

**King & Queen County  
Planning Commission Minutes  
November 6, 2019**

The King & Queen County Planning Commission met on Wednesday, November 6, 2019, 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  
Hunter Richardson

David Campbell  
William Herrin  
Barbara Hudgins  
Robert Coleman, Jr.

**Also in Attendance:**

Donna E. Sprouse, Director of Community Development  
Thomas J. Swartzwelder, County Attorney

**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  
October 7, 2019**

After review of the minutes, a motion was made by Mrs. Hudgins to accept the minutes with the inclusion of language that introduces Mr. Richardson back to the dais before moving on to old business, seconded by Mr. Watkins.

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

**Citizens Comment Period**

Mr. Richardson opened the floor for citizens comment period. Hearing no comments, citizens comment period was closed.

## **New Business**

### **A. RZ19-01 – Rezoning – 1623-165X-783, Walter C. Via Enterprises, Inc. (set public hearing)**

Mr. Richardson noted that the Commission has a request from Walter C. Via Enterprises, Inc., requesting the rezoning of a 4.526 acre parcel from Agricultural/Residential Single-Family to General Business 2. The parcel is located next to the Via Center located at 6574 Lewis B Puller Mem. Hwy. in the Buena Vista Magisterial District, in the Economic Development Corridor.

A motion was made by Mrs. Hudgins to set a public hearing for RZ19-01 for December 2, 2019 at 6 p.m., seconded by Mr. Herrin.

Voting For: Watkins, Morton, Guess, Campbell, Richardson, Hudgins, Herrin, Colman

Voting Against: None

Abstain: None

### **B. ZA19-06 – Zoning Text Amendment – Article 4, Table 4.1, Permitted Use Table (set public hearing)**

Mr. Swartzwelder noted that he would present this request, as Mrs. Sprouse was not present during the last Board of Supervisors meeting to hear the Board of Supervisors request. Mr. Swartzwelder noted that the Board would like for the Planning Commission to revise the zoning ordinance to remove energy generating facilities by natural resource in the Agricultural zoning district by approved conditional use permit, among other requirements until staff has time to work on a new, more detailed ordinance for such facilities. Mr. Swartzwelder noted that staff has learned quite a bit from the applicant, as well as other jurisdictions and governmental agencies. Hearing no comments, a motion was made by Mrs. Morton to set a public hearing for ZA19-06 for their December 2<sup>nd</sup> meeting, seconded by Mrs. Hudgins.

Voting For: Watkins, Morton, Guess, Campbell, Hudgins, Herrin, Colman

Voting Against: None

Abstain: Richardson

## **Old Business**

### **A. ZA19-05 – Zoning Text Amendment – Article 21, Section 3-496, Fees (set public hearing)**

Mr. Richardson noted that it was explained to him that the Commission is once again asked to set a public hearing for ZA19-05, Zoning Text Amendment for Article 21, Section 3-496 due to an issue with meeting advertisement deadlines for public notice in the papers from last month's meeting where the Commission had already set the public hearing.

Mr. Coleman asked if setting the hearing for December 2<sup>nd</sup> was a good idea considering the number of items already set for December.

Mr. Swartzwelder noted that though counsel is not present from Walnut Solar, however the developer is. He added that he believes that this text amendment request will be noted in the applicants' presentation as means for offsetting direct county cost related to the E&S portion of the project. He feels it would be helpful to the applicant if heard next month.

A motion was made by Mr. Herrin to set the public hearing for ZA19-05 for December 2<sup>nd</sup>, seconded by Mr. Coleman.

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

Voting Against: None

Abstain: None

### **Staff's Comments**

Mrs. Sprouse noted that during the Board of Supervisors meeting on November 4<sup>th</sup>, they approved both the Stevensville and Buena Vista Verizon Communication Tower proposals.

She also noted that Edge Worship Centre's site plan has been approved and if anyone starts to see activity in the upcoming months or next season, they will now know why.

Mrs. Sprouse informed the Commission of the public notice link posted on the home page of the County website under Announcements, as well as the location of the meeting dates with attached agendas for public review.

Mr. Swartzwelder noted that he had a few things to address for the upcoming meeting. He noted that it's very important that the Commission prepares for this meeting. He asked them to please reach out to staff or the applicant with any questions that they may have regarding the proposal. Mr. Swartzwelder stated to be sure they are clear and precise with their motions. He added that because it's important to allow time for everyone to have the opportunity to speak, to please consider setting a time limit during public comment. He noted that we all want to hear from everyone regardless of their opinion. He also said that it is important that the meeting is controlled and the Commission may have to deal with some in the audience speaking out of turn or yelling from the back of the room. Mr. Swartzwelder reviewed the microphones with the Commission and noted that they will be used for the meeting and it will be recorded. Lastly he added that both staff and the applicant want the Commission to take their time and do not rush in your decision. If the Commission wishes to stop the meeting and continue the next month, do so. If the Commission wishes to wait a month before voting, do so. He noted that he wants the Commission to be prepared to vote when ready and he added that he is sure that the applicant would agree. Patrick Buckley, with Open Road Renewables, from the audience stated that he agreed.

### **Commissioner's Comments**

Mrs. Morton noted that she agreed with Mr. Swartzwelder and the Commission must be prepared for the December 2<sup>nd</sup> meeting. She wished the Commission members a good Thanksgiving.

Mr. Watkins noted that he agreed with Mrs. Morton completely.

Mr. Campbell stated that this is a lot of information or food for thought and wished everyone a happy Thanksgiving.

Mr. Herrin noted that the upcoming December 2<sup>nd</sup> meeting will be an interesting exercise and wished the Commission many blessings.

Mrs. Hudgins wished everyone a happy Thanksgiving.

Mr. Richardson noted that he will not be present during the December meeting. He added that Mr. Watkins will run the meeting. He asked the Commission to challenge staff, challenge Mr. Swartzwelder and to challenge the developer with questions.

**Adjournment**

There being no further business, a motion was made by Mr. Watkins and the meeting was adjourned by all present members stating "Aye".

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Hunter Richardson, Chairman