

October 1, 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, OCTOBER 1, 2019 AT 7:00 PM**

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<b>Planning Commissioners Present</b>	Karin Carmack, District 1, Chairman David Van Gelder, District 5, Vice-Chairman Donna Moore, District 3 Bill Cox, District 4
<b>Planning Commissioners Absent</b>	Owen Walker, District 2
<b>Staff Members Present</b>	Andrew Pompei, Planning Director Kelley Kemp, Assistant County Attorney Bret Schardein, Assistant County Administrator Ed Howland, Principal Planner Thomas Nolan, Director of Public Safety Communications

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**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**

Ms. Carmack motioned to accept the applicants request to defer Case #19-06-REZC.

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

**VOTE 4-0  
MOTION Passed**

Ms. Carmack amended the agenda, making Case #19-07-REZC the first public hearing held.

**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.

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

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## 5. Old Business

- a. **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. Davis Plunkett (Holocene Clean Energy) gave a short presentation to the Planning Commission, highlighting key aspects of the plan, including site access and emergency response procedures.

The Planning Commission briefly discussed the following:

- Proposed location of the site entrance; and
- Consideration of a donation to the Powhatan Open Space Foundation and Powhatan Fire and Rescue.

After discussion, Mr. Cox motioned to **recommend approval** of the request as presented.

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

**VOTE 4-0**  
**MOTION Passed**

## 6. Public Hearings

- a. **Case #19-07-REZC: Stavemill II LLC (District #2: Powhatan Station/Graceland)** requests the rezoning of Tax Map Parcels #42-7-1, 42-7-5, 42-7-6, 42-7-7, 42-7-9, and 42-7-R from General Commercial (C) (Ordinance #O-2018-38) (1.89 acres) and General Commercial (C) with proffered conditions (Case #03-15-REZC) (14.3 acres) to Commerce Center (CC) with proffered conditions (16.19 acres) and amendment of the zoning district map of approximately 16.19 acres of land southeast of the intersection of U.S. Route 60 (Anderson Highway)/State Route 634 (Stavemill Road)/State Route 1351 (Luck Stone Road). Proffered conditions address a conceptual plan, the provision of utilities, and access and circulation. The 2019 Long-Range Comprehensive Plan designates the subject properties as Commerce Center (Route 60 Corridor East Special Area Plan) on the Countywide Future Land Use Plan.

Mr. Pompei gave an overview of this request. Mark Kronenthal (Roth Jackson), a representative for the applicant, provided an overview of the zoning and development history of the subject properties.

Ms. Carmack opened the public hearing.

Carl Schwendeman (1727 Theresa Lane) requested that the applicant consider adding sidewalks along U.S. Route 60 (Anderson Highway) and State Route 634 (Stavemill Road) and complete missing segments of sidewalk along the internal road network.

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 the following:

- Clarification of language for proposed proffers;

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- Condition and details of existing entrances to the site; and
- Potential of completing internal sidewalk network.

After discussion, Ms. Carmack motioned to **recommend approval** of this request, with requested changes to the language for proposed Proffered Condition #6.

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

**VOTE 4-0**  
**MOTION Passed**

- b. **Case #19-07-CUP:** The County of Powhatan (District #5: Smiths Crossroads/Pineville/Tobaccoville) requests a conditional use permit (CUP) to permit a telecommunications tower (up to 400 feet in height) within the Agricultural-10 (A-10) zoning district per Sec. 83-162 of the Zoning Ordinance of the County of Powhatan. The use is located at Tax Map Parcel #35-46B (1725 Cook Road), which consists of 62.43 acres. The 2019 Long-Range Comprehensive Plan designates the subject property as Rural Preservation and Natural Conservation on the Countywide Land Use Plan Map.

Mr. Pompei provided an overview of this request.

