

Planning Commission Meeting Minutes

March 3, 2020

VIRGINIA: AT A REGULAR MEETING OF THE PLANNING COMMISSION HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, MARCH 3, 2020 AT 6:00 PM

Planning Commissioners Present	Barbara Brown, District 5, Chairman Bobby Hall, District 3, Vice Chairman Vicki Hurt, District 1 Amy Kingery, District 2 Jane Pendergast, District 4
Planning Commissioners Absent	None
Staff Members Present	Andrew Pompei, Planning Director Kelley Kemp, Assistant County Attorney Ed Howland, Principal Planner Alyson Oliver, Planner II

1. Call to Order

Dr. Brown called the meeting to order at 6:00 PM.

2. Invocation

Mr. Hall gave the invocation.

3. Administrative Items

a. Request to Postpone Action/Amend the Agenda

Mr. Pompei noted that the applicant for Case #20-01-REZC requested that their case be deferred until the next meeting. Mr. Pompei also requested that Item 7a on the agenda (Presentation: Parks and Recreation Needs Assessment) be deferred until the next meeting.

Ms. Hurt made a motion to accept these changes to the agenda.

Ms. Kingery seconded the motion.

Dr. Brown, Mr. Hall, Ms. Hurt, Ms. Kingery, and Ms. Pendergast voted AYE.

**VOTE 5-0
MOTION Passed**

b. Approval of Minutes: February 4, 2020 (Regular Meeting)

Ms. Pendergast motioned to approve the minutes from the regular meeting on February 4, 2020, as presented.

Ms. Kingery seconded the motion.

Dr. Brown, Mr. Hall, Ms. Hurt, Ms. Kingery, and Ms. Pendergast voted AYE.

**VOTE 5-0
MOTION Passed**

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c. Approval of the Minutes: February 4, 2020 (Workshop)

Ms. Hurt motioned to approve the minutes from the Planning Commission Workshop on February 4, 2020, as presented.

Mr. Hall seconded the motion.

Dr. Brown, Mr. Hall, Ms. Hurt, Ms. Kingery, and Ms. Pendergast voted AYE.

**VOTE 5-0
MOTION Passed**

d. Recommended Appointment: Richmond Regional Planning District Commission Board (PlanRVA)

Dr. Brown made a motion recommending to the Board of Supervisors that Mr. Hall be nominated to serve on the Richmond Regional Planning District Commission Board (PlanRVA).

Ms. Kingery seconded the motion.

Dr. Brown, Mr. Hall, Ms. Hurt, Ms. Kingery, and Ms. Pendergast voted AYE.

**VOTE 5-0
MOTION Passed**

4. Public Comment Period

Dr. Brown opened the public comment period.

Carl Schwendeman (1727 Theresa Lane) asked the Planning Commission to consider incorporating sidewalks into projects that will be submitted to the Virginia Department of Transportation (VDOT) for funding through its SmartScale program.

Darlene Bowlin (630 Petersburg Road) spoke in opposition to possible ordinance amendments that may eliminate single-cut subdivisions and family divisions.

Seeing as there were no other speakers, the public comment period was closed by Dr. Brown.

5. Old Business

None

6. Public Hearings

- a. **Case #20-01-CUP: Kimberly Wilkinson Payne (District #1: Subletts/Manakin/Flat Rock)** requests a conditional use permit (CUP) to permit a *private kennel* as an accessory use on a property consisting of less than two (2) acres within the Single-Family Residential-2 (R-2) zoning district, per Sec. 83-213(b) of the Zoning Ordinance of the County of Powhatan. The proposed use is located at Tax Map Parcel #41-6-5 (2016 Judes Ferry Road), which consists of 1.0 acres. The 2019 Long-Range Comprehensive Plan designates the subject property as Rural Residential on the countywide Future Land Use Map.

Mr. Pompei provided an overview of this request.

Dr. Brown opened the public comment period.

Seeing as there were no speakers, the public comment period was closed by Dr. Brown.

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Following the public hearing, members of the Planning Commission discussed the request. Ms. Hurt asked for additional information regarding the property's existing conditions, including landscaping and tree coverage. Dr. Brown asked for additional details about the breeding operation, including whether or not the dogs are spayed/neutered. The applicant stated that all dogs are spayed or neutered prior to leaving the home. Mr. Hall asked if the applicant intended to continue breeding, to which the applicant stated she does not intend to continue breeding.

