



**Prince Edward County Planning Commission
Meeting Minutes
October 19, 2021
7:00 pm**

Members Present: John “Jack” W. Peery, Jr., Vice Chairman Preston L. Hunt
 Robert “Bobby” Jones Whitfield M. Paige
 Teresa Sandlin Cannon Watson
 Henry Womack

Absent: Mark Jenkins Clifford Jack Leatherwood
 John Prengaman, Chair

Staff Present: Robert Love, Planning/Zoning Director Douglas P. Stanley, County Administrator

Due to the COVID-19 Emergency, the Prince Edward County Board of Supervisors is operating pursuant to and in compliance with its “EMERGENCY CONTINUITY OF OPERATIONS ORDINANCE.” Effective August 1, 2021, the Board has re-opened meetings to in-person participation by the public; however, there could still be limited available seating. Citizens are strongly encouraged to participate in meetings through in-person participation, written comments, and/or remote participation by calling: **1-844-890-7777, Access Code: 390313** (*If busy, please call again.*) Additionally, citizens may view the Board meeting live in its entirety at the County’s YouTube Channel, the link to which is provided on the County’s website.

Public Participation and Public Hearing comments for Planning Commission meetings will be subject to the “Citizen Guide for Providing Input During Public Participation and Public Hearings For Prince Edward County Government Meetings” effective August 1, 2021.

Vice-Chair Peery called the October 19, 2021 meeting to order at 7:00 p.m.

In Re: Approval of Minutes

Commissioner Jones made a motion, seconded by Commissioner Paige, to approve the meeting minutes from September 21, 2021 as presented; the motion carried:

Aye:	Preston Hunt	Nay:	(None)
	Robert M. Jones		
	Whitfield M. Paige		
	John “Jack” W. Peery, Jr.		
	Teresa Sandlin		
	Cannon Watson		
	Henry Womack		
Absent:	Mark Jenkins		Clifford Jack Leatherwood
	John Prengaman		

In Re: Special Use Permit – Commercial Outdoor Sports & Recreation Facility

Vice-Chairman Peery announced this was the date and time scheduled for a Public Hearing on a request by Sandy River Outdoor Adventures for a Special Use permit to operate a Commercial Outdoor Sports and Recreation facility with Lodging and Restaurant/Brewpub on 36.40 acres, denoted as Tax Map Parcel numbers 054-5-A, 054-5-1, 054-5-2, 054-5-3, 054-5-4, 054-5-5, 054-5-6, 054-5-7, 054-5-8, and 054-5-9, located on Fairlea Road, Rice, Virginia. Notice of this hearing was advertised according to law in the Wednesday, October 6, 2021 and Wednesday, October 13, 2021 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Robert Love, Planning & Zoning Director, stated the County received an application by Sandy River Outdoor Adventures for a Special Use permit to operate a Commercial Outdoor Sports and Recreation facility with Lodging and Restaurant/Brewpub on 36.40 acres, denoted as Tax Map Parcel numbers 054-5-A, 054-5-1, 054-5-2, 054-5-3, 054-5-4, 054-5-5, 054-5-6, 054-5-7, 054-5-8, and 054-5-9, located on Fairlea Road, Rice, VA. This parcel is in an A1, Agricultural Conservation zoning district and requires a Special Use Permit to locate and operate a commercial outdoor sports and recreation facility.

The purpose of the Special Use is to construct commercial outdoor sports & recreational facility. There will be campsites along with various recreational buildings at the facility; additionally, plans include a Restaurant, Craft Distillery, and Brewpub, and traffic will be generated by both patrons and guests.

County staff is of the opinion the use is generally compatible with the zoning district but will have some impacts on surrounding properties as far as traffic and noise.

Mr. Love stated conditions were presented and have been revised to include the addition of Condition #9, which states “Development activities shall comply with Sec. 82-31 of the Prince Edward County Code.”

Mr. Love said staff has received three letters of support, and one letter with questions. He said this process governs the development action on the property, and does not imply or grant any water access to the applicant. Mr. Love said that is a separate process under Section 82-31 which deals with water access, docks, etc.

Vice-Chairman Peery opened the public hearing.

Mark Smith, President and Owner of Sandy River Outdoor Adventures, reviewed the potential development of the resort. He said there will be 25 tree-houses, safari tents, a pool, and would like to include a boat dock eventually. He said activities would include biking, boating, tours on the reservoir, and hiking as High Bridge Trail is nearby. Mr. Smith said a Nature Center and Conference Center with an Educational Trail would be a welcome addition to his current tree-top zipline bridge and climbing walls at the Adventure Park. Mr. Smith said the planned restaurant would be leased.

