



**Prince Edward County Planning Commission  
Meeting Minutes  
November 19, 2013  
7:30 pm**

Members Present: William Porterfield, Chairman                      Chris Mason, Vice Chairman  
Sam Coleman     Donald Gilliam  
Preston L. Hunt    Robert “Bobby” Jones  
Jack Leatherwood    W. Parker Terry  
John Townsend     Cannon Watson

Staff Present:                      Alecia Daves-Johnson, Planner, Dept. of Planning & Community Dev.

The November 19, 2013 meeting was called to order at 7:30 p.m. by Chairman Porterfield.

**Minutes:** Commissioner Jones made a motion to accept the October 15, 2013 meeting minutes which was approved with unanimous favor.

**Public Hearing: Special Use Permit: Flea Market and Restaurant Use**

This is the time and date advertised for a Public Hearing to receive citizen input prior to the Planning Commission considering an application by Patricia M. Cheatham, dba The Country Gourmet, for a Special Use Permit in accordance with the A-2 Zoning District requirements, to operate a restaurant use and flea market on a parcel identified as Tax Map Parcel 50-A-101 and located at 18 County Shop Road, Farmville.

Mrs. Daves-Johnson provided the definition of “restaurant” in the Zoning Ordinance, as “an establishment engaged in the preparation of food and drink and it allows for the customer to receive that service as a take-out service.” Ms. Cheatham plans to prepare smoked meats and sell those as a retail product to customers. This Special Use Permit application has been submitted because the Planning Commission authorized a letter to be sent to the landowner due to the flea market use was in operation and there was not a permit on file. Ms. Cheatham is a tenant and has taken responsibility to apply for the Special Use Permit. Mrs. Daves-Johnson then gave an overview of the Site Plan, application and photographs. This Special Use Permit application is for a property that is

located in the designated commercial growth corridor according to the Comprehensive Plan and on a parcel which has been in commercial use for many years.

Ms. Patricia M. Cheatham, applicant, presented information regarding “The Country Gourmet” and described food sales, her food preparation process, and flea market management goals.

Ms. Lisa Meadows expressed her concerns that the site plan is not prepared by professional engineers or surveyors as is required by Prince Edward County, visibility from adjoining residential properties, hours of operation and that a restaurant is not permitted by a Special Use Permit in the A-2 zone. She stated a building was being erected prior to a building permit being issued. She also questioned handicap accessibility and the location of parking and restrooms.

Ms. Cheatham stated the property is 4.23 acres and there is a tree line. She added there is a dump at the end of County Shop Road. She stated the hours from 10:00 a.m. until 6:00 p.m. is a loose plan due to the flea market. Discussion followed.

Mrs. Daves-Johnson stated Section 4-100 Part E allows the Administrator to waive having the professional engineer prepared site plan; Mrs. Cheatham came in and reviewed everything in great detail at the time of application with respect to access points, circulation of traffic and parking areas, and landscaped areas. The requirement for a Preliminary Site Plan, prepared by a professional engineer, was waived.

Chairman Porterfield stated a more detailed Site Plan will be needed with information, for instance, on what the surface of the circular driveway will be and placement of temporary buildings. He said a professional engineer may not be required but it will need to be a more careful drawing.

Discussion followed.

Chairman Porterfield declared the public hearing closed.

Chairman Porterfield stated enough issues have been raised with respect to technicalities to provide necessity for a more detailed and specific site plan. Discussion followed.

Chairman Porterfield made a motion to request the applicant prepare a more detailed Site Plan and return for the Planning Commission to reconsider the application at the December 17, 2013 meeting; the motion was met with unanimous favor.

**Public Hearing: Amendment to Zoning Ordinance: Section 3-100.13 Towers**

This is the time and date advertised for a continued Public Hearing to continue the review of revised language related to an amendment to the Zoning Ordinance Section 3-100.13, “Towers”, to include language requiring antennae space be provided on towers for location of county emergency services communication equipment. The Amendment also includes language encouraging consideration of properties owned by Prince Edward County when locating new towers.

Mrs. Daves-Johnson presented an overview of the input received at the meeting held October 15; additional public input was submitted on November 7. She reviewed proposed changes due to the public input received.

Chairman Porterfield opened the public hearing.

Al Doss, representative from National Communication Towers, stated they will have two applications in December for two sites referenced previously. As a tower owner, they are not opposed granting the County to co-locate on the tower at no cost; the 20' continuous vertical space on the tower is onerous. All other counties have never required 20' of free space on the tower. There are other antennas that can be used that would fit within the 10' radiation center. Discussion followed.

Catherine Faulkner stated she would be leasing space from Mr. Doss' organization on some of the towers; in that regard, her concern is in needing a space that would be reserved for the County indefinitely with no chance of right of first refusal for her to know if she can lease the space. The height of the antenna would determine if her business could use the tower. She said if there is no existing tower to co-locate, she stated Verizon wireless is not a tower company and isn't as reliant upon renting the space. Their towers are built solely for cellular calls and data transmissions; if someone wishes to co-locate on the towers, they approach Verizon and receive an application with rental costs and other information.

