

**King & Queen County
Planning Commission Minutes
June 3, 2013**

The King & Queen County Planning Commission met on Monday, June 3, 2013, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the Court Room for their regular monthly meeting.

Planning Commission Members Present:

John Roane
Milton Watkins
David Campbell
James Guess

William Herrin
Shelia Morton
Hunter Richardson
Robert Coleman, Jr.

Also in Attendance:

Thomas J. Swartzwelder, County Attorney
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.

April 1, 2013 – Regular Meeting

After brief review of the minutes, a motion was made by Mr. Herrin to approve the minutes as written, second by Mr. Watkins.

Voting For: Watkins, Roane, Campbell, Herrin, Morton, Richardson, Guess
Voting Against: None
Abstain: Coleman

Citizens Comment Period

Mr. Richardson opened the floor for public comment period, hearing no comments from the public, citizens comment period was closed.

New Business

SP13-02, Larry & Sybil Bradsher – requesting the approval of a Level 2 Site Plan for the division of a parcel and for the construction of a single family residence within the Economic Development

Overlay District. The property is located at 873 Lewis B Puller Mem. Hwy. in the Buena Vista Magisterial District, known as Tax Map #1623-64L-215H.

Mrs. Sprouse explained that because this subdivision request was a request that is within the Economic Development Overlay District, according to Article 18 of the King & Queen County Zoning Ordinance, it requires a level 2 site plan review by the Planning Commission. Hearing no further comments, a motion was made by Mr. Watkins to set a public hearing for SP13-02 for July 1, 2013, seconded by Mr. Guess.

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

Voting Against: None

Abstain: None

Unfinished Business

A. Comprehensive Plan Update – *(Discussion of Economic Development Corridor Ordinance)*

Mrs. Sprouse explained that she has been working on the Comprehensive Plan and though it is a long process, she hopes to have most of it done soon for final review. She also explained that there are a few items that she would like to discuss with the Planning Commission pertaining to Article 18 of the King & Queen County Zoning Ordinance. Currently the ordinance states that the Economic Development Overlay District boundaries includes:

- Route 360: Along U.S. Highway 360 for its entire distance through the County and running back on both sides a depth of one thousand (1,000) feet from the center right-of-way of Route 360; and
- Route 33: Along Virginia Route 33 for its entire distance through the County and running back on both sides a depth of one thousand (1,000) feet from the center right-of-way of Route 33.

Mrs. Sprouse also explained that there are also Economic Development Hubs which includes:

- Shacklefords: From the intersection of Route 14 North and Route 33, the boundaries of the Shacklefords Economic Development Hub extends: one mile north of Route 14; one mile east of Route 33; and one mile west of Route 33. Along each of these lines, the boundaries of the Hub runs back a depth of one thousand (1,000) feet on both sides of the center right-of-way of these roads.
- Shacklefords Fork: From the intersection of Route 14 South and Route 33, the boundaries of the Shacklefords Fork Economic Development Hub extends: one mile south of Route 14; one mile east of Route 33; and one mile west on Route 33. Along each of these lines, the boundaries of the Hub runs back a depth of one thousand (1,000) feet on both sides of the center of the right-of-way of these roads.
- St. Stephens Church: From the intersection of Route 14 and Route 360, the boundaries of the St. Stephens Church Economic Development Hub extends: one mile south on Route 14, one mile east on Route 360; and one mile west on Route 360; and one mile north on Route 721. Along each of these lines, the boundaries of the Hub runs back a depth of one thousand (1,000) feet on both sides of the center right-of-way of these roads.

- Mattaponi/Airport Road: From the intersection of Route 643 and Route 33, the boundaries of Mattaponi/Airport Economic Development Hub extends: one mile South on Route 643, one mile East on Route 33; one mile West on Route 33. Along each of these lines the boundaries of the Hub run back a depth of one thousand (1,000) feet on both sides of the center of the right-of-way of these roads.
- York River Road: From the intersection of Route 605 South and Route 33 the boundaries of York River Road Economic Development Hub extend: one mile and three one hundreds South to Route 658, one mile East on Route 33 and one mile West on Route 33. Along each of these lines the boundaries of the Hub run back a depth of one thousand (1,000) feet on both sides of the center of the right-of-way of these roads.

