

September 3, 2019

VIRGINIA: AT A REGULAR MEETING OF THE PLANNING COMMISSION HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, SEPTEMBER 3, 2019 AT 7:00 PM

Planning Commissioners Present	Karin Carmack, District 1, Chairman David Van Gelder, District 5, Vice-Chairman Donna Moore, District 3 Bill Cox, District 4
Planning Commissioners Absent	Owen Walker, District 2
Staff Members Present	Andrew Pompei, Planning Director Kelley Kemp, Assistant County Attorney Ed Howland, Principal Planner Alyson Oliver, Planner II

1. Call to Order

Ms. Carmack called the meeting to order at 7:00 PM.

2. Invocation

Mr. Van Gelder gave the invocation.

3. Administrative Items

a. Request to Postpone Action/Amend the Agenda

None

b. Approval of Minutes

Ms. Carmack motioned to approve the minutes from the regular meeting and workshop on August 6, 2019.

Ms. Carmack, Mr. Van Gelder, Ms. Moore, and Mr. Cox voted AYE.

**VOTE 4-0
MOTION Passed**

4. Public Comment Period

Ms. Carmack opened the public comment period.

Woody Cofer (3830 Yates Lane) addressed the Planning Commission to ask if Powhatan County is considering reducing the minimum width of easements accessing family divisions, as well as an ordinance update to reduce the side yard setback for properties in Lake Shawnee (zoned R-U).

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

5. Old Business

- a. Case #19-03-REZC: East West Communities (District #1: Subletts/Manakin/Flat Rock)** requests the rezoning of Tax Map Parcels #43-61, 43-64, and 43-64E and a portion of Tax Map Parcel #43-63 from Agricultural-10 (A-10) to Commerce Center Planned Development (CC-PD) and Village

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Residential Planned Development (VR-PD) and amendment of the zoning district map of approximately 120.68 acres of land located on the north side of State Route 675 (Page Road) near its intersection with U.S. Route 60 (Anderson Highway) adjacent to the Chesterfield County line. Approximately 6.98 acres would be rezoned to CC-PD and approximately 113.7 acres would be rezoned to VR-PD, which permits residential densities of up to four dwelling units per acre developed in accordance with a master plan. Proffered conditions address a master plan of development, cash proffers, maximum density (up to 249 dwelling units), access and circulation, and building materials. The 2019 Long-Range Comprehensive Plan designates the subject properties as Commerce Center, Village Residential, and Natural Conservation (Route 60 Corridor East Special Area Plan) on the Countywide Future Land Use Plan, with maximum recommended residential densities in the Village Residential land use designation being four dwelling units per acre.

Mr. Pompei provided an overview of the request and noted revisions that had been made since the August Planning Commission meeting.

Chris Shust (Balzer & Associates) provided additional information on the request, including an overview of recommendations made in the Signal Justification Report (SJR) that was reviewed by VDOT.

Kyle Bates (VDOT) provided additional information on the review that was conducted and the recommended intersection improvements. Mr. Bates stated that a signal is not warranted at this time and that VDOT recommends a non-signalized RCUT at the intersection. Mr. Bates also answered questions posed by members of the Planning Commission:

- The Planning Commission asked if Powhatan County could request a fully-signalized RCUT prior to issuance of the first Certificate of Occupancy. Mr. Bates responded that the county could request that, but that VDOT would not recommend it.
- The Planning Commission asked for more information on when a signal would be warranted. Erich Strohacker, a traffic consultant for the applicant, noted that a signal warrant is triggered for this development somewhere between 40% and 50% buildout.
- The Planning Commission asked questions about the angle of the existing intersection of U.S. Route 60 (Anderson Highway)/State Route 675 (Page Road)/State Route 671 (County Line Road). Mr. Bates provided information on the visibility needs of this type of intersection improvement, stating that since traffic will only be making right turns off of State Route 675 (Page Road), the angle of the road is no longer a concern.
- The Planning Commission asked if a waiver from the access management standards would be needed for this request. Mr. Shust stated that a waiver will be needed for the northernmost entrance accessing State Route 675 (Page Road).
- The Planning Commission asked if Chesterfield County should be involved in the decision-making process. Mr. Bates stated that Chesterfield County has been working with VDOT on establishing priority improvements along U.S. Route 60, but it is up to Powhatan County to decide the level of involvement they would like from neighboring jurisdiction.

