

**Orange County Planning Commission
Regular Meeting Minutes
Public Safety Building; Board Meeting Room
11282 Government Center Drive, Orange, Virginia 22960
Thursday, February 15, 2024**

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

Members Absent:

Others Present: Nicole Ganoe-Washington, Director of Development Services; Josh Frederick, Planning and Zoning Services Manager; Martin Crim, Interim County Attorney (via Zoom); Eric Bittner, Planner; Kyra Davis, Planner; Alyson Simpson, Chief Deputy Clerk

1. Call to Order and Determination of Quorum

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

2. Adoption of Agenda

On the motion of Mr. Brooks, seconded by Mr. Yancey, which carried by a vote of 5-0, the Commission adopted the agenda, as modified, to include moving agenda item 7a. to 5a.

3. Adoption of Minutes

a. February 1, 2024 Regular Meeting

On the motion of Mr. Brooks, seconded by Mr. Bryington, which carried by a vote of 5-0, the Commission adopted the February 1, 2024 Regular Meeting minutes, as presented.

4. Public Comment

At 6:10 p.m., Chairman Capelle opened the floor for Public Comment.

4 speakers came forward to voice their concerns regarding solar farms and mental health facilities in Orange County. There were no more speakers, Public Comment was closed at 6:23 p.m.

5. Old Business

- a. 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.

Mr. Bittner came forward to review the public hearing history and updated presentation.

Charlie Payne came forward to represent the applicant and introduce David Bell who stated he would like to provide more detailed information regarding the Orange County Campus. Mr. Bell introduced Chrissy Hall and Angel Piper who would give the presentation. Following the presentation, the commission asked questions of the applicant, discussion ensued.

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 with revised proffers to include the exclusionary criteria and to give preference to the citizens of Virginia.

6. Public Hearings

- a. REZ-2024-00221 Grymes School: An application by Grymes Memorial School, Inc. to rezone Tax Parcel 28-36A, totaling approx. 19 acres, and a portion of Tax Parcel 28-36 totaling approx. 12.5 acres, from Limited Residential (R-1) to Limited Commercial (C-1) conditional. The property is located at 13735 & 13775 Spicer's Mill Rd in Orange, and is situated in the Town/Suburban Recommended Future Land Use category per the Orange County Comprehensive Plan. Proffers have been volunteered which limit the primary use of the property to a private school with no student boarding along with other ancillary uses. The proffers also restrict the permitted uses of the property.

Chairman Capelle called the applicants to front table and Ms. Davis presented the staff report presentation. Lee Baines, representative for Grymes School, came forward to explain how and why the application was brought before the Planning Commission. Mr. Baines answered questions by the Commission. Discussion ensued.

At 7:33 p.m., Chairman Capelle called the Public Hearing to order.

There were no speakers, and the Public Hearing was closed at 7:33 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 recommending approval, as presented.

Chairman Capelle called for a 10-minute break at 7:35 pm. Chairman Capelle called the meeting back into to session at 7:45 pm.

- b. SUP 23-06 ESA Solar: An application by Orange Road Solar Farm, LLC for a Special Use Permit to allow a solar energy generation facility on property located near Mayhurst Ln adjacent to the Town of Orange. The property is identified as Tax Parcel 44-27D and contains a total of 71 acres. The solar facility is proposed to consist of approximately 35 of the total acres with a generating capacity of approx. 5 MW. The property is zoned Agricultural (A) and lies within the Agricultural 2 designation on the Future Land Use Map within the Orange County Comprehensive Plan. The Planning Commission will first hold a public hearing to determine if the application is substantially in accord with the Comprehensive Plan pursuant to VA Code §15.2-2232(A) prior to conducting the public hearing on the SUP application.

Chairman Capelle called the applicant forward to the front table and called Mr. Bittner forward to present staff report. Commissioners asked questions of staff. Wes Schafer, came forward on behalf of the applicant to give the presentation.

At 8:12 p.m., Chairman Capelle called the Public Hearing to order. There were 17 speakers who came forward and spoke on their thoughts and concerns over the project.

There being no more speakers, the Public Hearing was closed at 9:22 p.m.

Following the public hearing, the Commissioners asked questions of staff and the applicant. Discussion ensued regarding clarification of how the project meets the Substantial accord requirement of VA Code 15.2-2232(A).

On the motion of Ms. Vickery, seconded by Mr. Bryington, which carried by a vote of 4-1, with Mr. Yancey voting in dissent, the Commission determined the application not in substantial accord with the Comprehensive Plan and adopted a resolution recommending denial due to impacts on viewshed and historic properties.

Chairman Capelle called for a 5-minute break at 10:07 pm. Chairman Capelle called the meeting back into to session at 10:09 pm.

- c. CPA 24-01: A county-initiated Comprehensive Plan amendment that would introduce various generalized policies by which to consider applications for public utility facilities, including but not limited to, how and where the facilities are sited and how environmental, agricultural, historic, cultural, and county resources are impacted.

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

At 10:25 p.m., Chairman Capelle called the Public Hearing to order.

There were 3 speakers who came forward and spoke in support of the amendment and to offer additional recommendations.

There being no more speakers, the Public Hearing was closed at 10:33 p.m.

On the motion of Mr. Capelle, seconded by Ms. Vickery, which carried by a roll call vote of 4-0-1, with Mr. Yancey abstaining, the Commission adopted a resolution recommending approval, as amended to include, to change the word encouragement to promotion in the several places it appears and to add: Electrical distribution and transmission infrastructure associated with public utilities should be designed to minimize negative and visual impacts on existing and future communities. This would include the screening of structures and the collocation of facilities such as electrical generation, distribution and transmission infrastructure, electrical substations, and electrical storage. This would also include the undergrounding of distribution and transmission infrastructure (both new, and as improvements are made to existing lines), the utilization of existing corridors, and without widening such corridors unless absolutely necessary and not more than the minimum width required for the proposed service level. They also added: "Promotion of public utility installations (e.g. community solar) on parking lots, brownfields, landfills, and formerly mined lands, and minimize the use of valuable greenfields, forests, and productive farmland", as its own standard.

7. New business

There was no new business.

8. Reports

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

Chairman Johnson was not present, no report.

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

Mr. Frederick informed the Commission that staff has 1 public hearing coming up at the next meeting and encouraged Commissioners to review the project page.

- c. Current Planning Projects: Chairman Capelle

Chairman Capelle reminded fellow commissioners to review the current project page.

9. Commissioner Comments

Chairman Capelle thanked everyone for working through the late meeting.

10. Next Meeting Date: March 7, 2024 Regular Meeting

Commissioners were informed of their next meeting date on March 7, 2024.

11. 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.