

PLANNING COMMISSION
November 16, 2016

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, NOVEMBER 16, 2016, AT 6:30 PM IN THE COUNTY MEETING ROOM.

Members present: Jay Willer, Chairman
 Victor Schaff, Vice-Chairman
 Frank Morris, Member
 William Saunders, III, Member

Members absent: John McCloskey, Member

Staff present: Dale Herring, Ex-Officio Member
 Bart Svoboda, Planning Director
 Stephanie Golon, Planner
 Shawn Leake, Zoning Officer
 Marsha Alley, Secretary

CALL TO ORDER

The Chairman called the meeting to order.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

The Chairman lead everyone in the Pledge of Allegiance and a moment of silence.

DETERMINATION OF QUORUM

The Chairman asked each member to state their name for the record to determine a quorum.

PUBLIC HEARINGS

Elohim Baptist Church/Marian Durrer Trust request a special use permit for a church on a 2.83-acre tract zoned A-1, Agriculture, located on Spotswood Trail and identified on County Tax Maps as 50-(30)-C. (SUP#16-003)

Mr. Willer read the request and asked Mr. Svoboda for a report.

Mr. Svoboda pointed out that the new screens are being used and asked for the Commission to bear with him in the event of technical difficulties.

Mr. Svoboda reviewed the request for a church in the A-1 zoning district. He presented aerial photos, maps, sketches, etc. to demonstrate the property, its features, and the proposed church location. He reviewed the definition of *church*

as provided in the Greene County Zoning Ordinance and the additional requirements. He stated that staff recommends approval of the special use permit after consideration of the following:

- The use does not appear to change the character and established pattern of development of the area or community in which it wishes to locate.
- The use appears to be in harmony with the uses permitted by right under a Zoning Permit in the zoning district and shall not adversely affect the use of neighboring property.
- Staff and agencies were unable to identify potential impacts; therefore, staff did not provide recommended conditions.
- Due consideration was given to the suitability of the property for the proposed use which does not appear to affect the community in a detrimental manner or increase transportation, schools, parks, playgrounds, or other infrastructure needs.

He added that the Comprehensive Plan does not address churches specifically and noted that the parcel is designated as rural on the Future Land Use Map.

Mr. Willer asked if the request includes a cemetery as noted on the application ordinance reference.

Mr. Svoboda explained that this request does not include the request for a cemetery but noted that a cemetery could be considered as an accessory use.

Van Crawford, pastor of the Elohim Baptist Church, addressed the Commission. He explained that the church has been meeting for about two-years and is now interested in building a church building. He stated that their intentions are to bring people to the Lord and to serve as a light to the community. He noted that the church is planning to purchase this property based on the approval of the special use permit.

The Chairman opened the public hearing.

The following citizens addressed the Commission.

- Joshua Keller
- Stephanie Boudreaux

The citizens voiced their questions and concerns relating to having neighbors with church uses as opposed to the current quiet area; concern that the sketch is drawn on the property next door; the potential noise generated by the church and its uses; the fact that there are already a number of Baptist churches in the area in addition to other denominations (maps submitted by Mr. Keller and Ms. Boudreaux); their property was purchased for the quiet living opportunities; concerns related to water supply for existing wells and water quality; sewer concerns; noise pollution; light pollution; suggested a screening yard at the boundary; resale property value concerns; quality of life; construction timeline; possibilities of services involved with the reference to educational services; other church activities beyond the usual service times; the number of people and the number of services per week.

There being no further public comments, the public hearing was closed.

Mr. Willer reviewed the special use permit process and the correlation of the special use permit and the property. He noted that approval or denial is based on the property and its use and not the applicant. He added that the Commission is a recommending body and that the Board of Supervisors would make the final decision.

Mr. Svoboda explained that the special use permit is for a church and that some accessory uses are entitled by the Code of Virginia. He noted that it is not just for a Baptist church but that it would include any church.

