

**Orange County Planning Commission
Regular Meeting Minutes
Public Safety Building; Board Meeting Room
11282 Government Center Drive, Orange, Virginia 22960
Thursday, January 18, 2024**

Members Present: Donald Brooks, Chairman (arrived late); Jason Capelle, Vice Chairman; George Yancey; Adam Bryington; Teri Vickery.

Members Absent:

Others Present: Nicole Gano-Washington, Director of Development Services; Josh Frederick, Planning and Zoning Services Manager; Amanda Lewis, County Attorney; Kyra Davis, Planner; and Susan Crosby, Planning Commission Secretary.

1. Call to Order and Determination of Quorum

Vice Chairman Capelle called the meeting to order at 6:02 p.m. and a quorum was established.

2. Organizational Meeting

a. Election of Chairman

The floor was opened for nominations for Chairman for 2024. Ms. Vickery nominated Mr. Capelle.

There being no further nominations for Chairman, Mr. Yancey made a motion, seconded by Mr. Bryington, which carried by a vote of 4-0, to close the floor for nominations.

On the motion of Ms. Vickery, seconded by Mr. Bryington, which carried by a vote of 4-0, the Commission elected Mr. Capelle as Chairman for 2024.

Ayes: Capelle, Yancey, Bryington, Vickery. Nays: None.

b. Election of Vice Chairman

The floor was opened for nominations for Vice Chairman for 2024. Ms. Vickery nominated Mr. Bryington.

There being no further nominations for Vice Chairman, Ms. Vickery made a motion, seconded by Mr. Yancey, which carried by a vote of 4-0, to close the floor for nominations.

On the motion of Ms. Vickery, seconded by Mr. Yancey, which carried by a vote of 4-0, the Commission elected Mr. Bryington as Vice Chairman for 2024.

Ayes: Capelle, Yancey, Bryington, Vickery. Nays: None.

c. Appointment of Secretary

On the motion of Mr. Yancey, seconded by Mr. Bryington, which carried by a vote of 4-0, the Commission appointed Ms. Crosby as Secretary for 2024.

d. Establish Regular Meeting Schedule

On the motion of Mr. Yancey, seconded by Mr. Bryington, which carried by a vote of 4-0, the Commission established its Regular Meeting schedule for 2024, as presented.

3. Adoption of Agenda

On the motion of Ms. Vickery, seconded by Mr. Yancey, which carried by a vote of 4-0, the Commission adopted the agenda, as modified, to include moving agenda item 11a. to 3a.

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

Supervisor Johnson congratulated Mr. Capelle and Mr. Bryington on their new appointments of Chairman and Vice Chairman. Supervisor Johnson also thanked Donald Brooks for his time as the Chairman to the Planning Commission.

4. Adoption of Minutes

a. December 7, 2023 Regular Meeting

On the motion of Mr. Bryington, seconded by Mr. Yancey, which carried by a vote of 4-0, the Commission adopted the December 7, 2023 Regular Meeting minutes, as presented.

5. Public Comment

At 6:12 p.m., Chairman Capelle opened the floor for Public Comment.

There being no speakers, Public Comment was closed at 6:12 p.m.

6. Work session

a. Comprehensive Plan solar facility policies – Work session

Mr. Frederick came forward to present the proposed Comprehensive Plan amendment for standards for public utility facilities. Chairman Capelle called for a discussion and went over ideas discussed through the subcommittee. Discussion ensued.

Following discussion, on the motion of Mr. Bryington, seconded by Mr. Yancey, which carried by a voted of 4-0, the Commission moved to bring matter to public hearing.

b. SUP 23-06 ESA Solar – Work session

Mr. Bittner came forward to give a brief presentation. The applicant, Wes Shafer, came forward and gave a presentation on the proposed solar facility and answered questions from the commission. Justin Mannonbrock, co-owner, came forward and spoke about the community solar program in Virginia.

Chairman Capelle closed the work session.

7. Break – 15 Minutes

Chairman Capelle called for a 15-minute break at 7:45 pm. Following the break, Chairman Capelle called the meeting back to order at 8:05 pm.

8. Public Hearings

- a. SUP 23-05 Cunningham Springs Solar VA Code § 15.2-2232(A) Review: The Planning Commission will hold a public hearing to determine if the general location or approximate location, character, and extent of the solar facility proposed by SUP 23-05 is substantially in accord with the Comprehensive Plan.

Ms. Davis came forward to explain why this public hearing is brought before the Commission. Chairman Capelle called the applicant forward, Brian Jake-Hoffman, to present how the project is substantially in accordance with the Comprehensive Plan. Mr. Brooks arrived during the presentation. Discussion ensued.

At 8:33 p.m., Chairman Capelle called the Public Hearing to order.

There were no speakers, and the Public Hearing was closed at 8:34 p.m.

On the motion of Mr. Bryington, seconded by Ms. Vickery, which carried by a roll call vote of 5-0, the Commission determined the project in substantial accord with the Comprehensive Plan.

