

AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY PLANNING COMMISSION HELD ELECTRONICALLY AND, IN THE COUNTY, ADMINISTRATIVE OFFICE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON, VIRGINIA JUNE 10, 2020 AT 7:00 PM.

PRESENT ELECTRONICALLY: LEE MCLAUGHLIN, JR – CHAIR, MELISSA HENNIS-VICE-CHAIR, DAVID WHITMORE, AND KIMBERLY HINES

ABSENT: ROBERT LUCAS

SECRETARY: CHRIS SLAYDON (PRESENT ON SITE)

STAFF: BRANDY FLINT (PRESENT ELECTRONICALLY) AND SAM CRICKENBERGER (PRESENT ON SITE)

COUNTY ATTORNEY: VICKIE HUFFMAN (PRESENT ON SITE)

OTHERS PRESENT ON SITE: RUSS ORRISON AND WILL HARRIS

PRESENT ONLINE: MICHAEL LOHR

* * * * *

Mr. McLaughlin called the meeting at 7:03 pm with a verbal roll call of the Planning Commission members who were present on the webinar as follows:

Mr. Lucas – Absent Ms. Hennis – Present Ms. Hines – Present
Mr. Whitmore – Present Mr. McLaughlin – Present

Mr. McLaughlin then advised that this meeting is being held by electronic means pursuant to the Continuity of Government Ordinance adopted by the Board of Supervisors on May 26, 2020, due to the threats posed by the COVID-19 pandemic to the health, safety, and welfare of the public, and in accordance with the recommendations, guidelines, and requirements of federal, state and local authorities. Commission members will be participating remotely. Staff will be presenting as usual in the Board of Supervisors meeting room at 150 S. Main Street, Lexington and while the room will be open to the public, no more than 10 persons, including staff, will be allowed into the room at one time, as per the Board's COVID-19 meeting policy. We will hold citizen comment near the beginning of the meeting. He indicated that we will do our best to take citizen comments remotely. There are two options for citizens to offer comments remotely: 1) Join the Rockbridge County Planning Commission Zoom webinar. The link is available on the County website to copy into the address line on your browser. Or 2) Join by telephone. By dialing into one of the following numbers, which are listed on the County Website. US: +1 301 715 8592 or +1 312 626 6799 or +1 669 900-6833, or +1 253 215-8782, or +1 346 248 7799. The Webinar ID is 884 3321 9671, and the password: 499294. He noted the meeting will be available live on YouTube with a link on the County website.

Mr. McLaughlin stated that the meeting would proceed with Citizen Comments. He indicated that, in addition to participating by Zoom or telephone, written Citizens Comments had been solicited for receipt via email, U.S. Mail, and the dropbox located at the front entrance to the County Administration building and via email. He then advised that comments would be taken in the following order: First will be the names and magisterial district of citizens that have submitted Comments received via email, letter, or dropbox will be read aloud and made part of the minutes of this meeting. The Planning Commission Members have received all comments

that have been submitted. The second will be in-person participants, if any: The moderator will ask if there are any participants present to comment. If there are, they will be invited to approach the podium and address the Commission. The third will be Zoom participants as follows:

- a. Participants who do not have a microphone on their computer can click on the Q & A button and submit their comments via typing. The moderator will read the comment aloud during public comment. When typing a comment, please begin with your name and magisterial district.
- b. Participants with a microphone on their computer can click on "Raise Hand" button. The moderator will unmute participants one at a time to receive verbal comments.
- c. For Phone Participants: Citizens participating by phone will also be allowed to speak. The moderator and Commission can only see your phone number on our screen, if you would like to make a citizen comment via phone line, please push *9 (star +9) now. By pressing star + 9, the moderator will see that you have "raised your hand" and will go down the list of numbers and unmute each line, one at a time. Prior to unmuting a line, the moderator will announce the last three (3) numbers of your phone number. You will then hear a recording indicating your phone is now unmuted. At that point, you can indicate whether or not you wish to comment. If stating yes, you will be asked to state your name and magisterial district for the record.