Mrs. Sprouse further informed the Commission that should the Planning & Zoning Department receive a division request either within the Corridors or Hubs, it requires a level 2 site plan review by the Planning Commission. Article 18, Section 3-404 Permitted Uses, *“Any use permitted in an underlying primary zoning district, but under restrictions:*

A. Residential Lab[Lot]

Unless otherwise exempted in these provisions, no new residential lots may be established so that the major frontage abuts Route 360, Route 33 or areas within an Economic Development Hub. All new subdivision lots shall be arranged so that the main access or driveway enters the property from a street as required for a minor or major subdivision.

B. Site Plan Required

1. Except for certain single family dwellings exempted below, a site plan shall be prepared according to the requirements of Article 14 of this Zoning Ordinance for any proposed use of property within the district or an Economic Development Hub. In addition, site plans shall be prepared using the development standards set out below in this Article within the procedures set out in Article 14.

2. Single-family dwelling constructed on lots of record within the District or any Economic Development Hub shall be exempted from the site plan requirements provided that such lots of record were recorded prior to the date of adoption of this Article. A Level Two Site Plan is required for all other single-family residential dwellings in this District of Economic Development Hub.”

Mrs. Sprouse informed the Commission that up to this point, the Commission only reviewed division requests located within the Hubs, not the entire District. She noted that now that this has come to her attention by the County Attorney, all subdivision requests located in either the Hub or District will require the Planning Commission review the Level 2 Site Plan request. A Level 2 Site Plan review includes public notification in the papers and adjoining property owner notification by way of certified return receipt. The applicant will have to pay a Level 2 Site Plan review fee of \$500 plus \$10 per acre or portion thereof. A public hearing will be set and held to determine on a case by case bases if the property may be subdivided for residential use.

Mrs. Sprouse asked the Commission if this language is what they want her to include within the revision to the Comprehensive Plan. Before moving forward on the Economic Development

portion of the Comprehensive Plan, she asked the Commission for comments and guidance as to what they wish to include in the plan.

Mr. Watkins stated that as he was headed to the meeting tonight, he discovered that there were approximately 23 residential structures within the one mile distance from Route 360 headed down Route 14. He noted that a mile is a pretty long distance to consider divisions or to be thinking about economic development off of Route 360 and 33.

Mr. Richardson stated that he was for economic development on Route 360 and Route 33 and personally felt that the district shall remain as it is currently noted in our ordinance. He stated that he was not sure that one mile along Route 14 and Route 721 was necessary but wasn't sure what that distance should be. Mr. Herrin agreed and suggested reducing it to a half of a mile. Mr. Watkins suggested asking their Board of Supervisors for suggestions or input. Mr. Richardson asked Mrs. Sprouse to please put this item back on the July agenda under Old Business so that they may further discuss after the Commission members are able to speak with their board member and take a look at these Hubs. Mr. Roane noted that in the case of public hearing request heard earlier in tonight's meeting, it is located in a wooded area where the topography is not suitable for commercial or industrial use. He noted this is why the Commission can determine on a case by case basis if the creation of a residential lot in the Economic Development District is feasible or not. He also asked fellow Commissioners to take a look at this particular property and the topography around this proposed parcel.

Staff's Comments

Mrs. Sprouse provided the Commission members with some useful information about the associated costs of updating a Comprehensive Plan. Mrs. Sprouse explained that during the County's last Comprehensive Plan update in 2003 – 2006, it cost the County approximately \$13,144.80. She explained that the cost included the Planning Commission and staff actually putting the data together and having a consultant to help prepare the final draft of the Plan. Mrs. Sprouse also shared with the Commission that the Middle Peninsula Planning District Commission has a contract with the Town of Tappahannock and Essex County to provide technical assistance with their Comprehensive Plan update. Essex County's proposed cost for having the MPPDC to assist with their Plan update is \$28,700 and Tappahannock's update at a cost of \$13,700. Mrs. Sprouse explained that though this may seem as a long and drawn out process, staff and the Commission are working on this without the help and expense of a consulting firm or other agency.