Chairman Porterfield declared the public hearing closed.

Chairman Porterfield discussed leaving Option 1 as extended by Mrs. Daves-Johnson, and Option 2, but removing the titles of "Option", and re-negotiate the language regarding the 20' of vertical space on the tower prior to a recommendation to the Board of Supervisors. He said negotiation within the County would be possible regarding who is to pay for the structural analysis.

Discussion followed.

Chairman Porterfield suggested stating "The Prince Edward County Emergency Communications will need at least 10' of vertical space around the circumference of the tower; if the County's communication technology requires additional height, which may be negotiated at the time the request is made."

Chairman Porterfield made a motion to recommend to the Board of Supervisors the language of 11/19 draft, with the understanding that the 20' of vertical space language will be re-negotiated and potentially modified; and with the sentence reading, "The owner/agent of the tower will be responsible for site testing and site testing constructural analysis" will be removed; and that Option 1 and Option 2 paragraphs will be left in the language; and the 21 day period will be changed to 30 days.

Mr. Doss offered to assist with language.

The motion met with unanimous favor.

**Comprehensive Plan**

Mr. Andre Gilliam, Commonwealth Regional Council, distributed copies of the updated Comprehensive Plan.

Chairman Porterfield stated the Commissioners will need time to carefully review the document prior to the December meeting.

Mr. Gilliam stated most of the information in the Plan had been previously reviewed, except for Chapter II. He requested the Planning Commission read that chapter to make recommendations and feedback. Discussion followed.

Mr. Gilliam stated the section regarding the Sandy River input has been changed, as well as the Library language, the ICE Facility, as well as policy areas in Chapter 6. Mr. Gilliam continued a review of the changes.

**Zoning Ordinance:**

**Use by Category Table – Review Narrative “Use by District”**

Mrs. Daves-Johnson discussed the “Use by Category” Table Narrative; it was done by “Zoning District” and not by “Use.” The last paragraph dealt with recommendations with set-backs; she asked the Commissioners to add the proposed setback revisions distributed at this meeting to the previous information.

**Draft Sign Section – Amendment**

Mrs. Daves-Johnson presented a draft of the sign section for the Commissioners’ review.

**Corridor Overlay District – Board action November 14, 2013**

Mrs. Daves-Johnson stated that at the Board of Supervisors meeting on November 14, 2013, the Board voted to bring that to public hearing in December with a few changes; they are recommending that it be applied on Route 15 from the bypass south to Farmville Lake Road, which is about 1.2 miles; that it be applied to Granite Falls Boulevard; and that any references to the design guide be removed from the ordinance text.

**Information & Discussion Items:**

**December meeting – Two Special Use Permit Public Hearings**

Mrs. Daves-Johnson reminded the Commissioners that in December there will be two Special Use Permit Public Hearings for National Communication Towers; these are the applications to build two new towers along Route 360.

Discussion followed.

**Request to Build Cargo Container House**

Mrs. Daves-Johnson stated a citizen wishes to build a house from the 40’ metal cargo containers. She said they reviewed the Zoning Ordinance to whether it is permitted or prohibited. She said if it moves forward, it would be the first one in Prince Edward County.

Chairman Porterfield questioned if it would meet the Virginia Building Code as a residence. Mr. Wade Bartlett, County Administrator, stated the Zoning Board can review it; it only allows manufactured homes in certain areas. Discussion followed.

**Zoning Ordinance & Subdivision Ordinance Amendments Update**

Mrs. Daves-Johnson stated that on the Zoning Ordinance and Subdivision Ordinance changes and the dam breach inundation zone, the Virginia Association of Soil & Water Conservation Districts have prepared language for their legislative committee asking for permission to include the dam break inundation zones in flood plain zoning districts as permitted in Section 15.2-2280. If permitted, that might be a way that the County in the future could approach regulating construction and development in those potential flood zones.

**Special Use Permit Application – Communications Tower**

Mrs. Daves-Johnson stated an additional Special Use Permit application was received for another communications tower, from Verizon. It is proposed on Route 15 near Keysville. Discussion followed regarding advertisement of a public hearing for this tower as well as the other two, to be held in December.

[Post Meeting Note: The request was for co-location and will not require a public hearing.]

**Planning Department Update**

Mrs. Daves-Johnson announced her resignation from the position of Planner with Prince Edward County, effective November 30, 2013. She expressed her pride in working with the Planning Commission. The Commissioners expressed their gratitude for her efforts for the Commission and the County.

Commissioner Coleman expressed his pleasure of serving on the Planning Commission over the past 25 years.

Chairman Porterfield adjourned the meeting at 10:09 p.m.

**Next Meeting:            December 17, 2013 at 7:30 p.m.**