The regular meeting of the Campbell County Planning Commission was held on Monday November 26, 2018 in the Board of Supervisors Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The following members were present:

K. William Kirk, Chairman  
Dean P. Cumbo  
James C. Fowler  
O. Richard Metz  
Dean B. Monroe  
Gary E. Wisecarver  
James A. Borland, Board of Supervisors Representative

Members Absent:  
Patrick Tweedy

Staff Members present:  
Paul E. Harvey, Community Development Director  
Austin R. Mitchell, Zoning and Subdivision Administrator  
Theresa P. Phillips, Staff Secretary

Chairman Kirk called the meeting to order with the invocation by Commissioner Tweedy followed by the Pledge of Allegiance at 7:00 p.m.

Chairman Kirk asked for corrections or comments on the minutes from the September 24, 2018 meeting. With none, Commissioner Metz made the motion to approve the minutes from the September 24, 2018 meeting.

The vote was:  Aye: Kirk, Cumbo, Fowler, Metz, Monroe, and Wisecarver  
Nay: None  
Absent: Patrick Tweedy
PUBLIC HEARINGS FOR CONSIDERATION

PL-18-125 (Rezoning Request 15A-1-1)

Mr. Austin Mitchell, Zoning and Subdivision Administrator, stated this request is to rezone 24.195 +/- acres from Industrial – General to Agricultural to allow for the use of a single-family dwelling. The property is located on West side of Holcomb Path Road. The applicant is seeking to rezone the parcel to Agricultural to sell to a family for use as a single-family dwelling. The parcel is currently vacant property. Agricultural zoning would allow the prospective owner to have an agricultural use on the property in the future. Other properties in the vicinity are zoned Agricultural. There are no existing public utilities serving the property and no plans for infrastructure improvements in the vicinity. Staff believes that due to topography and a lack of public utilities, the property is not conducive for most industrial uses.

Chairman Kirk opened the public hearing at 7:04 indicating this would go before the Board of Supervisors at the December 4, 2018 meeting.

Mr. Warren Radford, 2090 Fancy Gap Highway, Hillsville, Virginia, representing Paul Goad & Warren Radford LLC, stated in order for the prospective buyers to build a dwelling the property needs to be rezoned to Agricultural.

With no one present to speak in favor or against the rezoning, Chairman Kirk closed the public hearing at 7:06.

Commissioner Metz made the motion to recommend approval of PL-18-125, rezoning 24.195 acres from Industrial – General to Agricultural to allow for the use of a single-family dwelling stating good zoning. Commissioner Wisecarver seconded the motion.

The vote was:  Aye: Kirk, Cumbo, Fowler, Metz, Monroe, and Wisecarver  
Nay: None  
Absent: Patrick Tweedy

PL-18-135 (12610 Red House Road)
Mr. Austin Mitchell, Zoning and Subdivision Administrator, stated this request is from Michael Craig with Falling River Airsoft, LLC, agent for Jeffrey A. McCleese, for a special use permit to operate a recreational area for the playing of airsoft on property zoned Agricultural. This request is for the property that was formerly Falling River Elementary School. The property is currently not used for a continuous purpose. Occasionally a local gravel company stores gravel on the parking lot and the Sheriff’s Department uses the building for training, and would be allowed to continue using the building. The applicant proposes to use the property as a recreational area for the playing of airsoft on weekends and rarely on weekdays. The area would not be open to the public and players would have to become members, sign waivers, and notify the applicant of their intent to attend. No new permanent structures are proposed; temporary structures would be placed behind the school building. There is an existing parking area that is sufficient for the proposed use.

Chairman Kirk opened the public hearing at 7:12 stating this would go before the Board of Supervisors December 4, 2018.

Mr. Michael Craig, 3120 Grayland Avenue, Richmond, Virginia, agent for Mr. Jeffrey McCleese, stated Mr. McCleese had recently installed new fencing and gates on the property. Mr. Craig stated airsoft is very much like paintball without the paint and the balls are biodegradable. This recreational game has a large following and participants are willing to drive five or more hours to participate. He also stated this is not open to the public.