Prior to voting, members of the Planning Commission made the following comments:

- Ms. Hurt stated that she has concerns regarding impacts the proposed use may have on neighbors.
- Ms. Pendergast stated that she is comfortable with the request with the recommended conditions.
- Mr. Hall stated that he has concerns with having more than four dogs on a one-acre lot.
- Ms. Kingery stated that she is comfortable with the request with the recommended conditions.

After discussion, Ms. Hurt made a motion to **recommend denial** of the request.

Dr. Brown seconded the motion.

Dr. Brown, Mr. Hall, Ms. Hurt voted AYE.
Ms. Kingery, and Ms. Pendergast voted NAY.

VOTE 3-2
MOTION Passed

- b. **Case #19-06-REZC: Markel Eagle Partners, LLC (District #1 Subletts/Manakin/Flat Rock)** requests the rezoning of Tax Map Parcels #42-55A, 42-55B, 42-57G, 42-72 and a portion of Tax Map Parcel #42-55 from Agricultural-10 (A-10) and General Commercial (C) with proffered conditions (Case #06-14-REZC) to Commerce Center (CC) with proffered conditions and Village Residential Planned Development (VR-PD) with proffered conditional and amendment of the zoning district map of approximately 43.15 acres of land with frontage along the north side of U.S. Route 60 (Anderson Highway) at its intersection with State Route 1101 (Holly Hills Road) and along the south side of State Route 675 (Page Road) at its intersection with State Route 1110 (Old Powhatan Estates), including 1680 Anderson Highway and 1647 Page Road. Approximately 5.06 acres will be rezoned to CC with proffered conditions and approximately 38.09 acres will be rezoned to VR-PD with proffered conditions (Maximum Density: 79 Dwelling Units/2.07 Dwelling Units Per Acre). Proffered conditions associated with the proposed CC zoning district address building materials, parking lot surfacing, and shared access. Proffered conditions associated with the proposed VR-PD zoning district address adherence to a master plan, maximum residential densities (up to 79 single-family dwelling units), perimeter buffers, storm water management, transportation improvements, provision of age-restricted units, and cash proffers. The 2019 Long-Range Comprehensive Plan designates the subject properties as Commerce Center and Village Residential (Route 60 Corridor East Special Area Plan), with maximum recommended densities in the Village Residential land use designation being four dwelling units per acre.

Mr. Pompei provided an overview of the request.

Greg Garrison (Markel Eagle Partners, LLC), a representative for the applicant, gave a brief presentation to the Planning Commission. The presentation provided a general overview of the proposed project layout, density, and circulation pattern, as well as a summary of the methodology used for determining the proposed cash proffer amount.

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Following the presentation, Dr. Brown asked the applicant to provide the estimated price range of the homes to be constructed within this development. The applicant responded that they estimate that the most affordable dwellings will be cottage-style residences starting at \$250,000.

Dr. Brown opened the public hearing.

Carl Schwendeman (1727 Theresa Lane) asked that the applicant provide additional road improvements, including a right-turn lane into the Holly Hills subdivision, sidewalks along U.S. Route 60, and shoulders along Page Road.

Jim Carver (4245 Steger Creek) spoke in opposition to the request, noting the proposal's compliance with the comprehensive plan, potential transportation impacts, and potential fiscal impacts.

Mike Hall (1746 Old Powhatan Estates) spoke in opposition to the request, citing concerns with the proposal's potential impacts on the area's rural character and transportation network.

Darlene Bowlin (630 Petersburg Road) spoke in opposition to the request, noting that she agrees with the previous two speakers.

Steve Chambers (1701 Page Road) cited concerns with the proposal's potential negative impacts on the condition of Page Road. Mr. Chambers noted that he would like to see more transportation-related improvements if this project is approved.

Richard King (1700 Old Powhatan Estates) spoke in opposition to the request, noting concerns with traffic and safety along Page Road.

Seeing no other speakers, Dr. Brown closed the public hearing.

Following the public hearing, the Planning Commission discussed the request.