Mr. McLaughlin concluded that citizen comments would follow the same rules as normal, which includes stating your name, and magisterial district and comments will be limited to three minutes. He then moved on to the second agenda item, which was Citizen Comments. He noted that the Commission is interested in hearing comments and that staff has done their best to make public comment possible during this challenging time. He asked that speakers refrain from reiterating comments that have been previously stated and submitted to the Commission.

Mr. Slaydon took this opportunity to advised the Commission that this will be Mr. Crickenberger's last meeting as he is retiring at the end of the month. He thanked Mr. Crickenberger for his guidance and leadership over the years. He then thanked him for his service to the County and complimented him on his many accomplishments over the years.

Mr. McLaughlin stated that Mr. Crickenberger had been a great inspiration to all of us and an inspiration to the County.

Mr. Crickenberger thanked everyone for their kind words and the opportunity to work with the current Commissioners and those from the past as well.

Mr. McLaughlin then asked Mr. Slaydon if anyone physically present wanted to speak. Mr. Slaydon indicated that there was no one physically present to speak. With no one physically present to speak, based on the meeting policy reviewed at the beginning of the meeting, Mr. McLaughlin asked staff to read aloud any written comments that have been received. There were no written comments. Mr. McLaughlin stated that comments were now welcome from the public by electronic means. It is important to note that this is a live, recorded, meeting, and all comments will be taken under consideration by the Commission. He stated that citizens participating by phone would also be allowed to speak. The moderator and Commission can only see your phone number on our screen, so the moderator will go down the list of numbers and unmute each line, one at a time. Prior to unmuting a line, the moderator will announce the last three (3) numbers of your phone number. You will then hear a recording indicating your

phone is now unmuted. At that point, you can indicate whether or not you wish to comment. If stating yes, you will be asked to state your name and magisterial district for the record.

There were no comments via call-ins.

Mr. McLaughlin indicated that comments were now welcome from citizens attending the webinar.

There were none.

Mr. McLaughlin asked if there were any further comments. With no additional comments, he closed the citizen comment period at 7:12 pm.

* * * * *

The third agenda item was the review of the May 13, 2020 meeting minutes.

Upon a motion by Ms. Hennis, seconded by Ms. Hines, the Commission voted unanimously to approve the minutes with corrections.

* * * * *

The fourth agenda item was the Board of Supervisors' Report.

Mr. Slaydon advised that the Board of Supervisors approved the vacation of the alleyways for the proposed dog park in Buena Vista near Glen Maury Park. He then noted that the rezoning application for the dog park would be coming before the Commission.

* * * * *

Mr. McLaughlin advised that the same public hearing process used for citizen comments will be used for the public hearing process.

The fifth agenda item was the public hearing for Shawn and Sandi Lohr with Woodlore to have a Special Exception permit in the B-1 District for light manufacturing as follows:

Notice is hereby given per Section 15.2-2204 of the Code of Virginia and Section 802.03, 04 and 05 of the County of Rockbridge Land Development Regulations public hearings will be held by the Rockbridge County Planning Commission on Wednesday, June 10, 2020, at or after 7:00 pm in the Meeting Room in the County Administrative Offices, 150 South Main Street, Lexington, Virginia 24450, followed by public hearings by the Board of Supervisors on Monday, June 22, 2020, at or after 6:00 pm at the same location to consider the following application:

- 1. Shawn and Sandi Lohr (Woodlore) 287 Wildwood Road, Rockbridge Baths, Virginia, applying for a special exception permit for light manufacturing in the General Business District (B-1) per Section 605.03-1 of the Regulations to process logs for furniture. Property owned by New Vision Trust is located at 249 Sterrett Road and further identified as Tax Map 39-11-A1-2 in the Walkers Creek Magisterial District.*

Mr. Slaydon reviewed the application as submitted, showed the property's location on the mapping, and reviewed the current zoning in the area.