Mr. Morris stated that the applicant is planning to purchase the property based on the approval of the special use permit. He pointed out that the site development plan review would dictate the size, buffers, and other features based on the easements and the size of the property.

There was discussion relating to the additional requirements that may be encountered during a site plan review.

Mr. Svoboda agreed that the Commission is not reviewing the improvement features of the request but only the use that has been requested.

There was discussion regarding public water and sewer which are also site plan review items.

Mr. Willer asked a procedural question relating to the possibility of a tie vote given that there are four members in attendance.

Mr. Svoboda stated that because the Commission is a recommending body, the request could move forward to the Board of Supervisors as a tie vote.

There was discussion regarding the possibility of placing conditions on the approval of special use permits.

Mr. Schaff stated that the proposal is located on a divided four-lane highway and that it seemed like a good location for the use.

Mr. Crawford stated that he has had the drain field reviewed and that it meets all regulations and that he could provide that approval if needed.

Mr. Morris asked Mr. Crawford if he understood that the Commission would only be reviewing the use being requested and not considering the size, location, etc. of the proposed church or other structures.

Mr. Crawford indicated that he understood.

Mr. Saunders asked if screening buffers, hours of operation, etc. could be considered and forwarded to the Board of Supervisors.

Mr. Willer stated that conditions could be recommended or left up to the Board of Supervisors.

There was discussion regarding the possibility of adding conditions for approval and if certain items would be considered during a site plan review.

Mr. Schaff asked if the land owner is usually the applicant for a special use permit request.

Mr. Svoboda explained that the owner's signature is required on the application and that the owner essentially allows the applicant to act as the agent.

There was discussion relating to the possibility of an approved special use permit being permitted on property that may not actually sell at this time.

Mr. Saunders asked if the buffer would apply to one property boundary or the entire parcel.

Mr. Svoboda demonstrated the proposed buffer area on the sketch and how it would relate to the right-of-way.

There was discussion regarding the lighting ordinance, noting that it is an item to be reviewed during the site plan phase.

Mr. Schaff made a motion to recommend approval of SUP#16-003 as proposed.

Mr. Morris seconded the motion.

The vote was taken.

AYE

Mr. Morris
Mr. Schaff
Mr. Saunders
Mr. Willer

NAY

The motion to recommend approval of SUP#16-003 carried by a 4-0 vote.

Joseph & Cynthia White request a special use permit for a private airport/heliport on a 2.08-acre tract zoned A-1, Agriculture, located at 244 Eddins Lane and identified on County Tax Maps as 39-(5)-10. (SUP#16-004)

Mr. Willer read the request and asked Mr. Svoboda for a staff report.

Mr. Svoboda presented information relating to the request. He reviewed photos,

aerial photos, maps, and sketches relating to the property. He pointed out neighboring properties and the location of the helipad as drawn on the sketch. He stated that there are several letters of concern in the file relating to the request. He added that in order to protect the character of the neighborhood, staff recommends the following conditions:

- The use is limited to a heliport for one (1) single seat, ultralight helicopter.

Joseph White, applicant, addressed the Commission. He described the helicopter as having a 22-ft. footprint and described the landing area. He described the helicopter as having a 60-horsepower engine and noted that it weighs 298 lbs. He added that it is stored in a shed on the property. He explained that the helicopter is covered by FAA rules and regulations. He pointed out that he had received prior approval from the subdivision developers before purchasing the property. He explained that the developers were aware of the helicopter and the real estate agent knew of his intentions before he purchased the property. He stated that it is not a commercial helicopter and that it is not flown daily and that it is not flown in poor weather conditions. He stated that he flies for about an hour at a time in order to maintain the skill set that he learned in Iraq. He noted that he was previously told that everything was approved, adding that had there been an issue, he would not have purchased the property. He stated that the last thing he wanted to do was to cause problems in the neighborhood.