Dr. Brown stated that she still has concerns about the additional traffic that this proposal will generate. A representative for the applicant responded by noting that the traffic analysis does not require any additional improvements, but that they could add a shoulder along portions of Page Road where they have ownership rights.

Ms. Hurt stated that she appreciated the effort the applicant has put into the project, but that she still has concerns with the proposal's potential impacts on Page Road and U.S. Route 60.

Mr. Hall stated that he has concerns with potential impacts this proposal may have on adjacent roadways, as well as concerns regarding the fiscal impacts of providing additional public services to residential development.

Dr. Brown noted that she is also concerned with the limited commercial space and asked what kind of user is planned for a commercial area, which is five (5) acres in size. The applicant responded that a specific user has not yet been identified, but that the acreage dedicated to commercial is appropriate for a commercial/retail development.

Following discussion, Ms. Hurt made a motion to **recommend denial** of the request.

Ms. Pendergast seconded the motion.

Dr. Brown, Mr. Hall, Ms. Hurt, Ms. Kingery, and Ms. Pendergast voted AYE.

VOTE 5-0
MOTION Passed

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- c. **Case #20-04-AZ:** The **County of Powhatan** requests the amendment of provisions set forth in Chapter 83 (Zoning Ordinance), Article IV (Village Growth Area Districts), Division 2 (Village Growth Area Planned Development Districts) to clarify language describing the intent of Village Growth Area Planned Development Districts and to require that development within Village Growth Area Planned Development Districts incorporate certain design concepts that are identified within a planned development (PD) plan.

Mr. Pompei provided an overview of this request.

Dr. Brown opened the public hearing.

Carl Schwendemen (1727 Theresa Lane) asked if this amendment will have an impact on transportation improvements along U.S. Route 60.

Seeing no other speakers, Dr. Brown closed the public hearing.

Following the public hearing, Mr. Pompei addressed the Mr. Schwendeman's question, noting that this amendment encourages developers to exceed existing ordinance requirements.

After brief discussion, Dr. Brown made a motion to **recommend approval** of this request.

Mr. Hall seconded the motion.

Dr. Brown, Mr. Hall, Ms. Hurt, Ms. Kingery, and Ms. Pendergast voted AYE.

VOTE 5-0
MOTION Passed

7. Adjourn

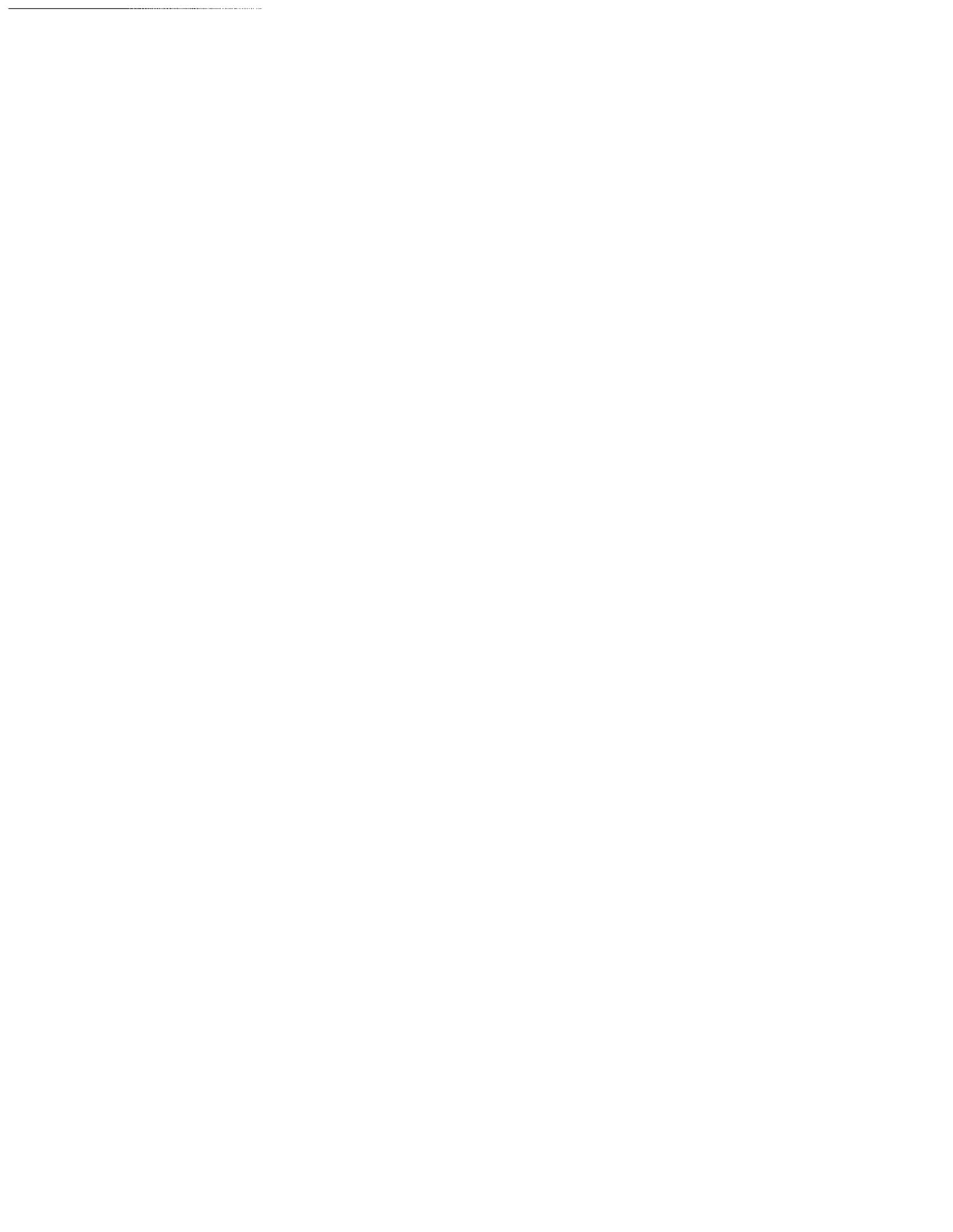
There being no further business, Dr. Brown adjourned the meeting at 7:18 PM.



