

At a regular meeting of the Warren County Planning Commission held in the Warren County Government Center on December 14, 2022, at 7:00 PM.

Present: Robert Myers, Chairman (Happy Creek District); Scott Kersjes (North River District); Kaylee Richardson (South River District); Hugh Henry, Vice Chairman (Fork District) and Caitlin Jordan, Senior Assistant County Attorney; Gregory Huson (Shenandoah District) also present; Matt Wendling, Planning Director; Chase Lenz, Zoning Administrator; Veronica Diamond, Clerk to the Planning Commission

Absent:

Call to order and Pledge of Allegiance of the United States of America

Adoption of Agenda:

On a motion by Mr. Henry, seconded by Scott Kersjes, and by the following vote of 5-0, the Planning Commission adopted the agenda with the amended language as presented:

Ayes: Kersjes, Myers, Richardson, Huson, Henry

Approval of Minutes:

On a motion by Mr. Henry, seconded by Ms. Richardson, and by the following vote of 5-0, the Planning Commission approved the minutes from November 14, 2022, as presented:

Ayes: Kersjes, Myers, Richardson, Huson, Henry

Public Presentations:

Public presentations are limited to issues that are not included on the meeting agenda. It is intended as an opportunity for the public to give input on relevant planning issues, and not intended as a question-and-answer period. Chairman Myers asked if anyone would like to speak on items not on the agenda, and told them they will be timed, you will have 3 minutes. No one came forward, the public presentation was closed.

Public Hearings:

CUP2022-11-01 – Jacob Horowitz – A request for a conditional use permit for a Short-term Tourist Rental. The property is located at 5433 Gooney Manor Loop and identified on tax map 44 as lot 18. The property is zoned Agricultural (A) and located in the South River Magisterial District.

Mr. Lenz stated the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in July of 2020. The applicant would like to make the property available year-round for short-term lodging for visitors of the Warren County area to help recover some of the costs of the recent construction of the dwelling on the property in 2021 and 2022. The owner will manage the property personally with assistance from a local point-of-contact for maintenance and immediate response to complaints. The applicant has experience renting out their property in Washington, D.C. to short-term guests and has consistently received 4- and 5-star reviews on Airbnb and VRBO.

Mr. Lenz stated the subject property is not located in a subdivision governed by an HOA/POA. There is a Health Department operation permit approving a maximum of six (6) occupants for a three-bedroom dwelling. The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 412' to the east.

Mr. Lenz reported Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

1. The applicants shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department operation permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.

5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and on the state and county roads shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Mr. Lenz stated that did receive a letter of support from one of his neighbors.

Chairman Myers asked the applicants if there's anything they would like to add about the property before opening the public hearing? The applicant was in attendance. He stated no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward. No one came forward.

Chairman Myers closed the public hearing.

On a motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote of 5-0, the Planning Commission forwarded the conditional use permit application of Jacob Horowitz for a for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Kersjes, Myers, Richardson, Huson, Henry

CUP2022-11-02 – Jeffrey May – A request for a conditional use permit for Gunsmithing services. The property is located at 425 Valley Road and identified on tax map 30C, section 1, block 2, lot 19. The property is zoned Agricultural (A) and located in the Happy Creek Magisterial District.

Mr. Lenz reported the applicant is requesting a conditional use permit for gunsmithing services in the Agricultural zoning district. The property is located at 425 Valley Road in the Green Hill Forest subdivision within the Happy Creek Magisterial District. Warren County Code §180-8C defines Gunsmithing Services as, *"A commercial enterprise, activity, or profession where a gunsmith performs repairs, renovations, safety inspections, modifications alterations for special uses, and appraisals of firearms. The sale of firearms is permitted with proper local, state, and federal licensing and regulations. Gunsmithing services shall not be deemed as a home occupation or home enterprise."* Given the state and federal regulations related to firearms services and the proposed operation will be conducted in an accessory structure, this is not considered a Home Occupation; however, the supplementary regulations and conditions are consistent with those of a Home Occupation to preserve the character of a residential neighborhood by requiring no

change in the outside appearance of the building or premises or other visible evidence of the conduct of such activity. Due to the nature of the operation, the detached garage provides a safe space to work outside of the residential dwelling. Per the application, all test firing shall be conducted offsite and there will be no discharge of firearms associated with the gunsmithing services operation on the property.

Mr. Lenz stated that the applicant has submitted an approval letter from the Board of the Green Hill Forest Community Association. Any test firing or shooting of firearms associated with the gunsmithing services use shall be conducted offsite. The applicant has submitted documentation requesting the following hours of operation: Monday through Friday 10 AM to 4 PM.