Commissioner Metz inquired as to the hours of operation. Mr. Craig stated the event would last from 9:00 am to 5:00 pm but he would arrive earlier.

Chairman Kirk inquired as to the number of participants attending the events. Mr. Craig stated they have a soft invitation only and approximately 60 people participated with plenty of room for parking but no more than 100 was anticipated.

Mr. Craig stated the lighting during the day was ample for certain areas of the inside of the building but it would not be used during the night. He also stated the main area of play is in the back and cannot be seen from the road.

With no one to speak in favor or against, Chairman Kirk closed the public hearing at 7:23 p.m.
Commissioner Monroe made the motion to recommend approval PL-18-135 for a special use permit to operate a recreational area for the playing of airsoft on property zoned Agricultural with the following conditions: the applicant utilizes the site in conformance with the use described in the narrative submitted with this request. Commissioner Metz seconded the motion.

The vote was: Aye: Kirk, Cumbo, Fowler, Metz, Monroe, and Wisecarver
Nay: None
Absent: Patrick Tweedy

PL-18-136 (2010 Doss Road)

Mr. Austin Mitchell, Zoning and Subdivision Administrator, stated this request is to rezone 7.077 +/- acres from Agricultural to Industrial – Heavy with a concurrent special use permit to allow for the expansion of the existing trucking terminal. FLMCO LLC has an existing trucking terminal business on an adjoining parcel at 72 Monkeywrench Drive. A rezoning with a concurrent special use permit to expand the existing trucking terminal was approved by the Board of Supervisors on December 6, 2016 for parcels 17-A-54A and 17-B-3. Since that time, FLMCO LLC has purchased additional property that was added to parcel 17-B-3. This request is to rezone the additional property that was purchased to allow for the further expansion of the trucking terminal. The area rezoned will mainly be used to stage and prep loads. Buffers will be required to be maintained or installed between the industrial use and adjacent property zoned Agricultural.

Chairman Kirk opened the public hearing at 7:28.

Mr. Ted Jordan, Watts Realty, agent for FLMCO LLC stated FL Moore continued to grow and the additional purchased property was needed to construct an area to be used for staging, prepping the loads and entering the property. There would be a buffer consisting of pines on the adjoining property.

Commissioner Metz questioned if there would be buffering parallel to Doss Road.

Mr. Charlie Watts, Watts Realty, stated VDOT would only allow entering on Doss Road and all exiting would be on Richmond Highway (Route 460). Also VDOT would not allow truck traffic to exit onto Crews Shop Road. Mr. Watts also stated he would be willing to plant pines on Doss Road along with the adjoining property.
With no one to speak in favor or against, Chairman Kirk closed the public hearing at 7:35 p.m.

Commissioner Metz recommended approval of PL-18-136 rezoning 7.077 +/- acres from Agricultural to Industrial – Heavy with a concurrent special use permit to allow for the expansion of the existing trucking terminal, stating good zoning. Commissioner Wisecarver seconded the motion.

The vote was: Aye: Kirk, Cumbo, Fowler, Metz, Monroe, and Wisecarver
Nay: None
Absent: Patrick Tweedy

SUBDIVISION MATTERS FOR CONSIDERATION

None

MATTERS FROM THE COMMUNITY DEVELOPMENT DIRECTOR

Mr. Paul Harvey, Director of Community Development, stated the Board of Supervisors has requested a recommendation for appointing the Planning Commissioner representative to the Economic Development Commission. Commissioner Metz currently serves in that capacity and is eligible for reappointment.

Chairman Kirk made the motion to reappoint Commissioner Metz to serve as the Planning Commission representative to the Economic Development Commission. Commissioner Wisecarver seconded the motion.