Mr. Cox then posed a question about whether or not this application can be reviewed by the Planning Commission, due to the amendments that have been made since submission. The Planning Commission had brief discussion about what constitutes a “substantially different” application, and

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whether or not making these traffic updates significantly affects the substance of the application. Ms. Kemp stated that she did not believe that these changes would be substantial enough to require submission of a new application.

After discussion, members of the Planning Commission determined that they would like additional time to discuss this request and consider the proposed transportation improvements.

Ms. Carmack motioned to **defer** the request for at least 30 days.

Ms. Carmack, Mr. Van Gelder, Ms. Moore, and Mr. Cox voted AYE.

VOTE 4-0
MOTION Passed

6. Public Hearings

- a. **Case #19-04-CUP: Powhatan Solar I, LLC (District #3: Bethesda/Lees Landing)** requests a conditional use permit (CUP) to permit a solar energy farm and related accessory uses within the Agricultural-10 (A-10) zoning district, per Sec. 83-162 of the Zoning Ordinance of the County of Powhatan. The proposed use will be located on a portion of Tax Map Parcels #27-14, 27-14A, and 26-104, which have frontage on the south side of State Route 615 (Three Bridge Road) at its intersection with State Route 1330 (Mill Mount Parkway) and at the northern terminus of State Route 626 (Brauer Road). The subject properties total approximately 927.38 acres, with the proposed use located within a project area that is approximately 350.9 acres. The 2019 Long-Range Comprehensive Plan designates the subject properties as Rural Preservation and Natural Conservation on the Countywide Future Land Use Plan.

Mr. Pompei provided an initial overview of the request.

Parker Sloan (Cypress Creek Renewables) presented additional details regarding this request to the Planning Commission, noting specifics pertaining to the site plan, proposed landscaping, existing buffer, and conformance with the recommended conditions and guidance in the *2019 Long-Range Comprehensive Plan*.

Cutter Sydnor (Kimley-Horn) provided additional information regarding proposed erosion and stormwater control measures and the state-level review process that this proposal will undergo if approved.

Ms. Carmack opened the public hearing.

Kyle Leatherwood (2838 Madison Place Drive) asked for additional information regarding plans for decommissioning and a financial surety in the event that the company is unable to complete the project.

Harrison Gregory (2 Banbury Road, Richmond, Virginia) spoke on behalf of a nearby property owner, asking the Planning Commission to consider the impact the proposal will have on the area's heat signature, property values, and visibility (glare).

Edwin Utt (2505 Brauer Road) asked the Planning Commission to consider provisions for road repairs, if the proposed construction traffic causes damage to State Route 626 (Brauer Road).

Seeing as there were no speakers, the public comment period was closed by Ms. Carmack.

Following the public hearing, members of the Planning Commission discussed concerns raised from the public comment period, as well as the recommended conditions.

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Mr. Sloan addressed concerns related to glare and heat signature, stating that the panels are designed to absorb sunlight, and therefore will not emit a significant heat signature or glare.

Member of the Planning Commission then requested that the recommended conditions be updated to clarify future decommissioning requirements (Condition #20) and require financial surety for repairing potential road damage caused by construction traffic (Condition #18).

After discussion, Ms. Carmack motioned to **recommend approval** of the CUP request.

Ms. Carmack, Mr. Van Gelder, and Ms. Moore voted AYE.

Mr. Cox voted NAY.