As an owner of Woodlore, Mr. Shawn Lohr noted they make custom furniture and ship locally, around the US, and around the world. He advised that some of the operation is located on the adjoining Shell Station property. He indicated that he has an agreement with the Shell Station owner. Mr. Lohr stated that the mill is rarely run on-site, and never on the weekends, or after 5 pm. He indicated that the neighbor across the road is a logger himself, and they have had some discussions about the business and how it will operate. He stated that they are working well together.

Mr. McLaughlin noted he had used Mr. Lohr in the past, and he is supportive of this application. He advised that there is one condition to set.

Mr. McLaughlin opened the public hearing at 7:21 pm.

There was no one physically present to speak, no one on the Zoom meeting that wished to speak, and there were no comments emailed or called in before the meeting.

Mr. McLaughlin closed the public hearing at 7:22 pm.

Upon a motion by Ms. Hines, seconded by Mr. Whitmore, the Commission voted unanimously to recommend to the Board of Supervisors that the Special Exception Permit for a light manufacturing business to process logs for furniture in the General Business District ((B-1) per LDR Section 605.03-1 on property located at 249 Sterrett Road in the Walkers Creek Magisterial District, owned by New Vision Trust Company, and identified as Tax Map #39-11-A1-2, be approved with the following conditions:

- (1) No use of outside portable sawmill on-site on Sunday and after 6:00 pm Monday through Saturday.

* * * * *

The sixth agenda item was the public hearing for Will Harris to rezone 40 acres from I-1 to A-T to develop a campground as follows:

Notice is hereby given per Section 15.2-2204 of the Code of Virginia and Section 802.03, 04 and 05 of the County of Rockbridge Land Development Regulations public hearings will be held by the Rockbridge County Planning Commission on Wednesday, June 10, 2020, at or after 7:00 pm in the Meeting Room in the County Administrative Offices, 150 South Main Street,

Lexington, Virginia 24450, followed by public hearings by the Board of Supervisors on Monday, June 22, 2020, at or after 6:00 pm at the same location to consider the following application: Will Harris, POB 146, Goshen, Virginia, applying to rezone 40 acres from General Industrial District (I-1) to Agricultural Transitional District (A-T) to develop a campground per Section 603B.03-8 of the Land Development Regulations. Property owned by Victoria Development is located just east of the Town of Goshen (former Stillwater Mill) in the Walkers Creek Magisterial District and further identified as Tax Maps 13-4-1/1A and 3.

Mr. Slaydon reviewed the application as submitted, showed the property's location, and noted the Currently the property in the General Industrial (I-1) Zoning District. He advised that it is within the 100-year, Zone A flood hazard zone. Mr. Slaydon indicated that this is for 37 acres spanning multiple tax map numbers and that it is adjacent and contiguous with the A-T zone. Victoria

Development LLC has made an application to rezone approximately 37 acres to the Agricultural Transitional (A-T) District to develop a campground. The area includes a portion of Tax Map Numbers 13-4-3, 13-4-1, and 13-4-1A.

Mr. McLaughlin opened the public hearing at 7:27

There was no one physically present to speak, no one on the Zoom meeting that wished to speak, and there were no comments emailed or called in before the meeting.

Mr. McLaughlin closed the public hearing at 7:28

With no further discussion, upon a motion by Ms. Hennis, seconded by Ms. Hines, the Commission voted unanimously to recommend to the Board of Supervisors that the Rezoning of the 37-acre tract of land to the southeast of Maury River Road (Route 39), being portions of Tax Map #13-4-3, #13-4-1 and #13-4-1A, as outlined on the 'Stillwater Campground Rezoning & Special Exception Plan' owned by Victoria Development, LLC, from the General Industrial District (I-1) to the Agricultural Transitional District (A-T) be approved.