Mr. Nolan provided additional information regarding this request, providing information regarding the public need for the proposed tower. Mr. Nolan stated that this proposed tower will fill a gap in the existing telecommunications system, which will help improve public safety communications throughout the county. Mr. Nolan also provided the Planning Commission with background information on the Public Safety Communications Plan, which identified the need for the requested tower.

Ms. Carmack opened the public hearing.

Floyd Greene (2047 Hancock Road), former Director of Public Safety Communications and current volunteer emergency responder in the county, spoke in favor of the request, stating that this tower is critical for providing adequate coverage for emergency responders in the county.

Margaret Hughes Taylor (1595 Cook Road) spoke in opposition to the proposed tower, citing public health concerns. Ms. Taylor also asked questions regarding public notice, potential odors or noise generated from the tower, and plans for proposed and existing vegetation.

Phil Warner (Powhatan County Fire Rescue Chief) spoke in favor of the proposed tower on behalf of the Fire and Rescue Department.

Taylor Goodman (1435 Schroeder Road), former chief and life member of the Huguenot Volunteer Fire Department Co. 2, spoke in favor of the proposed tower. Mr. Goodman noted the importance of this tower for effective public safety communications.

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

Mr. Nolan then proceeded to provide members of the Planning Commission with answers to some of the questions posed by members of the public, noting the following:

- The tower is not anticipated to have dangerous levels of radiation exposure concerns; and
- The tower is not anticipated to produce noise or excessive odor.

Mr. Pompei provided additional information on the public notice procedures for this request.

Members of the Planning Commission then discussed the following:

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- The tower's potential to improve broadband access; and
- Applicable development and setback standards for the proposed tower.

After discussion, Mr. Van Gelder motioned to **recommend approval** of the request as presented.

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

### VOTE 4-0

### MOTION Passed

- c. **Case #19-08-CUP:** The County of Powhatan (District #1: Subletts/Manakin/Flat Rock) requests a conditional use permit (CUP) to permit a telecommunications tower (up to 400 feet in height) within the Agricultural-10 (A-10) zoning district per Sec. 83-162 of the Zoning Ordinance of the County of Powhatan. The use is located at Tax Map Parcel #42-7G (2040 U.S. Route 60/Anderson Highway), which consists of 7.01 acres. The 2019 Long-Range Comprehensive Plan designates the subject property as Industrial on the Countywide Land Use Plan Map.

Mr. Pompei provided an overview of this request.

Mr. Nolan provided additional information regarding this request, providing information regarding the public need for the proposed tower.

Ms. Carmack opened the public hearing.

Floyd Greene (2047 Hancock Road), former Director of Public Safety Communications and current volunteer emergency responder in the county, spoke in favor of the request, stating that this tower is critical for providing adequate coverage for emergency responders in the county. Mr. Greene specifically noted the importance of this tower for providing coverage within the larger big-box stores located within the area.

Taylor Goodman (1435 Schroeder Road), member of the Huguenot Volunteer Fire Department Co. 2, spoke in favor of the proposed tower, noting in the importance of this tower for effective public safety communications. Mr. Goodman noted that this will be more important as commercial development in the area continues.

Phil Warner (Powhatan County Fire Rescue Chief) spoke in favor of the proposed tower on behalf of the Fire and Rescue Department.

Carl Schwendeman (1727 Theresa Lane) spoke in favor of this request for its potential to improve cellular coverage.

The Planning Commission discussed the following:

- The projected fall zone of the tower and its potential impact on the Dutoy Wastewater Treatment Plant. Mr. Nolan stated that the Public Works Department is in support of the proposed location of the tower.
- Potential to use existing structures, such as the water tower, for placement of emergency communications equipment. Mr. Nolan stated that it would be difficult to retrofit the existing tower to accommodate the necessary equipment.