Mr. Morris asked if a license is required to fly the helicopter.

Mr. White stated that no license is required for this category and noted his qualifications. He described the flight operation and technique used for flying it.

There was discussion relating to the possibility of accidents no matter the precautions as with any vehicle. There was additional discussion regarding the inability to carry passengers and other safety issues such as the fuel used by the ultralight and any fuel storage requirements.

Mr. White answered that the ultralight uses a high octane (93) gasoline with a 50:1 mixture of a synthetic oil and that storage requirements would be similar to those for the fuel used in lawn mowers.

Mr. Saunders asked what the ingress/egress altitude would be.

Mr. White stated that it would be a couple of hundred feet.

There was discussion regarding altitude at ingress/egress and the possible emergency landing plan.

Mr. Willer stated that the request is about the use and not the applicant.

There was discussion regarding the possibility of including conditions and the note that FAA regulations must be followed.

The Chairman opened the public hearing.

There being no public comments, the public hearing was closed.

Mr. Willer noted that the developer of the property was not present tonight.

Mr. White submitted the information that he obtained from the developer prior to purchasing the property.

Mr. Svoboda stated that a letter from the developer was provided by an adjoining property owner noting that the developer is aware of the request. He noted that a few letters were received from adjoining property owners.

There was discussion and review relating to the locations of the adjoining property owners who signed the petition of support which was included in the packet.

There was discussion regarding the possible impacts and how the neighbors would be affected by the noise, etc. There was discussion relating to comparing the noise of other vehicles/equipment to this helicopter.

There was discussion regarding the possible approval of the special use permit and some likely conditions that could be added in order to be limiting but not too restrictive.

Mr. Svoboda reviewed some limiting conditions for the helicopter itself as it relates to engine size, occupant limits, etc.

There was discussion relating to the suggested condition and if it would be limiting enough to prevent a larger impact to the area and if it should be more specific when the motion is stated.

Mr. Morris voiced concern that a license is not required to fly the helicopter, noting that Mr. White may be qualified but that a friend or guest getting in it while at a cookout may not be qualified, noting that it could be a safety issue.

Mr. Schaff pointed out that the Commission is only charged with land use issues.

Mr. Schaff made a motion to recommend approval of SUP#16-004 with the following condition:

- The use is limited to a heliport for one (1) single seat, ultralight helicopter.

Mr. Saunders seconded the motion.

The vote was taken.

AYE

Mr. Saunders

Mr. Schaff

Mr. Willer

NAY

Mr. Morris

The motion to recommend approval of SUP#16-004 carried by a 3-1 vote.

Tiger Fuel Company requests a special use permit for a car wash on a 1.71-acre tract zoned B-3, Business, located at Spotswood Trail/Seminole Trail and identified on County Tax Maps as 60C-(A)-31. (SUP#16-005)

Mr. Willer read the request and asked Mr. Svoboda for a report.

Mr. Svoboda reviewed the request and presented maps, aerial photos, plats, and sketches related to the property and the request. He noted that the parcel is zoned B-3 but requires a special use permit for the car wash only. He stated that the discussion of buffering would not apply as the area is zoned Business. He added that staff recommends approval of the special use permit after consideration of the following:

- The use does not appear to change the character and established pattern of development of the area or community in which it wishes to locate.
- The use appears to be in harmony with the uses permitted by right under a Zoning Permit in the zoning district and shall not affect adversely the use of neighboring property.
- Due consideration was given to the suitability of the property for the proposed use and it did not appear to affect the community in a detrimental manner or increase transportation, schools, parks, playgrounds, or other infrastructure needs.

He reviewed the Comprehensive Plan designation as well.

Gordon Sutton, representing Tiger Fuel, addressed the Commission. He stated that Tiger Fuel believes that the redevelopment of this area will be a major improvement and that the car wash would be an important part of the viability of the project.

The Chairman opened the public hearing.