* * * * *

The seventh agenda item the public hearing for a Special Exception permit for Will Harris to operate a campground in the A-T District as follows:

Notice is hereby given per Section 15.2-2204 of the Code of Virginia and Section 802.03, 04 and 05 of the County of Rockbridge Land Development Regulations public hearings will be held by the Rockbridge County Planning Commission on Wednesday, June 10, 2020, at or after 7:00 pm in the Meeting Room in the County Administrative Offices, 150 South Main Street, Lexington, Virginia 24450, followed by public hearings by the Board of Supervisors on Monday, June 22, 2020, at or after 6:00 pm at the same location to consider the following application: Will Harris, POB 146, Goshen, Virginia, applying for a special exception permit to develop a campground in the Agricultural Transitional District (A-T) per Section 603B.03-8 of the Land Development Regulations. Property owned by Victoria Development is located just east of the Town of Goshen (former Stillwater Mills) in the Walkers Creek Magisterial District and further identified as Tax Maps 13-4-1/1A and 3.

Mr. Slaydon reviewed the application as submitted, showed the location of the property, reviewed the zoning that was just approved, and reviewed the regulations regarding campgrounds.

Mr. Orrison advised that Mr. Harris will talk about how the campground would operate. He indicated that the site would be served by public water from the Town of Goshen with drainfields approved by the Department of Health. He noted they are currently working on obtaining those approvals. He advised that they have met with VDOT about the private road that comes onto the property and determined that the industrial road will be used as the entrance with some improvements needed. Mr. Orrison advised that the rail line is a Buckingham Branch line, and it mainly serves Stella Jones with two to three trains slowly moving through in a day. He noted the plan is for up to 200 sites, but they plan to start with a lower amount. Mr. Orrison indicated this is an allowable use in this particular flood zone even though it has flooded in the past. He noted that Mr. Harris has worked with Chef Ramsey with Rockbridge County Fire,

Rescue, and Emergency Management to formulate an emergency evacuation plan, including the details of two access points, with one being used by emergency vehicles.

Mr. Harris thanked the Commission for their time. He then addressed the details of the evacuation plan, including that there will be a disclosure form indicating that anyone who rents a spot understands it is a flood zone and that the campers will need to be moved in the case of an emergency or flood event. He noted that Mr. Ramsey asked that a fire hydrant be installed at the north end of the site. Mr. Harris indicated they plan to establish that from the six-inch mainline at Stillwater. If that is not possible, it will be a dry hydrant. He noted that all campers would be provided the Alert Rockbridge information to sign up for alerts during their stay. There will be a locked gate from the Stillwater site with a lockbox for emergency personnel. Mr. Harris indicated that twelve-foot flood levels would trigger the emergency plan to be activated. The sites will have electric, water, and sewer hookups with 50/30/20 and high-speed internet access. It will all be a quick connect system with no permanent structures allowed on the sites.

Mr. McLaughlin asked if this would be short-term rentals or long-term rentals where campers can be left in place.

Mr. Harris indicated he does anticipate long term rentals. He advised that if they stay for an extended period, they would have to provide staff with keys to the camper so it can be moved in case of an emergency.

There was a brief discussion on flooding in the area, and if there was enough time to move campers in an emergency, it was concluded that they could be moved in time with normal conditions.

Before the public hearing, Mr. Harris sincerely thanked Mr. Crickenberger for his time with the County. He noted that he was on the Board during Mr. Crickenberger's early days, and he has made the County a better place.

Mr. McLaughlin opened the public hearing at 7:46 pm.

Before the meeting, an email from Shelby Fridley was received. She stated the following "Thank you, Will Harris, for all you are doing for the town of Goshen. Cleaning up the area is very much appreciated. Please give him an ok to build a campground in our back yard. I was raised in Goshen, and I am speaking for my mom, and I am still there and myself. He has been a great person for our town. Thanking you."

Mr. Crickenberger indicated that before the meeting, he received a phone call from the Goshen Mayor expressing his support. He noted that Mr. Harris has already met with Town Council regarding the project, and the Council expressed their excitement.

With no additional comments from the public present, online, or via phone, Mr. McLaughlin closed the public hearing at 7:48 pm.

Mr. McLaughlin stated that he felt this could be a good project and knows it will be done right.

Ms. Hennis noted that she appreciated the time taken before the meeting to make this a good project, including the work on the emergency plan.