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

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

**VOTE 4-0**

**MOTION Passed**

- d. **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 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 with proffered conditions and approximately 113.7 acres would be rezoned to VR-PD with proffered conditions (Maximum Density: 249 Dwelling Units/2.19 Dwelling Units Per Acre). Proffered conditions address a master plan of development, maximum density (up to 249 dwelling units), access and circulation (including improvements to U.S. Route 60), 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 this request. Chris Shust (Balzer and Associates), a representative for the applicant, gave a brief presentation, details of which included:

- Fiscal benefits and infrastructure improvements associated with the proposed development;
- Updates to the application since the previous meeting, which include the addition of a central park amenity, as well as a publicly-accessible trail network; and
- Details for the proposed RCUT intersection.

Ms. Carmack opened the public hearing.

Carl Schwendeman (1727 Theresa Lane) requested that the applicant consider adding sidewalks along U.S. Route 60 (Anderson Highway), and asked if the applicant will make any improvements to State Route 675 (Page Road).

Ed Whickam (1830 Stonehenge Farm Road) expressed concerns with the existing condition of State Route 675 (Page Road) and the potential negative impacts of the proposed development on adjacent roadways.

Mike Hall (1746 Old Powhatan Estates) expressed concerns with the proposed density of the project and its potential impact on traffic along adjacent roadways.

Andy Edwards (1423 Page Road) expressed concerns with the existing intersection and asked that the county consider requiring the proposed RCUT intersection earlier in the development process and offered suggestion for proposed signage and signalization.

Rocky Gary (1826 Hillenwood Drive) expressed concerns with the proposed development's potential impacts to adjacent roadways.

Elaine Hall (1746 Old Powhatan Estates) spoke in opposition to the request, expressing concerns with the proposed development's potential impacts to adjacent roadways.

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Curtis Newton (2000 Judes Ferry Road) spoke in opposition to the request, expressing concerns with the development's potential impacts on traffic, public infrastructure, and public services.

Jim Carver (4245 Steger Creek Drive) spoke in opposition to the request, stating that he agrees with concerns expressed by previous speakers.

Floyd Green (2047 Hancock Road) expressed concerns with the impact of the proposed residential development on public utilities, which was designed to serve commercial development.

Bobby Holmes (1770 Old Powhatan Estates) expressed concerns with the proposed timing for the construction of the RCUT construction, asking that the Planning Commission consider requiring the signalized intersection to be constructed earlier in the development process.

Connie Harris (1470 Huguenot Trail) spoke in opposition to the request, expressing concerns regarding potential impacts the proposed development may have on public infrastructure and the area's rural character.

Taylor Goodman (1435 Schroeder Road) expressed concerns with the impact of the proposed development on traffic on adjacent roadways, noting the narrow cross-section of State Route 675 (Page Road).

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

Following the public comment period, Ms. Carmack motioned to **recommend denial** of the request. Following the motion, there was additional discussion regarding this request.

Mr. Cox commented on the motion, noting that the proposed development does not meet local access management standards; conform to recommendations made in the comprehensive plan; or address public concerns regarding the intersection of State Route 675 (Page Road) and U.S. Route 60 (Anderson Highway). Mr. Cox also stated that the applicant failed to provide adequate information regarding the composition, location, and phasing of the proposed residential units. For these reasons, Mr. Cox stated that he will not support the project.

Ms. Carmack commented on the motion, expressing concerns regarding potential impacts on neighboring Chesterfield residents, as well as on public utilities (water and sewer). Ms. Carmack also expressed concerns with the proposed project phasing, stating that she felt this project is not a good fit for Powhatan County.

Mr. Van Gelder commented on the motion, echoing Ms. Carmack's concerns and stating that this request is not a good fit for the proposed location and that he will, therefore, not be supporting the proposal.

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

**VOTE 4-0**  
**MOTION Passed**

### 7. New Business

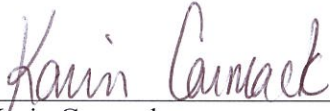
None.

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**8. Adjourn**

There being no further business, Ms. Carmack adjourned the meeting at 8:45 PM, cancelling the scheduled workshop



Karin Carmack  
Chairman



Andrew Pompei  
Planning Director