Mr. Smith said he wants to see Rice and the County do well, and this would move Rice in a positive direction. He stated the treetop zipline, bridge and climbing walls at the Adventure Park have brought in thousands of people to the County. He explained that while some attractions would be available to the public, in the evenings, they would be available only to their guests.

Vice-Chairman Peery asked the for the proposed timeline, should this application be approved. Mr. Smith said he plans to have five tree-houses built by January 1, 2022, and the safari tents open by summer 2022. He said he has funding to complete all in about three years, and a pool would be in the second or third phase. He said he would like to have all plans complete in 36-48 months.

Commissioner Hunt asked if there is a commitment for the funding. Mr. Smith said he has the funding for the first phase and is working on securing funding for the following phases.

Mrs. Candice Smith stated the additional attractions will provide more jobs to the community in various positions. Mr. Smith added these will be good jobs with good pay.

Kyle Ruffin, a recent graduate with a degree in Recreation, Parks and Tourism, stated he began working for the Smiths in May, and he has seen no one take outdoor recreation and tourism as seriously as Mr. Smith. He said the Park provides business to other local companies in addition to the Park, such as restaurants, Green Front, and other retail stores. He added that the Smiths are using the natural resources of the area to bring in tourists.

Maggie Brown, Operations Manager, stated the Adventure Park has brought in people from all cultures, providing a draw to a diversity of people. She said they send customers to Farmville and the community, providing revenue for other businesses in the area.

Mr. Smith stated he is pleased that his business attracts a diversity of people, including people of many different faiths, ethnicities, and countries.

Tim Tharpe, President and owner of J. R. Tharpe Trucking, stated he cannot think of a more positive business to have in the County and in Rice, and strongly supports this application. He applauds the Smiths for what they've already done with the resort.

Ruby Mildred Hicks Bowen questioned the hours the Park would be closed to the public. Mr. Smith said that in the evenings, the restaurant and distillery would be for guests only. He said he is not interested in running a bar and cares about the guests and the community; it is their intention to be responsible stewards of the resort. He said it is a family-oriented resort. He added that he tries to keep the area clean and clear of debris.

There being no one further wishing to speak, Vice-Chairman Peery closed the public hearing.

Mr. Love reviewed the conditions. Some discussion followed.

Commissioner Jones made a motion, seconded by Commissioner Watson, to recommend approval to the Board of Supervisors of the Special Use Permit request by Sandy River Outdoor Adventures to operate a Commercial Outdoor Sports and Recreation facility with Lodging and Restaurant/Brewpub with the following conditions:

SITE PLAN

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit dated 09/28/2021 are hereby made part of these development conditions.
2. Final site plan approval for the Commercial Outdoor Sports and Recreation Facility shall be submitted to the Prince Edward County Planning Commission for final review and approval pursuant to Article IV Development Standards of the Prince Edward County Code (Zoning Ordinance).
3. Any proposed expansion of the operation, change of activities or additional facilities or activities shall be submitted to the Prince Edward County Planning and Community Development office for review prior to implementation. Any changes may be subject to Permit amendment procedures, including Public Hearings.
4. All buildings within the property shall be developed as a cohesive entity, ensuring that building placement, architectural treatment, parking lot lighting, landscaping, trash disposal, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically.
5. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor

condition shall be replaced and/or improved at the reasonable direction of the Planning and Community Development Director or his designee.

ENVIRONMENTAL

6. All pollution control measures, erosion and sediment control measures, storm water control facilities, and all construction activities shall comply with the requirements of the appropriate federal, state, and local regulations and ordinances.
7. All facilities for the provision of potable water and sanitation and wastewater disposal systems shall be approved by the Virginia Department of Health.
8. Any development activities of structural of land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statues and regulations.
9. Development activities shall comply with Sec. 82-31 of the Prince Edward County Code.

TRANSPORTATION

10. All entrance permits must be authorized by the Virginia Department of Transportation
11. All internal roads used for public access shall be of compacted earth, or have a minimum of a four (4) inch stone base, or shall be paved.
12. Adequate area shall be provided on site to accommodate parking of all employees and patrons. It shall be the responsibility of the Permittee to assure that employees and patrons park only on site and not on any highway right-of-way, or on adjoining or adjacent parcels unless written consent is provided by the owner or owners thereof.

GENERAL

13. All exterior lighting shall be designed and installed so as to minimize glare onto adjoining properties or any public access road. All lighting shall be full cut-off type fixtures.
14. Outdoor storage of trash containers shall be situated at the rear of buildings and shall be appropriately screened.
15. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
16. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
17. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.