Mr. Lenz stated the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

1. The applicant shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The applicant shall obtain all Local, State, and Federal licensing and permits to operate commercial gunsmithing services.
3. There shall be no discharge/shooting of firearms on the property associated with the gunsmithing services.
4. Appointments for customers shall be permitted the during the hours of 10:00 AM to 4:00 PM, Monday through Friday. One only customer at any given time, and off-street parking shall be provided.
5. Natural vegetation buffer between neighboring parcels shall remain intact and replaced when necessary.
6. The applicant shall give Planning staff written consent to inspect the property and building used for the Gunsmithing Services operation to ascertain compliance with the supplementary regulations for Gunsmithing Services per Warren County Code §180-47.1 and Conditional Use Permit conditions upon a twenty-four-hour notice.

Chairman Myers asked the applicant if there was anything she would like to add about the property before opening to the public? The applicant was in attendance. He stated no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or

against this matter come forward. No one came forward to speak.

Ms. Richardson stated that she needed to abstain from this vote do to previous and potential future business with the applicant, Jeffrey May.

Chairman Myers closed the public hearing.

On a motion by Mr. Henry, seconded by Mr. Huson, and by the following vote of 4-0, the Planning Commission forwarded the conditional use permit application of Jeffrey May for Gunsmithing Services to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Kersjes, Myers, Huson, Henry

Abstain: Richardson

CUP2022-11-03 – Lydia Freeman - A request for a conditional use permit for Short-term Tourist Rental. The property is located at 400 Chipmunk Trail Lane and identified on tax map 24A, section 210, lot 420. The property is zoned Residential One (R-1) and located in the Shenandoah Magisterial District.

Mr. Lenz stated the applicant is requesting a conditional use permit for a short-term tourist rental for the property she purchased in February of 2022. The owner would like to make the dwelling she recently renovated available for short-term lodging for visitors of the Warren County area when her family is not using the property as an escape from the hustle and bustle of Washington, D.C. where they currently reside. The applicant has experience as a homeowner, landlord for both long-term and short-term rentals, and completing home renovations. The owner is passionate about “rescuing” properties through home renovations and she would like to share the fruits of her passion with short-term guests to help recover some of the costs of renovations, utilities, and maintenance. The applicant will manage the property personally.

Mr. Lenz stated comments have been received stating the Blue Mountain POA Board of Directors has no objection to this request. Comments have been received from the Health Department confirming the dwelling is approved for a maximum of six (6) occupants. This dwelling meets the setback requirement to adjacent single-family dwellings. The nearest dwelling is located 277’ to the northwest.

Mr. Lenz stated the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

1. The applicants shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.

2. The maximum number of occupants shall not exceed six as determined according to the Health Department operation permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Chairman Myers asked the applicant if there's anything they would like to add about the property before opening to the public? The applicant was in attendance for the property. She stated no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward. No one came forward to speak.

Chairman Myers closed the public hearing.

On a motion by Mr. Henry, seconded by Ms. Richardson, and by the following vote of 5-0, the Planning Commission forwarded the conditional use permit application of Lydia Freeman for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Kersjes, Myers, Richardson, Huson, Henry

CUP2022-11-04 - Sergiu Luca - A request for a conditional use permit for a Short-term Tourist Rental. The property is located at 104 Marino Lane and identified on tax map 15D, section 2, block 5, lot 128A. The property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District.

Mr. Lenz stated the applicant is requesting a conditional use permit for a short-term tourist rental for the property he purchased in September of 2022. The owner would like to make the property available for short-term stays for individuals visiting the Warren County area. The applicant will manage the property personally with assistance from local professional services for trash removal, cleaning, and maintenance.

Mr. Lenz stated the property is located in the River View Section of Shenandoah Farms. It is zoned Residential-One (R-1). There is a Health Department operation permit on file approving a maximum of six (6) occupants and three (3) bedrooms for the dwelling. The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 147' to the southeast.

Mr. Lenz stated the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

1. The applicants shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed six as determined according to the Health Department operation permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Chairman Myers asked the applicant if there was anything he would like to add about

the property before opening to the public? The applicant was in attendance. He stated no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward. No one came forward to speak.

Chairman Myers closed the public hearing.

On a motion by Ms. Richardson, seconded by Mr. Huson, and by the following vote of 5-0, the Planning Commission forwarded the conditional use permit application of Sergiu Luca for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Kersjes, Myers, Richardson, Huson, Henry

CUP2022-11-05 – Stacy Weng – A request for a conditional use permit for a Short-term Tourist Rental. The property is located at 5 Oakwood Drive and identified on tax map 13C, section 1, block B, lot 10A. The property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District.