There being no public comments, the public hearing was closed.

Mr. Willer noted that this project would likely trigger stormwater reviews that did not take place prior to the construction of the current facility.

Mr. Svoboda stated that it will be as if the project is starting from scratch. He reviewed the features of the car wash and its construction.

There was discussion relating to the paved area and how stormwater would be managed. It was noted that stormwater management would be reviewed during the site plan process. There was additional discussion relating to the amount of water used by car washes.

Mr. Saunders made a motion to recommend approval of SUP#16-005 as submitted.

Mr. Morris seconded the motion.

The vote was taken.

AYE

Mr. Morris
Mr. Schaff
Mr. Saunders
Mr. Willer

NAY

The motion to recommend approval of SUP#16-005 carried by a 4-0 vote.

Mr. Schaff asked when the project might be complete.

Mr. Sutton estimated opening in mid-to-late 2017.

Capital Improvement Plan (CIP)

Mr. Willer introduced the request and asked Mr. Svoboda for an update on the CIP.

Mr. Svoboda stated that a facilities study is needed to include more accurate and detailed information for the CIP. He reviewed information provided by the schools relating to their facilities study and debt retirement. He stated that staff has contacted the County Administrator and the Board of Supervisors Chairman requesting a facilities study of county facilities including emergency services' needs. He explained that a facilities study would provide more detailed information to include in the CIP. He noted that it would be useful in the county budget process to have more detail.

Mr. Willer reviewed the information that he presented at tonight's meeting. He reviewed the chart that was included in the packet and how the proposals relate to the existing tax rate.

Mr. Schaff stated that he does not see the CIP as a budget item that must be figured out by the Commission. He added that he understands that the CIP is to be used as a budgetary tool that can be used by the Board of Supervisors for budget purposes.

Brent Wilson, CIP Committee member, commented that another approach would

be to layer in the costs and the benefit of the debt reduction to achieve a net impact.

There was discussion regarding how to make the CIP a more useful document by vetting the projects and the possible funding options. There was also discussion regarding the recent requirement for water authorities to have a CIP in place as well to address their own facilities, water lines, equipment, etc.

Mr. Morris asked if the Commission could forward something to the Board of Supervisors without recommending approval but with concerns from each member.

Mr. Svoboda stated that the Commission needs to forward a CIP that has been recommended by the body based on the tools that it has before it. He noted that support is needed to develop the other portion of the process.

Mr. Willer reviewed the desire of having a CIP that is reflective of the Comprehensive Plan. He explained that water and sewer would be key items for infrastructure that should be considered in the CIP that would be reflective of the Comprehensive Plan goals.

Mr. Schaff stated that he had not read what Mr. Willer had submitted this evening and could not comment on the content.

There was discussion relating to the possibility of deferring the decision of the CIP. It was noted that the public hearing has been held.

Mr. Svoboda explained that if the Commission chooses to defer the CIP decision, the reasons for deferral should be clear and the goals identified.

There was discussion relating to the possibilities of action for the CIP. There was discussion regarding the reasons for a possible deferral.

Mr. Svoboda stated that the Commission owes the Board of Supervisors some type of action and agreed with Mr. Schaff in his suggestion of sending a CIP that consists of a limited list that includes a few items only.

There was additional discussion relating to the prioritization of CIP items and their funding sources, noting that it would not be the responsibility of the Commission.

Mr. Wilson suggested prioritizing by needs as opposed to prioritizing by funding.

Mr. Willer pointed out that the list may not actually address needs but just include what departments have requested.

Mr. Schaff suggested that the determination of needs may not be the purview of the Commission. He added that information would need to be provided to

determine if an item is actually actionable.

Mr. Saunders stated that there appears to be a number of projects that are actionable but wondered which ones should be implemented first.

Mr. Schaff stated that it would depend on who does the best work to justify the request.

Mr. Svoboda stated that the included priority listing was requested by the department. He reviewed various examples of need and priority.

