

**King & Queen County  
Planning Commission Minutes  
March 5, 2018**

The King & Queen County Planning Commission met on Monday, March 5, 2018, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the General District Courtroom for their regular monthly meeting.

**Planning Commission Members Present:**

Sheila Morton  
Milton Watkins  
James Guess  
Robert Coleman, Jr.  
William Herrin

David Campbell  
Hunter Richardson  
Robert Harvey

**Also in Attendance:**

Donna E. Sprouse, Assistant Zoning Administrator

**Call to Order**

Chairman, Mr. Richardson called the meeting to order.

**Roll Call/Determination of Quorum**

Mr. Campbell took roll call and determined that a quorum was present.

**Approval of Minutes  
February 5, 2018**

After review of the minutes, a motion was made by Mr. Watkins to accept the minutes as written, seconded by Mr. Guess.

Voting For: Watkins, Morton, Guess, Richardson, Campbell, Coleman, Harvey

Voting Against: None

Abstain: Herrin

**Citizens Comment Period**

Mr. Richardson opened the floor for citizens comment period.

Mr. Pete Glubiak noted that he currently and has historically represented Phil Minor and had hoped that the Mt Glenwood project will be coming forward soon. He added that he will be reaching out to each Planning Commission member to determine if there are any questions regarding the project and asked that they also feel free to contact him with any questions they may have.

Hearing no further comments, citizens comment period was closed.

## **New Business**

### **A. ZA18-01, Subdivision Ordinance, Article 4, Section 4-7 (public hearing)**

Mr. Richardson opened the public hearing for ZA18-01 and asked Mrs. Sprouse to review the request. Mrs. Sprouse noted that during their Chesapeake Bay Compliance Review with DEQ, it was suggested by DEQ that the county include the Chesapeake Bay Plat and Plan language as referenced in the VA Administrative Code to avoid confusion for current and future staff. Mr. Richardson asked if there was anyone from the public that would like to speak for or against the request. Hearing no comments, the public hearing was closed. Mr. Richardson asked if the Commission members had any comments. Hearing none, a motion was made by Mr. Watkins to approve ZA18-01, Article 4, Section 4-7 as presented, seconded by Mr. Harvey.

Voting For: Watkins, Morton, Guess, Richardson, Campbell, Coleman, Harvey, Herrin

Voting Against: None

Abstain: None

### **B. RZ18-01 – Timber Resources, LLC (public hearing)**

Mr. Richardson opened the public hearing for RZ18-01 and asked Mrs. Sprouse to review the request. Mrs. Sprouse noted that the Planning and Zoning Department received an application on February 5, 2018 from Stevensville Property, LLC, C/o Brenda Miles, agent for Timber Resources, LLC, requesting approval of a rezoning application. She stated that the applicant requests to rezone a 1.96 acre parcel, identified as County Tax Map Parcel No. 1624-52L-425 from Agricultural (A) to General Business 1 (GB1). Mrs. Sprouse noted that the owner wishes to apply for a rezone prior to paying for an engineered site plan for his proposed use. The owner understands that before a business and/or structure is occupied, a level 2 site plan is required which includes approval from appropriate state agencies. Mrs. Sprouse made clear that this request is only for the rezoning of the 1.96 acre parcel and is not an approval of any use or site plan at this time.

Mrs. Sprouse noted that the subject property is located on State Route 14, The Trail, in the Stevensville Magisterial District, County Tax Map Parcel No. 1624-52L-425. Other surrounding land uses include agricultural land and residential single-family homes. Mrs. Sprouse noted that Stevensville Property, LLC is requesting to rezone the parcel to General Business 1 (GB1) with said future intentions of having a country store. However, if rezoned, any use that is permitted under the GB1 zoning classification in the Zoning Ordinance, Permitted Use Table, could potentially be permitted on this site.

Mrs. Sprouse read the following sections from the King & Queen County Comprehensive Plan...

Components of the Summary of Policies (Chapter 2, Subsection 2.2, Tax Base Balance)

*“It is the policy of the County to work toward a balance between residential development and commercial/industrial development. Historically, most residential development does not produce tax revenue commensurate with the cost of required services and must be balanced by commercial/industrial development, which is usually revenue positive. This will require a special effort to provide a business friendly environment and to actively seek and encourage commercial and industrial investment and development in order to help balance the County tax base and provide employment opportunities and services for County residents. Significant effort by current or additional County staff will be required to plan for and focus on this economic development task.”*

Components of the Land Use Plan Identified (Chapter 3, Subsection 3.3b)

***“3.3 Commercial and Industrial Development:*** *Although some commercial development may be dispersed throughout the County to meet local needs for services, and it may be appropriate to locate some industrial activities near the source of raw materials, it is the policy of the County that most commercial and industrial development be concentrated in two Economic Development Corridors, one along Rt. 360 and one along Rt. 33.”*

Mrs. Sprouse noted that there is an existing shell of a 2 story structure (inside is unfinished) on the property.

Mrs. Sprouse stated that the property was acquired in good faith and is currently a pre-existing non-conforming parcel (as the parcel is less than 3 acres in size), she added that rezoning to General Business 1 (GB1) will allow for the parcel to become conforming per the King & Queen County Zoning Ordinance (minimum lot size for GB1, non-waterfront is 40,000 sq. ft.). Mrs. Sprouse noted that setbacks, permitted uses, and other site plan requirements/conditions will be addressed prior to the operation of any business or other commercial use and prior to any structures being altered and/or occupied. Mrs. Sprouse said that in regards to meeting the requirements of the zoning ordinance and King & Queen Comprehensive Plan, it is staff's recommendation that the rezoning request be approved.