Mr. Wendling stated the applicant purchased this property as an investment as a second home and for use as a Short-Term Tourist Rental in September 2022. They planned to be involved with the management of the property also and will oversee who will be renting the property along with the on-line rental service they choose to use. A Property Management Plan with contact information will be provided prior to the public hearings.

Mr. Wendling stated the property is in the Shenandoah Shores subdivision and a letter has been submitted to the contact for the POA of this subdivision for comments. Comments have been received from the Health Department confirming the three-bedroom dwelling is approved for a maximum of four (4) occupants. The proposed dwelling location meets the setback requirements to adjacent single-family dwellings, it is approximately 375' to the closest dwelling located to the northeast.

Mr. Wendling stated the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

1. The applicants shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.

2. The maximum number of occupants shall not exceed four (4) as determined according to the Health Department conditional/operational permit for a three-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Chairman Myers asked the applicant if there was anything she would like to add about the property before opening to the public? The applicant was in attendance. She stated no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward. No one came forward to speak.

Chairman Myers closed the public hearing.

On a motion by Mr. Henry, seconded by Ms. Richardson, and by the following vote of 5-0, the Planning Commission forwarded the conditional use permit application of Stacy Weng for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Kersjes, Myers, Richardson, Huson, Henry

CUP2022-11-06 - Matthew Williams & Jay Gilbert - A request for a conditional use permit for Short-term Tourist Rental. The property is located at 1862 Khyber Pass Road and identified on tax map 23A, section 321, lot 1A. The property is zoned Residential One (R-1) and located in the Happy Creek Magisterial District.

Mr. Lenz stated the applicants are requesting a conditional use permit for a short-term tourist rental on behalf of the owner who purchased the property in April of 2022. The owners would like to make their property available as a “home away from home” to visitors of the Warren County area. The applicants plan to manage the property personally with assistance from local professional services for cleaning and landscaping. The owners have two separate properties in Warren County with approved conditional use permits for short-term tourist rentals and no complaints have been received for either property.

Mr. Lenz stated comments have been requested from the Skyland Community Corporation and were received today not in favor of the application do to it not meeting one of their guidelines. Maximum approved occupancy will be confirmed upon receipt of comments from the Health Department. The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 180’ to the north.

Mr. Lenz stated the Planning Staff is recommending the following conditions be added to this conditional use permit to the Board of Supervisors.

1. The applicants shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed four as determined according to the Health Department operation permit for a two-bedroom dwelling.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Chairman Myers asked the applicants if there was anything they would like to add about the property before opening to the public? The applicants were in attendance. They stated no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward. No one came forward to speak.

Chairman Myers closed the public hearing.

On a motion by Ms. Richardson, seconded by Mr. Kersjes, and by the following vote of 5-0, the Planning Commission forwarded the conditional use permit application of Matthew Williams & Jay Gilbert for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Kersjes, Myers, Richardson, Huson, Henry

CUP2022-11-07 - Matthew Williams & Jay Gilbert - A request for a conditional use permit for Short-term Tourist Rental. The property is located at 1424 Khyber Pass Road and identified on tax map 23A, section 935, lot 28. The property is zoned Residential One (R-1) and located in the Happy Creek Magisterial District.

Mr. Lenz stated the applicants are requesting a conditional use permit for a short-term tourist rental for the property they purchased in October of 2022. The owners would like to make their property available as a “home away from home” to visitors of the Warren County area. The applicants plan to manage the property personally with assistance from local professional services for cleaning and landscaping. The owners have two separate properties in Warren County with approved conditional use permits for short-term tourist rentals and no complaints have been received for either property.

Mr. Lenz stated comments have been received from the Health Department indicating there are no records on file for the sewage disposal or water supply systems. The applicant will work with Health Department to properly document these systems servicing the property and the Certificate of Zoning will only be issued with approved Health Department records. The property management plan has been provided and will be reviewed by Planning staff prior to issuance of the Certificate of Zoning. comments have been requested from the Skyland Community Corporation and were received today not in favor of the application do to it not meeting one of their guidelines. The dwelling meets the setback requirement to adjacent single-family dwellings. The closest dwelling is 180’ to the north.

Mr. Lenz stated the Planning Staff is recommending the following conditions be added

to this conditional use permit to the Board of Supervisors.

