded by Mr. Nicol, to table the motion on the floor, which carried on a roll call vote of 4-1, with Mr. Yancey in decent. Further discussion ensued and following a consensus to have staff request RSA be present at the April 6th meeting. On a motion by Mr. Capelle, seconded by Mr. Bryington, to untabled the Mr. Yancey's motion. Motion carried 4-1, Mr. Yancey in decent. Chairman Brooks called for a vote for the motion on the floor, on a vote of 5-0, motion carried to defer decision to the April 6th regular meeting.

5. Adoption of Minutes

a. February 9, 2023 Regular Meeting

On the motion of Mr. Yancey, seconded by Mr. Capelle, which carried by a vote of 5-0, the Commission adopted the February 9, 2023 Regular Meeting minutes, as presented.

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

6. New Business

There was no new business.

7. Old Business

There was no old business.

8. Reports

a. Board of Supervisors Report: R. Mark Johnson, Board of Supervisors Liaison

Mr. Johnson was not present, no report.

b. Planning and Zoning Services Report: Josh Frederick, Planning and Zoning Services Manager

Mr. Frederick gave an explanation regarding the ZTA for height restrictions and why it was being brought before the Commission. Discussion ensued.

9. Commissioner Comments

The Commissioners thanked the public for all their comments, the applicants, fellow Commissioners and staff, for their work in bringing this all together.

10. Next Meeting Date: April 6, 2023 Regular Meeting

11. 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 10:28 p.m.

Donald Brooks, Chairman

Susan Crosby

Susan Crosby, 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.