The vote was: Aye: Kirk, Cumbo, Fowler, Metz, Monroe, and Wisecarver
Nay: None
Absent: Patrick Tweedy

Mr. Paul Harvey, Director of Community Development, stated at the December 3, 2018, Planning Commission meeting, there would be a public hearing for the proposed routine code changes to the Zoning and Subdivision ordinance.

MATTERS FROM THE ZONING AND SUBDIVISION ADMINISTRATOR

None
Commissioner Fowler had proposed changes to the Planning Commission by-laws at the September 24 meeting. Chairman Kirk stated there would no longer be the standard motion with a second on the motion and then the vote.

Commissioner Fowler reviewed Chapter 10.

ARTICLE X – PUBLIC HEARINGS

10-3 All public hearing matters shall be processed in accordance with the following procedure:

10-3.1 The Chairman shall summarize the matter before the Commission and accept written statements and other pertinent documentation.

10-3.2 The Chairman shall call for and accept additional information and recommendations form staff members, and allow members to ask follow up questions for clarification.

10-3.3 The Chairman shall call on the sponsor of the matter to address the Commission and provide additional supporting details and information, and allow members to ask follow up questions for clarifications.

10-3.4 The Chairman shall invite members of the public to address the Commission, yielding the floor first to all those in favor of the matter, then to all those opposed to the matter, for purposes of manageability of the Chairman may, at his discretion, restrict each public participant to speak only once and/or dictate a reasonable time limit for each speaker. Following the comments from each speaker the Chairman shall allow member to ask follow up questions.

10-3.5 The Chainman shall invite the sponsor of the matter, if he or she so desires, to briefly address the Commission a second time with rebuttal and clarification of issues initiated during the public comments.

10-3.6 The Chairman shall announce official closure of the public hearing portion and the initiation for the executive portion of the matter. During the executive portion all actions and discussion are limited to Commission members unless members wish to call on staff members, the sponsor or members of the public directly for specific points of information.

10-3.7 The Chairman shall make a motion to approve the matter as presented by the staff, including any staff recommendations. This action in no way indicated that the Chairman is in favor of the matter, but is only a procedural step to formally place the
matter before the Commission as an official question to be dealt with accordingly as per Robert’s Rules of Order. The Chairman may subsequently debate and/or vote in opposition of the matter.

10-3.8 Members of the Commission, including the Chairman, shall debate the matter as desired, and resolve the matter with a final up or down vote, which must be taken no later than 60 days following initial consideration of the matter. Prior to final vote, members may invoke subsidiary motions, which shall be governed by Robert’s Rule of Order, except for overriding conditions and restrictions which are underlined for emphasis.

10-3.8.1 Amend the motion by inserting, deleting or modifying words, sentences or Paragraphs, or by offering a substitute motion.

10-3.8.2 Postpone the question to a certain time, which shall be no later than that of the next regularly scheduled meeting. A motion to postpone may not be invoke more than twice for any matter.

10-3.8.3 Refer the question to a Committee. The Committee shall be appointed by the Chairman and shall be instructed to investigate the matter and report back to the Commission with recommendations no later than the next regular meeting.

10-3.8.4 Limit or extend the limit of debate.

10-3.8.5 Call for the Previous Question.

10-3.8.6 The Commission shall not vote to Postpone Indefinitely or Table the matter.

10-3.9 The final vote of the question (main motion) shall be deemed as recommendation to the Board of Supervisors for approval if and only if the question passes by a majority of those voting. In all cases, including a tie vote, the result shall be deemed as recommendation to the Board of Supervisors for denial.

Commissioner Fowler made the motion to accept the amended changes to the Campbell County Planning Commission by-laws. The motion was seconded by Chairman Kirk.

The vote was:  Aye: Kirk, Cumbo, Fowler, Metz, Monroe, and Wisecarver
Nay: None
Absent: Patrick Tweedy
The next scheduled meeting is December 3, 2018.

Commissioner Metz made a motion to adjourn the meeting at 7:48 p.m.

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Dean P. Cumbo, Chairman

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K. William Kirk, Secretary