1. The applicants shall comply with all Warren County Health Department, Warren County Building Inspections, and Virginia Statewide Fire Prevention Code regulations and requirements.
2. The maximum number of occupants shall not exceed the system capacity as determined by the Health Department permit per Warren County Code §180-56.4B. The Certificate of Zoning shall only be issued with approved Health Department records.
3. The applicants shall have the well water tested annually for e-coli and coliform bacteria and a copy of the results shall be submitted to the Planning and Health Departments.
4. The applicants shall have the septic system inspected annually by a State licensed inspector and a copy of the results shall be submitted to the Planning and Health Departments. The system shall also be serviced every five years as recommended by the Health Department and a copy of the service invoice shall be provided to the Planning Department.
5. The discharge of firearms and hunting on the property by guests shall be prohibited.
6. The use of All-Terrain Vehicles (ATVs) by guests on the property and within the subdivision shall be prohibited.
7. Outdoor burning and use of fireworks by guests shall be prohibited.

Chairman Myers asked the applicant if there was anything they would like to add about the property before opening to the public? The applicants were in attendance. They stated no.

Chairman Myers opened the public hearing, he asked anyone wishing to speak for or against this matter come forward. No one came forward to speak.

Chairman Myers closed the public hearing.

Mr. Henry stated the septic thing is not a big deal. He knows from personal experience there are lots of records missing from our state and local Health Department. It may be quicker and easier to hire someone to come out and uncover some pieces to try to figure out what you have and give it a rating.

On a motion by Ms. Richardson, seconded by Mr. Kersjes, and by the following vote of 5-0, the Planning Commission forwarded the conditional use permit application of Matthew Williams & Jay Gilbert for a Short-Term Tourist Rental to the Board of Supervisors with the recommendation to approve the request with conditions as recommended by staff.

Ayes: Kersjes, Myers, Richardson, Huson, Henry

Consent Agenda - Authorization to Advertise for Public Hearing

- A. R2022-10-01 - Rushmark Rockland Road, LLC** - A request for a rezoning from Commercial (C) and Residential One (R-1) to Industrial (I). The properties are located at 8561 Winchester Rd. and identified on tax map numbers; TM# 12A, section 116, parcels 1, 2, 3, 4, 5, 28, TM# 12A, section 110, parcel 26A and TM# 12, parcel 32C1. The properties are zoned Commercial (C) and Residential-One (R-1) located in the North River Magisterial District.
- B. CUP2022-10-01 - Rushmark Rockland Road, LLC** - A request for a conditional use permit for a building in excess of 50,000 square feet to be located in the Route 340/522 Highway Corridor Overlay District. The properties are located at 8561 Winchester Rd. and identified on tax map numbers; TM# 12A, section 116, parcels 1, 2, 3, 4, 5, 28, TM# 12A, section 110, parcel 26A and TM# 12, parcel 32C1. The properties are zoned Commercial (C) and Residential-One (R-1) located in the North River Magisterial District.
- C. CUP2022-12-01 - Remo Kommnick** - A request for a conditional use permit for a Short-term Tourist Rental. The property is located at 226 Judy Lane and identified on tax map 15E, section 5, block 5, lot 576A. The property is zoned Residential One (R-1) and located in the Shenandoah Magisterial District.
- D. CUP2022-12-02 - Robert Chevez** - A request for a conditional use permit for a Short-term Tourist Rental. The property is located at 604 Windy Knoll Drive and identified on tax map 20, lot 29F. The property is zoned Agricultural (A) and located in the Shenandoah Magisterial District.
- E. CUP2022-12-03 - Gabriel Gaillard & Natasha Nyirongo-Gaillard** - A request for a conditional use permit for a Short-term Tourist Rental. The property is located at 95 Pickford Court and identified on tax map 15E, section 5, block 5, lot 471. The property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District.
- F. CUP2022-12-04 - Nicholas E. & Cara S. Achterberg** - A request for a conditional use permit for a Short-term Tourist Rental. The property is located at 671 Thompson Hollow Road and identified on tax map 42B,

section 2, lot 12A. The property is zoned Residential-One (R-1) and located in the South River Magisterial District.

- G. CUP2022-12-05 - Shenandoah Shores Management Group, LLC -** A request for a conditional use permit for Short-term Tourist Rental. The property is located at 301 Rollason Drive and identified on tax map 13C, section 5, block 5, lot 944A. The property is zoned Residential-One (R-1) and located in the Shenandoah Magisterial District.
- H. CUP2022-12-06 - Jose L. Canales -** A request for a conditional use permit for Short-term Tourist Rental. The property is located at 68 Skunk Hollow Lane and identified on tax map 28, lot 68A. The property is zoned Agricultural (A) and located in the South River Magisterial District.
- I. CUP2022-12-07 - Natalya Scimeca -** A request for a conditional use permit for Short-term Tourist Rental. The property is located at 1086 Lower Valley Road and identified on tax map 17C, block H, lot 33. The property is zoned Residential One (R-1) and located in the Fork Magisterial District.