Barbara Brown
Chairman



Andrew Pompei
Planning Director



Planning Commission Workshop Minutes

March 3, 2020

VIRGINIA: AT A WORKSHOP OF THE PLANNING COMMISSION HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, MARCH 3, 2020 AT 7:22 PM

Planning Commissioners Present	Barbara Brown, District 5, Chairman Bobby Hall, District 3, Vice Chairman Vicki Hurt, District 1 Amy Kingery, District 2 Jane Pendergast, District 4
Planning Commissioners Absent	None
Staff Members Present	Andrew Pompei, Planning Director Kelley Kemp, Assistant County Attorney Ed Howland, Principal Planner Alyson Oliver, Planner II

1. Call to Order

Dr. Brown called the meeting to order at 7:22 PM, following adjournment of the regular Planning Commission meeting held on March 3, 2020.

2. Discussion: Elimination of Single Cut Subdivisions

Dr. Brown provided the Planning Commission with an overview of this possible ordinance amendment, which proposes to eliminate provisions that allow *single cut subdivisions*.

Members of the Planning Commission briefly discussed this possible amendment, noting that it is a worthwhile issue to consider, as current regulations may have a negative impact on goals aimed at preserving Powhatan County's rural character. Following discussion, the Planning Commission decided that it would like to see the amendment advertised and placed on a future meeting agenda.

3. Discussion: Revisions to Standards for Family Divisions

Dr. Brown provided the Planning Commission with an overview of a possible ordinance amendment, which proposes to modify standards applicable to family divisions.

4. Public Comment Period

Darlene Bowlin (630 Petersburg Road) spoke in opposition to the proposed ordinance amendment to eliminate *single cut subdivisions*.

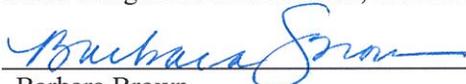
Chris Favreau (2240 Old Time Road) noted that he is planning to subdivide his property using the family division provisions in the future, and he would like to see these provisions maintained.

5. Upcoming Projects

Mr. Pompei provided a brief overview of rezoning requests and ordinance amendments that will be heard at future meetings. The Planning Commission briefly discussed the code enforcement process.

6. Adjourn

There being no further business, Dr. Brown adjourned the meeting at 8:11 PM.



Barbara Brown

Chairman



Andrew Pompei

Planning Director

