

PITTSYLVANIA COUNTY PLANNING COMMISSION

REGULAR MEETING

Thursday, January 3, 2019

MINUTES

VIRGINIA: The Pittsylvania County Planning Commission met on Thursday, January 3, 2019, in the General District Courtroom, Chatham, Virginia. Mrs. Hayes, Deputy Director of Community Development, called the meeting to order at approximately 7:00 p.m. Mrs. Hayes called the roll.

PRESENT

Richard Motley	Chatham-Blairs District
Timothy Dudley	Staunton River District
Janet Mease	Callands-Gretna District
Dr. Charles H. Miller, Jr.	Banister District (Arrived at 7:30 p.m.)
H. F. Haymore, Jr.	Westover District
Brian Horne	Dan River District
Karen N. Hayes	Deputy Director of Community Development
Greg Sides	Assistant County Administrator

ABSENT

Morris Stowe	Tunstall District
Joe Davis	Board of Supervisors Representative
J. Vaden Hunt	County Attorney

APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN FOR THE YEAR 2019

Upon motion of Mr. Haymore, seconded by Mr. Horne, and by a 5 to 0 vote (three (3) members, Mr. Stowe, Mr. Davis, and Dr. Miller were absent), Mr. Motley was elected Chairman and Mr. Dudley was elected Vice Chairman for the year 2019. Mr. Motley thanked everyone for their continued support.

HEARING OF THE CITIZENS

No citizens came forward to speak.

APPROVAL OF THE AGENDA

A motion was made by Mr. Horne, seconded by Mr. Dudley, and by a 5 to 0 vote (three (3) members, Mr. Stowe, Mr. Davis, and Dr. Miller were absent), the agenda was approved as presented.

APPROVAL OF THE MINUTES

A motion was made by Mr. Haymore, seconded by Mr. Dudley, and by a 5 to 0 vote (three (3) members, Mr. Stowe, Mr. Davis, and Dr. Miller were absent), the December 4, 2018, minutes were approved as presented.

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CHAIRMAN'S REPORT

Mr. Motley announced that he had received a call from Mr. Greg Sides, Assistant County Administrator, regarding an information item, not a public hearing, regarding the Appalachian Power (AEP) Berry Hill Energy Connection Project that will supply power to the Southern Virginia Mega Site at Berry Hill Industrial Park. Several representatives from AEP discussed the proposed project and stated AEP will be coming before the Planning Commission and the Board of Zoning Appeals in the future for a special use permit for a new transmission line. The representatives also stated a community meeting is scheduled for Wednesday, January 9, 2019, from 5:30 p.m. to 7:30 p.m. at Brosville Elementary School, and feedback is needed from the community.

Mrs. Mease announced that a community meeting will be held on Monday, January 7, 2019, at 7:00 p.m. at the Climax Ruritan Building regarding a new solar energy facility to be located in the Callands-Gretna Election District. She then stated the meeting will be open to the public.

THE ZONING PRECEPTS WERE READ by Mr. Motley **TO OPEN THE PUBLIC HEARING** at approximately 7:21 p.m.

Case R-19-001, Kemmy G. Lackey - Mr. Motley opened the public hearing at 7:21 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Kemmy Lackey had petitioned to rezone a total of 1.90 acres, two (2) parcels of land, located on State Road 708/Long Circle, in the Tunstall Election District from B-2, Business District, General to R-1, Residential Suburban Subdivision District to allow for placement of a double-wide mobile home on the property and to make the zoning consistent with its residential use. Mrs. Hayes also stated once the properties are rezoned to R-1, all uses listed under Section 35-222 are permitted. Mr. Lackey was present to represent the petition. He stated he had nothing to add. There was no opposition to the petition. Mr. Motley closed the public hearing at 7:22 p.m. A motion was made by Mr. Haymore, seconded by Mrs. Mease, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed by a 5 to 0 vote (three (3) members, Mr. Stowe, Mr. Davis, and Dr. Miller were absent).

Case R-19-002, Thomas D. Crawford - Mr. Motley opened the public hearing at 7:23 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Thomas Crawford had petitioned to rezone 13.19 acres, located on State Road 768/Bibee Road, in the Staunton River Election District from RC-1, Residential Combined Subdivision District to A-1, Agricultural District for agricultural purposes. Mrs. Hayes also stated once the property is rezoned to A-1, all uses listed under Section 35-178 are permitted. Mr. Crawford was present to represent the petition. He stated he had nothing to add. There was no opposition to the petition. Mr. Motley closed the public hearing at 7:24 p.m. A motion was made by Mr. Dudley, seconded by Mrs. Mease, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed by a 5 to 0 vote (three (3) members, Mr. Stowe, Mr. Davis, and Dr. Miller were absent).

Case R-19-003, Piney Fork Farms, LLC - Mr. Motley opened the public hearing at 7:25 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Piney Fork Farms, LLC, had

petitioned to rezone 0.50 acre, located on State Road 794/Old Mine Road, in the Callands-Gretna Election District from R-1, Residential Suburban Subdivision District to A-1, Agricultural District to combine with the adjacent parcel of land. Mrs. Hayes then stated once the property is rezoned to A-1, all uses listed under Section 35-178 are permitted. Mr. Fred Elliott was present to represent the petition. He stated he wanted to rezone the parcel back to A-1 to make the zoning consistent with the surrounding area and cattle farm. There was no opposition to the petition. Mr. Motley closed the public hearing at 7:27 p.m. A motion was made by Mrs. Mease, seconded by Mr. Haymore, to recommend the Board of Supervisors **grant** the rezoning request. Motion passed by a 5 to 0 vote (three (3) members, Mr. Stowe, Mr. Davis, and Dr. Miller were absent).