Mr. Willer stated that some items, such as the need for a new fire truck, do not fit into the Comprehensive Plan or the role of this body. He wondered if the CIP recommended by the Commission should be more focused on what is necessary to support the Comprehensive Plan.

There was discussion regarding the possible deferral of the CIP and what the goals would be in order to have it ready for the Board of Supervisors in January 2017. There was also discussion regarding the information that is available for noted projects, such as the schools and the proposed reservoir.

Mr. Schaff suggested presenting a CIP to the Board of Supervisors that consists of two items, the schools and the water impoundment, and ask for direction from the Board as to how the Commission should enhance the document to be used as a more comprehensive tool.

The Chairman opened the public hearing.

There being no public comments, the public hearing was closed.

Mr. Willer asked Dale Herring, Board of Supervisors liaison, if he had any comments to offer.

Mr. Herring stated that the CIP is a guiding tool used in the budgetary process which includes needs as determined by the departments. He noted that the Board of Supervisors needs a plan to be able to plan for county needs and to set a foundation for future boards to be able to continue the work that is in place. He reviewed how the process works and how it benefits the county in reaching goals.

Mr. Willer pointed out the difference between a Capital Needs Assessment and a Capital Improvement Plan.

Mr. Saunders stated that there are two large projects that reflect the Comprehensive Plan and suggested recommending those two projects to gain some insight.

Mr. Schaff agreed.

There was discussion on this possible approach. The two projects were determined to be the schools and the reservoir. It was noted that the school system has performed a study and that the water impoundment package would benefit the county growth and safety.

There was discussion on the next step of the process at this point. There was discussion relating to the anticipation of the Board of Supervisors providing feedback on the Commission's recommendation.

Mr. Svoboda stated that he would review the water impoundment information

Mr. Willer pointed out more information from the document that he submitted tonight and how it relates to the history of the county, funding alternatives, tax rates, etc.

Mr. Svoboda suggested that the CIP committee meet again and review the comments from tonight and put a document together with the lists as provided and a letter requesting additional insight from the Board of Supervisors. He noted that this package could be reviewed at the December meeting and the decision made at that time.

Mr. Schaff made a motion to defer further action on the CIP to the December meeting in order to make the changes as discussed this evening.

Mr. Morris seconded the motion.

The vote was taken.

AYE

Mr. Saunders
Mr. Morris
Mr. Schaff
Mr. Willer

NAY

The motion to defer the CIP carried by a 4-0 vote.

OLD/NEW BUSINESS

Mr. Svoboda gave an update on possible training with Mike Chandler after the first of the year.

Mr. Svoboda informed the Commission that the Town of Stanardsville Comprehensive Plan is coming up for a review.

Mr. Willer reminded everyone of the December meeting date which is Wednesday, December 21st.

APPROVAL OF MINUTES

Mr. Morris made a motion to approve the September 21, 2016 meeting minutes as presented.

Mr. Schaff seconded the motion.

The minutes for the September 21, 2016 meeting were approved by a 4-0 vote.

OTHER PLANNING MATTERS

Mr. Svoboda restated that the Town of Stanardsville has upcoming revisions to their Comprehensive Plan and added that the Town will also begin their review for their CIP.

Mr. Morris asked if the Commission should consider safety issues in their decisions on land use items.

Mr. Svoboda explained that it would be the judgment of the Commission and that often times VDOT offers information that provides safety data.

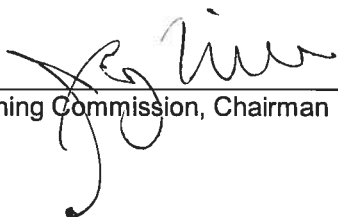
There was discussion regarding safety issues as they apply to different types of requests and Commission's role in determining safety issues as they apply to each case.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marsha Alley
Secretary



Planning Commission, Chairman

12.21.2016

Date