Mrs. Sprouse also informed the Commission that the month of May has proven to be a busy month in the Planning & Zoning Department. Mrs. Sprouse explained that there have been many meetings with citizens in the community who have various projects forthcoming and will eventually reach the Planning Commission and ultimately the Board of Supervisors shortly. Some of those pending projects included a sand pit mining operation in the Newtown Magisterial District, the proposed expansion of the Newtown Racetrack, and the revision of an existing Conditional Use Permit for an existing sand pit mining operation in the Buena Vista Magisterial District. She noted that depending on the work load in the office, she may find that she will have to put the Comprehensive Plan to the side to attend to the more time sensitive items that are forthcoming.

Mrs. Sprouse stated that staff is presently amending and updating the County's Capital Improvement Plan (CIP) and will hopefully be submitting it to the Commission soon for their recommendation to the Board of Supervisors. Mrs. Sprouse explained that there are several items on the current plan that have been completed and need to be removed and other capital improvements added accordingly.

Mrs. Sprouse informed the Commission that she had spoken to Rob with International Training Inc. / G4S and they may be interested in amending their site plan to include the use of tractor trailer boxes/conex boxes for the use of storing a client's ammunition and weaponry. Mrs. Sprouse informed Rob with G4S that in order to apply for an amendment, they will need to work on doing what was included within their previously approved CUP and Site Plan. Rob had informed Mrs. Sprouse that they have not yet installed the septic system, restrooms, classrooms, acoustic fence as sited in their Level 3 Site Plan that was approved by the Board of Supervisors along with their amended CUP. Mrs. Sprouse noted that such a request may be forthcoming either as an administrative approval or back before the Planning Commission dependent upon the scale of the request.

Mrs. Sprouse lastly noted that Mr. David McIntire has been hired as the new Environmental Codes Compliance Officer. She stated that Mr. McIntire has a masters from VCU. She further stated that he has picked up on the requirements of the position and duties of the position very quickly and has become familiar with the E&S and Stormwater requirements. Mrs. Sprouse noted that should they see Mr. McIntire out and about to please say hello and introduce yourselves.

Mr. Richardson asked if Mr. Swartzwelder could provide the Commission with an update on the internet service in the County. Mr. Richardson stated that he understands that this process is a work in progress and has some growing pains. He further noted that he is not located in the service area and was informed that the internet company staff personnel stated that they are getting more misses than hits on the internet. Mr. Swartzwelder informed the Commission that there are several spots in the County that are not within a service area, for example the Ino area and lower parts of the County near Tuckers and Guthrie's Green. He noted that they are actually having between a 75% to 90% success rate on internet reception in the County. He also noted that Gamewood has had a difficult time in hiring installers to get to everyone. Mr. Swartzwelder also added that they also have folks on the list for installs from other localities such as King William and Essex, however the Authority would like to have our citizens online first before having others outside of the County connected to our internet system. Mr. Herrin stated that a phone call from Gamewood would be a courtesy to citizens. He noted that he was quite disgusted that he has not received a phone call after inquiring online through their website several times. Even if he is not in the service area, a phone call or email would be nice recognizing that they have received his inquiry.

Commissioner's Comments

Mr. Roane stated that he would like to thank staff for their work on the Comprehensive Plan and other zoning issues.

Mr. Richardson stated that he too would like to thank staff for helping the County save money by working on the Comprehensive Plan in house. He would also like to ask the Commission to please make sure that they read the draft plan before the next meeting and get with Mrs. Sprouse should they have any questions or comments.

Adjournment

A motion was made by Mr. Watkins to adjourn the meeting. The motion was ratified by those present stating "Aye". There being no further business the meeting was adjourned.

Hunter Richardson, Chairman