- b. SUP 23-05 Cunningham Springs Solar (Public Hearing remains open from the November 2, 2023 meeting): Orange VAA, LLC has applied for a Special Use Permit application to allow a Solar Facility on property located at 16108 Monrovia Road, Orange VA, 22960. The properties are identified as Tax Map Parcels 44-99, 44-99A, 44-110, containing a total of 21.3 acres. The Solar facility is proposed to consist of approximately 17.3 of the total acres. The Properties inside Orange County are Zoned Limited Residential (R-1). The properties are situated in the Town/Suburban Recommended Future Land Use category, as described in the Orange County Comprehensive Plan.

Ms. Davis came forward and noted the only change from the last meeting is a change in the condition regarding the Pollinator Smart Program in association with Horton Vineyard. It was explained the condition now reads they need to apply but are not required to be accepted into the program due to the required use of herbicides to keep down fescue grass.

Chairman Capelle called the applicant forward to finish presentation. Applicant further explained the slight change in the Pollinator Smart Program as well as details regarding drainage for the site.

Chairman Capelle stated the public hearing was left open from previous meeting and called for public comments. Shannon Horton came forward and stated after meeting with applicant and staff, they are satisfied with the change in herbicide / pesticide conditions. Chairman Capelle closed public hearing at 8:46 pm.

On the motion of Mr. Brooks, seconded by Ms. Vickery, which carried by a roll call vote of 5-0, the Commission adopted a resolution recommending approval, as presented.

- c. REZ 23-07 Renaissance Healthcare: An application by Charles Payne, representing Renaissance Healthcare Group Virginia, LLC, authorized agent of Torell Developers LLC, to rezone property located at 3017 and 3015 Somerville Rd, Locust Grove, VA, 22508 from R-4, Multifamily Residential, conditional to C-1, Limited Commercial, conditional. The property is identified as Tax Map Parcel 12-38 and is approximately 6.79 acres. The intent of the rezoning is to operate an adult mental health residential treatment facility under the Institutional Use category per §70-1 and §70-452 of the Orange County Zoning Ordinance. The Germanna Wilderness Area Plan within the Orange County Comprehensive Plan designates the future land use of this property as Mixed-Use Planned Development. The applicant has volunteered various proffers, notably use restrictions, right-of-way dedication, and utility easement reservations.

Chairman Capelle called Mr. Bittner forward to present staff report. Commission asked question of staff. Chairman Capelle called the applicant forward. Mr. Charlie Payne came forward on behalf of the applicant to give presentation. David Bell, applicant, came forward to answer questions from the Commission. Discussion ensued.

At 9:34 p.m., Chairman Capelle called the Public Hearing to order. Tim Bettendorf, Chelsea Quintern, Brit Lewis, Richard Kane, and Carrie Reardon came forward and spoke on concerns over different aspects of the proposed facility.

There being no more speakers, and the Public Hearing was closed at 9:49 p.m.

Mr. Brooks spoke of his wish for a definition of the type of patient and descriptive type of disorders that would be treated there. Discussion ensued.

On the motion of Mr. Brooks, seconded by Ms. Vickery, which carried by a vote of 4-1, with Mr. Bryington voting in dissent, the Commission deferred action on the matter to next meeting.

- d. ZTA 23-04: A county-initiated amendment to the Zoning Ordinance which would: Amend Sec. 70-1 with a new definition for "rural retreat" that allows lodging operations with more than 15 guestrooms; Amend Sec. 70-303 to permit a rural retreat as a special use in the Agricultural (A) zoning district; Create a new Sec. 70-310 to establish specific performance standards for a rural retreat in the (A) district; and Amend Sec. 70-621 to clarify the distinction and allowance for principal and accessory structures for various circumstances and uses.

Mr. Frederick was called forward by Chairman Capelle to present the amendment. Discussion ensued.

At 10:13 p.m., Chairman Capelle called the Public Hearing to order.

There were no speakers, and the Public Hearing was closed at 10:13 p.m.

On the motion of Mr. Brooks, seconded by Mr. Bryington, which carried by a vote of 5-0, the Commission adopted a resolution of approval, as amended to include removal of the words "Madison Barbour Rural" in Sec. 70-130.a.11.

9. New business

There was no new business.

10. Old Business

There was no old business.

11. Reports

- a. Planning and Zoning Services Report: Josh Frederick, Planning and Zoning Services Manager

Mr. Frederick informed the Commission that staff had budgeted and have put in a purchase order for a Capital Impacts Analysis to be completed and should be provided to them in the coming months.

12. Commissioner Comments

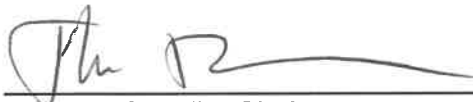
Commissioners shared their thoughts on the night's meeting and thanked Mr. Brooks on his time as Chairman. Mr. Brooks congratulated Chairman Capelle and Vice Chairman Bryington.

13. Next Meeting Date: February 1, 2024 Regular Meeting

Next meeting date was not discussed.

14. Adjourn

On the motion of Ms. Vickery, seconded by Mr. Bryington, which carried by a vote of 5-0, the Commission adjourned its meeting at 10:18 p.m.



J. Jason Capelle, Chairman

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.