VOTE 3-1

MOTION Passed

- b. **Case #19-05-CUP: HCE Powhatan Solar I (District #4: Powhatan Courthouse/Mt. Zion)** requests a conditional use permit (CUP) to permit a solar energy farm and related accessory uses within the Agricultural-10 (A-10) zoning district, per Sec. 83-162 of the Zoning Ordinance of the County of Powhatan. The proposed use will be located on a portion of Tax Map Parcel #37-23B, which has frontage on the west side of State Route 13 (Old Buckingham Road) at its intersection with Spoonbill Drive (private road). The subject property totals approximately 89.52 acres, with the proposed use located within a project area of approximately 45 acres. The 2019 Long-Range Comprehensive Plan designates the subject properties as Rural Preservation and Natural Conservation on the Countywide Future Land Use Plan.

Mr. Pompei gave an overview of this request.

Stephen Young (Holocene Clean Energy) provided additional information regarding this request, indicating that the proposal is not speculative, as the company has secured an agreement for interconnection and power purchasing.

Ms. Carmack opened the public hearing.

Jesse Jennette (4435 Old Buckingham Road) asked for additional information on the location of the proposed site access and visibility from State Route 13 (Old Buckingham Road).

Bobby Gentry (4388 Three Bridge Road) asked the Planning Commission and applicant for additional information on why there is a lesser buffer along the northern property line. Mr. Gentry also expressed concerns about the impact of this project on hunting, animal migration, and the area's rural character.

Seeing as there were no other speakers, Ms. Carmack closed the public hearing.

Members of the Planning Commission then discussed the following:

- Planned on-site battery storage and the applicable safety regulations;
- Proposed site access; and
- Buffer requirements and existing vegetation along State Route 13 (Old Buckingham Road).

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After discussion, Ms. Carmack motioned to **defer** the request for at least 30 days, requesting that the applicant provide additional information on the location of the proposed entrance from State Route 13 (Old Buckingham Road).

Ms. Carmack, Mr. Van Gelder, Ms. Moore, and Mr. Cox voted AYE.

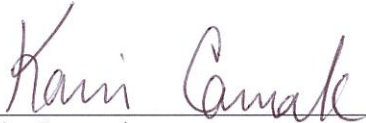
VOTE 4-0
MOTION Passed

7. New Business

None.

8. Adjourn

There being no further business, Ms. Carmack adjourned the meeting at 9:00 PM.



Karin Carmack
Chairman



Andrew Pompei
Planning Director

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Planning Commissioners Present

Karin Carmack, District 1, Chairman
David Van Gelder, District 5, Vice-Chairman
Donna Moore, District 3
Bill Cox, District 4

Planning Commissioners Absent

Owen Walker, District 2

Staff Members Present

Andrew Pompei, Planning Director
Kelley Kemp, Assistant County Attorney
Ed Howland, Principal Planner
Alyson Oliver, Planner II

1. Call to Order

Ms. Carmack called the meeting to order at 9:05 PM, following adjournment of the regular Planning Commission meeting held on September 3, 2019.

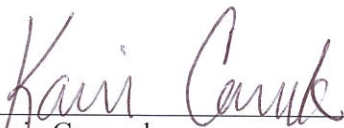
2. Discussion: Case #19-06-REZC (Proposed Rezoning: Tax Map Parcels #42-55, 42-55A, 42-55B, 42-57G, and 42-72)

Representatives for the applicant provided an overview of the requested rezoning and presented changes that had been made since the previous Planning Commission Workshop. Members of the Planning Commission discussed the following:

- Provision of public utilities, including a pump station;
- Updated traffic study, which now includes assumptions regarding another proposed residential rezoning located along State Route 675 (Page Road); and
- The specifics of the proposed lot layout, with specific focus on the “Estate Lot”.

3. Adjourn

Ms. Carmack adjourned the workshop at approximately 9:30 PM.



Karin Carmack
Chairman



Andrew Pompei
Planning Director

