



**Prince Edward County Planning Commission
Meeting Minutes
December 17, 2013
7:30 pm**

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

Absent: Sam Coleman, W. Parker Terry

Staff Present: Wade Bartlett, County Administrator

The December 17, 2013 meeting was called to order at 7:30 p.m. by Chairman Porterfield.

Minutes: There being no changes or corrections made known, Chairman Porterfield declared the November 19, 2013 meeting minutes approved as circulated.

Public Hearing: Special Use Permit – National Communications Tower, LLC.

This is the time and date advertised for a Public Hearing to receive citizen input prior to considering a request for a special use permit to construct a 195-foot wireless telecommunication monopole (cellular tower) on a 144.78 parcel at 551 West Patrick Henry Highway near Keysville, Tax Map Parcel 120-A-43.

Chairman Porterfield opened the public hearing.

Commissioner Mason questioned reserving 140’ radiation center. Mr. Al Doss stated the 140’ is a proffer to the counties to have that space available; it was proffered in the original application. He stated he is willing to look at that radiation center; if it doesn’t work for the county, a meeting is being held on December 18 to discuss the language. Mr. Doss stated the company is amenable to changing the radiation center.

Chairman Porterfield asked if the proposal is satisfactory to the County. Mr. Bartlett stated it is; he added the issue regarding emergency services is more in the western part of the county but what is being offered will help the county.

There being no one further wishing to speak, Chairman Porterfield closed the public hearing.

Chairman Porterfield requested covering the second public hearing on the towers prior to taking a vote.

Public Hearing: Special Use Permit – National Communications Tower, LLC.

This is the time and date advertised for a Public Hearing to receive citizen input prior to considering a request for a special use permit to construct a 195-foot wireless telecommunications tripole (cellular Tower) on an 8.92 acre parcel on West Patrick Henry Highway, Tax Map Parcel 122-A-20.

Chairman Porterfield opened the public hearing.

Mr. Doss stated the current hearing is for a tower which hands off to the first tower; the towers work together to fill the void on Route 360.

There being no one further wishing to speak, Chairman Porterfield closed the public hearing.

Chairman Porterfield made a motion to approve for recommendation to the Board of Supervisors the Special Use Permits for a 195-foot wireless telecommunication monopole tower to be constructed on a 144.78 acre parcel at 551 West Patrick Henry Highway near Keysville, Tax Map Parcel 120-A-43, and for a 195-foot wireless telecommunication tripole on an 8.92 acre parcel on West Patrick Henry Highway, Tax Map Parcel 122-A-20. Commissioner Jones seconded the motion. It was met with unanimous favor.

Public Hearing: Special Use Permit: Retail Sales / Convenience Store Use

This is a continued public hearing from the November 19, 2013 meeting of the Commission; the Special Use Permit for Mrs. Cheatham has been revised, changing the requested use from a restaurant to retail sales / convenience store and removing the use of a flea market, on a parcel identified as Tax Map Parcel 50-A-101 and located at 18 County Shop Road, Farmville.

Chairman Porterfield opened the public hearing. He stated that the applicant, Mrs. Patricia Cheatham, proposes to have a smoked foods store on Route 15 South near Kingsville. After considerable discussion, she has modified this greatly and has brought before the Commission a different proposal.

Mrs. Patricia M. Cheatham, applicant, presented information regarding the amendments she proposes after taking advice and listening to the comments during the last meeting. She revisited the idea and advised the Commission that Charles Dickerson has no interest in operating the flea market, and there will be no flea market. She stated there will be no restaurant, but the plans do include a specialty foods store with farmers and artisans markets at a later date; plans for the farmers and artisans markets would be delayed until the spring of 2014. Mrs. Cheatham reviewed the plan and the plat, and stated the plans include a vendor's entrance on County Shop Road and customer access on County Shop Road and from Route 15.

Some discussion followed regarding placement of existing buildings and other structures currently on site.

Ms. Lisa Meadows expressed her concerns regarding visibility from adjoining residential properties; she added that the foliage is off the trees five to six months out of the year. She requested the existing woodlands to be a buffer and that a row of evergreens be planted as additional buffer between the incompatible land uses. She stated the Ordinance sets forth the buffer should also transition between different uses. Ms. Meadows also questioned the parking lot surface. Ms. Meadows stated the lot has been cleaned up and is pleased the flea market will not be in operation. She added that her main concern is that the buffer be solid.

There being no one further wishing to speak, Chairman Porterfield closed the public hearing.

After some discussion, Commissioner Jones made a motion to recommend to the Board of Supervisors the approval of a Special Use Permit for Patricia Cheatham to operate a retail sales / convenience store on a parcel identified as Tax Map Parcel 50-A-101 and located at 18 County Shop Road, Farmville, as described in Mrs. Cheatham's proposal and as diagrammed, with the following conditions: 1) adequate gravel driveway and parking areas are maintained, 2) where a foliage barrier to the neighboring property is missing, an evergreen buffer be planted and maintained and that none will be removed, 3) and any security lighting be shielded so it may only be visible from the property. The motion passed with unanimous favor.