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Case R-19-004, Suzy O Etc., LLC - Mr. Motley opened the public hearing at 7:28 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Suzy O Etc., LLC, had petitioned to rezone 18.14 acres, located off State Road 702/McDaniel Road and off State Road 640/Riceville Road, in the Banister Election District from R-1, Residential Suburban Subdivision District to A-1, Agricultural District for agricultural and recreational uses which will require a Special Use Permit for a recreational facility. Mrs. Hayes then stated once the property is rezoned to A-1, all uses listed under Section 35-178 are permitted. No one was present to represent the petition. Janey Anderson and Ronnie Barbour spoke in opposition to the petition. Their concerns included, but were not limited to, the following: the road to the proposed facility site cannot take heavy traffic; there is a knoll on the highway and visibility to and from the site is limited; small children are in the area and this could create a safety issue. Mr. Motley closed the public hearing at 7:34 p.m. During the discussion, it was stated the petitioner was absent and the decision was made due to an insufficiency of information regarding the case. A motion was made by Dr. Miller, seconded by Mr. Horne, to recommend the Board of Supervisors **deny** the rezoning request. Motion passed by a 6 to 0 vote (two (2) members, Mr. Stowe and Mr. Davis were absent).

This concludes the Rezoning cases.

Case S-19-001, Hope Center Ministries - Mr. Motley opened the public hearing at 7:35 p.m. Mrs. Hayes, Deputy Director of Community Development, reported that Hope Center Ministries had petitioned for a Special Use Permit on 20.06 acres, located on State Road 742/Walnut Creek Road, in the Westover Election District for a residential addiction treatment group home. Mr. Gary Robertson, Admissions Director of Hope Center Ministries, was present to represent the petition. Mr. Robertson stated he wanted to clear up a misconception that Hope Center Ministries is a halfway house for people who have no other place to live. He then stated a mens center is located in Henry County and no problems have occurred. He also stated this is a much-needed facility. The individuals who spoke in opposition to the petition were as follows: Bettie Tuck (presented a petition containing a total of 102 signatures in opposition to the petition), James Clark, Megan Smith, Robert Arnn, and Jenny Arnn. Their concerns included, but were not limited to, the following: did not want the facility in their neighborhood or any neighborhood; safety concerns; would lower property values, etc. The individuals who spoke in support of the facility were as follows: Angela Fitzgerald, Steven Decker, Jeff Lynch, Jackie Lynch, and Patty Johnson. Their concerns included, but were not limited to, the following: This facility will be connected with the Compassion Church once the facility is established; these are actively working people; there is no other facility like this in the area; this is a house; the house is not visible from the highway; the facility helps the residents get jobs; they attend church; this is a 12 step program; the women are at the facility for restoration,

hope and help; the facility settles for excellence; Hope Center Ministries can also help the families. Following questioning from several of the Board members, Mr. Robertson offered a rebuttal and stated he understands fear. He then stated the facility had looked at another location in the same general area, but someone else purchased the property. He also stated the facility is a regulated area; the staff is there 24 hours a day; surveillance cameras are located on the premises; drug testing is done on a weekly basis, and if a resident's test results are positive, they are put on probation for 8-12 months. He then stated there have been no documented cases of problems at the Henry County facility. Mr. Motley closed the public hearing at 8:28 p.m. During the discussion, it was stated there is a need for this type of facility; however, many citizens were in opposition to the petition. A motion was made by Mr. Haymore, seconded by Mr. Dudley, to recommend to the Board of Zoning Appeals that the Special Use Permit request be **denied**. Motion passed by a 4 to 2 vote (two (2) members, Mr. Stowe and Mr. Davis, were absent). Those voting in favor of the motion to deny were as follows: Mr. Motley, Mr. Haymore, Mr. Dudley, and Mr. Horne. Those voting in opposition to the motion to deny were as follows: Mrs. Mease and Dr. Miller.

This concludes the Special Use Permit case.

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OLD BUSINESS

Mrs. Hayes requested that a motion be made regarding approval of the 2018 Annual Report. A motion was made by Mr. Dudley, seconded by Mr. Haymore, that the 2018 Annual Report be approved as presented. Motion passed by a 6 to 0 vote (two (2) members, Mr. Stowe and Mr. Davis, were absent).

NEW BUSINESS

Mr. Sides reported a copy of a resolution regarding the Danville Farm Solar Energy Facility had been presented to the Board members prior to the meeting and requested that a motion be made to approve the resolution that states the proposed Solar Energy Facility was determined to be substantially in accord with the adopted Pittsylvania County Comprehensive Plan. A motion was made by Mr. Horne, seconded by Mr. Haymore, that the resolution be approved as presented. Motion passed by a 6 to 0 vote (two (2) members, Mr. Stowe and Mr. Davis, were absent).

The meeting was adjourned at approximately 8:37 p.m.

Richard G. Motley, Chairman

Kathy H. Belton, Clerk