With no further discussion upon a motion by Ms. Hennis, seconded by Ms. Hines, the Commission voted unanimously to recommend to the Board of Supervisors that the Special Exception Permit for development of a campground in the Agricultural Transitional District (A-T) per LDR Section 603B.03-8 C, on property containing 37 acres +/-, located southeast of Maury River Road (Rt. 39) near the Town of Goshen, owned by Victoria Development, LLC,

and identified as portions of Tax Map #13-4-3, #13-4-1 and #13-4-1A, in the Walkers Creek Magisterial District, be approved with the following conditions:

- (1) Substantial Compliance with site plan prepared by Perkins & Orrison dated May 15, 2020.
- (2) Compliance with approved Emergency Management Plan.
- (3) Approval contingent on final VDOT, Erosion and Sediment Control, and Health Department approvals.

* * * * *

The eighth agenda item was for a special exception permit for Shentel to expand a small data center in B-1 as follows:

Notice is hereby given per Section 15.2-2204 of the Code of Virginia and Section 802.03, 04 and 05 of the County of Rockbridge Land Development Regulations public hearings will be held by the Rockbridge County Planning Commission on Wednesday, June 10, 2020, at or after 7:00 pm in the Meeting Room in the County Administrative Offices, 150 South Main Street, Lexington, Virginia 24450, followed by public hearings by the Board of Supervisors on Monday, June 22, 2020, at or after 6:00 pm at the same location to consider the following application: Shentel, 3075 South Ox Road, Edinburg, Virginia, applying for a special exception permit to expand a small data center in the General Business District (B-1) per Section 605.03-10 of the Regulations. Property owned by Richard Nickols and Vicki Kruse is located along the east side of Bares Wood Lane approximately .4 miles north of its intersection with East Midland Trail in the Buffalo Magisterial District and further identified as Tax Map 76-A-42.

Mr. Slaydon reviewed the application as submitted, showed the location of the property, the current zoning in the area. He noted that on August 22, 2016, the Board of Supervisors approved a communications facility on the southeast corner of the Nuckols Tract. The .057 acre was subdivided off and sold to Shentel Communications LLC. This application is an expansion of that.

Mr. Orrison reviewed the site plan as presented. He noted that a couple of years ago the adjoining site was approved for the fiber line going along the interstate. They now need to expand capacity. He pointed out that the Shentel is still in negotiations with the property owner for a lease. A vegetative buffer is already in place, and if the property is leased, they want to be ready to move forward immediately. He noted no traffic water or sewer service would be on-site, and they might have a couple of vehicles come in and out from time to time to check the site.

Mr. McLaughlin opened the public hearing at 7:55 pm.

There was no one physically present to speak, no one on the Zoom meeting that wished to speak, and there were no comments emailed or called in before the meeting.

Mr. McLaughlin closed the public hearing at 7:55 pm.

Mr. McLaughlin asked if the property does not sell what does that mean.

Mr. Crickenberger advised that if the sale does not go through and the special exception is not implemented within six months, the permit is null and void.

With no further discussion, upon a motion by Ms. Hennis, seconded by Ms. Hines, the Commission voted unanimously to recommend to the Board of Supervisors that the Special Exception Permit for expansion of the small data center in the General Business District ((B-1) per LDR Section 605.03-10 on a 9,000 S.F. site, located along the east side of Bares Wood Lane north of East Midland Trail in the Buffalo Magisterial District on property owned by Richard Nuckols, Vicki Kruse, and Lawrence Nuckols, and identified as Tax Map #76-A-42, be approved with the following conditions:

- (1) Substantial Compliance with site plan prepared by Perkins & Orrison dated May 11, 2020.

* * * * *

Ms. Hennis asked if the meeting will be online again next month.

Mr. Slaydon advised that at this time, we are not sure. The electronic meeting designation will need to be done when meetings can be held in person again because a quorum needs to be present on-site to allow for members to meet electronically without the emergency declaration.

With no further business to discuss, the meeting adjourned with a unanimous vote after a motion by Mr. Whitmore, and a second by Ms. Hennis.

Respectfully Submitted,

Christopher T. Slaydon
Secretary

*Please note the emails and correspondences received prior to and during the meeting on attached to the official minute book.