Comprehensive Plan

Chairman Porterfield reviewed a few changes and corrections to be made in the draft Comprehensive Plan; he asked for other input from the Commissioners.

Discussion followed regarding the requirement in the Agricultural Conservation District to require a five-acre lot for residential construction. It was recommended to amend the Section to "consider lowering by right residential density no more than one unit per five acres" to be in compliance.

Commissioner Townsend requested clarification on the tables in Chapter IV regarding the Census information. Mr. Gilliam stated the Census presents the tables in this manner; changes will be made to make the information more clear. He added other changes will be made to make the layout consistent and should have all changes complete in approximately one week. Mr. Gilliam said he will send the document electronically.

Chairman Porterfield stated a "final version" should be brought to the January meeting.

Zoning Ordinance:

Proposed Amendments to the Zoning Ordinance

Chairman Porterfield stated a number of proposed amendments based on years of evaluation of Zoning Uses by District. The existing Zoning Ordinance has been in existence for over six years with minimum

changes; minor amendments must be made to the document due to the passage of time or minor flaws of the original document.

Chairman Porterfield stated as the proposed amendments do not represent policy changes, they can be approved. Discussion followed.

Minimum Setback Requirements for Accessory Structures

Chairman Porterfield stated the Zoning Ordinance currently requires no minimum setback for accessory structures in the Zoning Districts other than Commercial, Industrial and College Residential. A change to these criteria is proposed. The front setback should be that the accessory structure should be to the side or rear of the principle structure, the side and rear yard setbacks should be 10' at the minimum. In the General Commercial, Industrial, and College Residential districts, there is no minimum front yard requirement and the sides and rear are five feet. It was proposed that the agricultural and residential districts be amended to include setback for accessory structures.

Discussion followed regarding amending the recommended setback from 10' to 5'.

Chairman Porterfield moved that the following amendments be made:

In the Agricultural, A-1 District, the amendment to Section 2-100.5, B: Minimum Setback Requirements, Item 2, Accessory Structures: front minimum setback: 75'; minimum side setback: 5' and minimum rear setback: 5'. In Section 2-200, Agricultural Residential, 2-200.5, Item B.: minimum setback requirements, Item 2: Accessory Structures: Front yard, 75'; side yard, 5', rear yard, 5'. This was met with unanimous favor.

Chairman Porterfield asked for any comments on proposed changes on pages 58, 59, and 60.

Mr. Bartlett stated in section 4-300.1.1: "All off-street parking areas shall be made of gravel, asphalt, porous pavement, surface treatment or concrete, surface as follows:

- 1) In excess of 5,000 feet consisting of gravel, asphalt, porous pavement, surface treatment or concrete.
- 2) Off-street parking areas of 5,000 square feet or less shall be constructed of any of the materials listed above, except that gravel parking areas shall not be permitted, unless the area devoted to parking is less than 2,500 square feet or the Administrator determines that the use for which the parking is provided is of a temporary nature. Gravel or other pervious paving materials for parking areas may be considered as a special condition."

Chairman Porterfield made a motion to amend Section 4-300.1.1 to include "Gravel or other pervious paving materials for parking areas may be considered as a special condition." The motion was met with unanimous favor.

Discussion followed regarding A-2, "Restaurant by right"; Chairman Porterfield requested "Restaurant (Commercial)" be moved to "Special Use".

Commissioner Jones made a motion to recommend the amended Zoning Ordinance to the Board of Supervisors; the motion was met with unanimous favor.

Review of Board of Supervisors Action, November 14, 2013

Discussion followed regarding the zoning ordinance language with respect to cell towers will be reviewed and reconstructed.

Mr. Bartlett stated there were technology issues regarding the amount of space to be allotted to the Emergency responders; there will be a committee meeting for discussion. Mr. Bartlett said that there may be a requirement of a proffer and the details will be worked out. It is not a land-use issue.

Commissioner Townsend requested a review of the general treatment of signs.

Chairman Porterfield stated a review of the current draft of the sign ordinance was to be placed on the January agenda. Discussion followed concerning clarity of “Family Divisions;” Chairman Porterfield requested that also be placed on the January agenda.

Discussion followed regarding the Zoning Ordinance amendments made; Mr. Bartlett stated the ordinance will be reprinted in the near future; it will then be distributed to all Commissioners and updated on the county web site.

Chairman Porterfield expressed his regret that Commissioner Coleman was not in attendance and stated Commissioner Coleman served on the Planning Commission for approximately 25 years. During that time, he was responsible for writing major portions of the Zoning Ordinance and was known for asking the hard questions. Commissioner Coleman was also involved in the confined animal lots and the Sandy River Overlay. Chairman Porterfield stated Commissioner Coleman was a good Planning Commissioner and good friend.

Chairman Porterfield adjourned the meeting at 9:07 p.m.

Next Meeting: January 21, 2014 at 7:30 p.m.