The motion carried:

Aye:	Preston Hunt	Nay:	(None)
	Robert M. Jones		
	Whitfield M. Paige		
	John "Jack" W. Peery, Jr.		
	Teresa Sandlin		
	Cannon Watson		
	Henry Womack		
Absent:	Mark Jenkins		Clifford Jack Leatherwood
	John Prengaman		

In Re: Review of Supervisors Actions

Mr. Love stated the Board of Supervisors approved the Special Use Permit request from Joseph Ryan Wood for the Commercial Dumpster Service, with the conditions as presented. He then stated the Board also approved the Capital Improvement Plan, and the Solar Energy Revenue Sharing Ordinance which specifies that a locality may assess a revenue share of up to \$1,400 per megawatt of the nameplate capacity on projects for which an initial interconnection request form was filed with an RTO on or after January 1, 2019. Mr. Love stated it is mandated by state code that it is passed.

In Re: Old Business

Mr. Love reported the Highway Corridor Overlay District was created to protect scenic beauty and viewsheds, enhance levels of transportation service along the major County access roads, and increase property values. The district only covers a very small portion of major thoroughfares within the County, while we are seeing development and permitting just outside of the boundary of the current district.

Mr. Love stated staff has prepared a Draft with additional corridor areas along with new language and description of development standards for considering that will enhance and expand the coverage of the district. The next step will be a public hearing to be held on the proposed Ordinance Amendment before making a formal recommendation to the Board of Supervisors.

Mr. Love discussed a few of the recommendations, including the orientation of buildings, materials used, and extension of the area. He said this will add more guidance to an applicant. Some discussion followed. Commission members discussed adding Route 778, Dominion Drive, in addition to Commerce Road.

Commissioner Womack made a motion, seconded by Commissioner Hunt, to approve advertisement of a public hearing on the Highway Corridor Overlay District, to include Dominion Drive, to be held at the November Planning Commission meeting; the motion carried:

Aye:	Preston Hunt	Nay:	(None)
	Robert M. Jones		
	Whitfield M. Paige		
	John "Jack" W. Peery, Jr.		
	Teresa Sandlin		
	Cannon Watson		
	Henry Womack		
Absent:	Mark Jenkins		Clifford Jack Leatherwood
	John Prengaman		

Commissioner Hunt said road work is being done by VDOT on Route 628 and questioned why they cannot continue onto Route 724. Commissioner Jones stated the Board reviews the plan each year for road paving or repair; he said work can only go as far as the funding will allow. Discussion followed.

New Business

Mr. Love said the County has received an application for a Special Use Permit from CEP Solar, LLC to operate a 25 megawatt alternating current (MWac) utility scale solar generation facility on Tax Map Parcel 92-A-31 & 79-5-3, with a total acreage of 304.6 acres located along the eastern side of State Route 647, "Rice Creek Road." This parcel is in an A1, Agricultural Conservation zoning district and this use is allowed in the district only after approval of a special use permit.

The facility will utilize approximately 70% of the property for the locating of solar panels. The project site is crossed by existing Southside Electric distribution lines, and it will not require the construction of an additional substation.

Mr. Love stated the purpose of the review under Virginia Code Section 15.2-2232 is as follows:

As required by VA Code § 15.2-2232, requires that the Planning Commission review all proposed developments that include a "public utility facility" prior to the construction or authorization of such facility. A public hearing is required to determine whether the location, character, and extent of the proposed solar facility is in substantial accord with the Prince Edward County Comprehensive Plan, prior to any approval of the special use permit for the facility.

The purpose of the Special Use permit is to allow for the location of a utility scale solar energy generation facility. The applicant stated that the proposed facility will not be seen nor heard and will not impact adjacent properties. The facility will not generate noise, light, dust, odor, fumes, or vibrations. Water quality will be addressed according to Virginia Stormwater Management Permit requirements and the site will not generate any significant amount of traffic with the main traffic occurring temporarily during the construction phase.

Commissioner Jones made a motion, seconded by Commissioner Womack, to authorize advertisement of a public hearing for "2232 Review" and Special Use Permit for a request by CEP Solar, LLC for a proposed utility scale solar facility to be held at the November 19, 2021 regular meeting of the Planning Commission; the motion carried:

Aye:	Preston Hunt	Nay:	(None)
	Robert M. Jones		
	Whitfield M. Paige		
	John "Jack" W. Peery, Jr.		
	Teresa Sandlin		
	Cannon Watson		
	Henry Womack		
Absent:	Mark Jenkins		Clifford Jack Leatherwood
	John Prengaman		

Vice-Chairman Peery declared the meeting adjourned at 7:56 p.m.

Next Meeting: Tuesday, November 16, 2021 at 7:00 p.m.