Mr. Richardson asked if there was anyone in the audience that would like to speak for or against the project.

Mr. Chris Jernigan noted that he lived across the street and had concerns regarding not only the commercial use, but the effects of lighting, signage, traffic, and noise. He noted that every window on the front of his home faces the proposed business structure. He added that when he moved here to King & Queen, he would have not imagined the property in the Stevensville area would be zoned for commercial use. He added that Route 14 is the best road for motorcycle riding. He said when they come and go from the store, that is added noise in the area. He respectfully asked the Commission to deny the request.

Mr. Shawn Smith asked the Commission if the general store use should fail, what other uses could potentially go on this property once rezoned. Mr. Richardson noted that they would consider his comment, but this will not be a time for questions and answers.

After hearing no further comments from the public, Mr. Richardson closed the public hearing. Mr. Richardson asked if the Commission had any questions, comments or thoughts. Mr. Coleman noted as with other stores in the area, when tractor trailers wish to stop at a store, they are often parked on the side of the road. In this particular area especially, he can see where that could be an issue, and understands it's a site plan issue, but hoped it would not be an issue or hazard should the rezoning request be approved.

Mrs. Morton noted that this project would be a good project for the community. Mrs. Morton noted that she would make a motion to approve rezoning request RZ18-01, seconded by Mr. Harvey.

Voting For: Watkins, Morton, Guess, Richardson, Campbell, Coleman, Harvey, Herrin

Voting Against: None

Abstain: None

## **Old Business**

### **A. Comprehensive Plan – Public Comment/Review**

Mr. Richardson asked if anyone in the audience is interested in the Comprehensive Plan. Mr. Burns noted that he was. *(All other public attendees left the meeting at this time.)* Mrs. Sprouse noted that she ran an ad in the Tidewater Review and Rappahannock Times for two consecutive weeks, she had a public copy provided at the Middle Peninsula Regional Airport, King & Queen Library and there is a copy in her office for public review. Mrs. Sprouse added that there is a link to the document on the home page of the county website. Mr. Burns noted that with his satellite internet, he had a difficult time opening the link and asked if there was a way to make the document smaller so others can open it to review it. Mrs. Sprouse noted that she would attempt to divide the document in two sections and post it as two sections on the county website in hopes it would be easier to download to review. Hearing no comments from the public, Mr. Richardson said the Commission will meet again next month and in May for public review on the plan before adoption. Mrs. Morton expressed concern that citizens don't know what a Comprehensive Plan is to even have comments. That she expects we will not receive comments from the public because so many are not aware of the Plan and its purpose.

### **Staff's Comments**

Mrs. Sprouse noted that the application for Mt. Glenwood LLC will soon make its way on their agenda for consideration. She noted that Tuckers may be a little while as the engineer is working with the owner to address some concerns of the Department of Health and Office of Drinking Water. Mrs. Sprouse noted that her office will be very busy in the upcoming months, as she just received the US Census LUCA material via FedEx today. This means she is to verify every addressable structure in the county. She said this will be a month process. She stated that bids have been received for the NFWF project and hopes that it will be awarded in the next month.

Mr. Richardson asked if Mr. Burns had any comments. Mr. Burns stated that he will be holding a town hall meeting in the Buena Vista district at the Gressitt firehouse. He said that he will be also be speaking tomorrow night at Nicks during the Republican dinner meeting. He noted that if the Commission has any items to mention or discuss with the public, to please let him know. Mr. Richardson asked that he inform the public of the Comprehensive Plan and ask they participate in the public comment/review. Mr. Burns asked that if anyone has any questions or comments for him, to please contact him anytime.

### **Commissioner's Comments**

Mrs. Morton noted that Newtown does not have representation and that there is no one to inform the citizens of her district about anything.

Mr. Coleman thanked the public for attending and thanked Mr. Burns for attending the meeting as the Board of Supervisor representative.

Mr. Herrin thanked Mr. Burns for attending and noted that he was glad to be back working with the Planning Commission.

Mr. Harvey noted that it was a pleasure working with the Planning Commission.

Mr. Guess thanked Mrs. Sprouse for her work and asked if there were other lots in the Stevensville area zoned Commercial. Mrs. Sprouse noted that there wasn't any commercial zoned property in area of the intersection of Stevensville Road and The Trail.

Mr. Watkins welcomed Mr. Herrin.

Mr. Campbell welcomed Mr. Herrin and thanked Mr. Burns for attending and thanked Mrs. Sprouse for her work.

Mr. Richardson welcomed Mr. Herrin and thanked Mr. Burns for attending. He asked Mr. Burns about the status of the Internet upgrades at the lower part of the County. Mr. Burns noted that it's undergoing the standard Federal review and after such review they are looking at a 3 to 9 month process before construction would take place.

Mr. Harvey asked if we had an update on internet at the upper end of King & Queen. Mrs. Sprouse said she wasn't sure of the status. Mr. Burns noted that as part of the agreement, they would allow hook-ups. Mrs. Morton noted that they are still installing cable along the road.

### **Adjournment**

Mr. Richardson noted that the Commission will meet April 2, 2018 at 6 p.m.

There being no further business, the meeting was adjourned by all present members stating "Aye".

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Hunter Richardson, Chairman