On a motion by Mr. Kersjes, seconded by Mr. Henry, and by the following vote of 5-0, the Planning Commission authorized item VII-A, to withhold R2022-10-01 - Rushmark Rockland Road, LLC for further discussion.

Ayes: Kersjes, Myers, Richardson, Huson, Henry

Ms. Jordan asked Chairman Myers to please discuss R2022-10-01 - Rushmark Rockland Road, LLC then we can move on.

Mr. Wendling asked that the board make a motion for the rest of the Consent Agenda.

On a motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote of 5-0, the Planning Commission authorized items VII-B-I, for the proposed condition use permit requests for advertisement for their public hearing as presented:

Ayes: Kersjes, Myers, Richardson, Huson, Henry

R2022-10-01 - Rushmark Rockland Road, LLC - A request for a rezoning from Commercial (C) and Residential One (R-1) to Industrial (I). The properties are located at 8561 Winchester Rd. and identified on tax map numbers; TM# 12A, section 116, parcels 1, 2, 3, 4, 5, 28, TM# 12A, section 110, parcel 26A and TM# 12, parcel 32C1. The properties are zoned Commercial (C) and Residential-One (R-1) located in the North River Magisterial District.

Mr. Wendling stated that the applicant is requesting to rezone 9 parcels consisting of total 77.584 acres from Commercial (C) and Residential-One (R-1) to Industrial (I) all of which apply to the amended proffers. The total acreage of the properties to be rezoned to Industrial (I) are 70.094 acres. The properties are located on Winchester Rd., Rockland

Road, and Rockland Court in the North River Magisterial District. The applicant is proposing four warehouses as part of a distribution center with a total of 985,735 ft². They are proposing and option for developing the property with a data center. Though the County ordinance currently does not list this as an authorized use in the Industrial zoning district the applicant has submitted proffers for potential for the future adoption of the land-use.

Mr. Wendling stated the proffers address transportation, economy, the environment, fire and rescue, public water, and sewer. The site plan will need to be approved by DEQ and meet specific performance objectives regarding stormwater. Outside agencies will be sent a request for comments for both the Rezoning, Conditional Use Permits, and site plans if the use is granted the Board of Supervisors approval. The site plan will be reviewed by Planning staff to make sure zoning ordinance requirements are met to mitigate the impact of the proposed development. The Future Land Use Map in the Comprehensive Plan identifies this area to be used for commercial land uses and zoned Commercial (C). The request currently is not compatible with the Future Land Use map of the Comprehensive since this property is shown to be Commercial. The Planning Commission and Board of Supervisors would need to amend the Future Land-use map to comply with Chapter 4 of the Comp Plan.

Warehousing and distribution facilities are a land-use allowed by-right in the Industrial zoning district and is compatible with the current Warren County Zoning Ordinance. The Industrial (I) district is intended, *"...for a variety of industrial uses which, with appropriate screening and without the emission of noise, dust, smoke, odor, toxic gases or hazardous substances, can be conducted in such a manner as to not adversely affect nearby properties."*

Mr. Wendling stated the applicant has submitted proffers which are currently under review. County staff will provide comments at the public hearing on those. This application does require a Comp Plan amendment for future land use map to Industrial as a current future land use map is shown to be Commercial. The applicants are here this evening and will show a short presentation and can answer any questions you may have.

Mr. Kevin Rivera the attorney for the applicant stated he had with him Dan Doty a representative of Rushmark Rockland Road and William McBeth who is their architect. He is here tonight to lay the land and review what you're looking at for the January hearing.

Mr. Rivera began by thanking staff for working with them. Rockland Road Development Rezoning or Conditional Use Permit slide. They are sister applications in a way because the Conditional Use Permit is required. It seeks a building greater than 50,000 sq. ft. within the Highway Corridor Overlay District. The main topic they will be talking about is the Rezoning but both applications are required for the Rockland Road development to be developed. It consists of 9 different tax map parcels and described where the property on

Rockland Road is located. The Dupont facility is to the Northeast, Kelly Industrial Park is to the east, the power station is immediately to the southeast of the property. It is 77.5848 acres, roughly and is mostly undeveloped with a couple exceptions. One is a residential home that would be demolished for this application and a couple of easements and utility structures on the property.

Mr. Rivera stated throughout the current owner's ownership of this property it's been burdened a number of times through various actions. Powerlines intersect various parts of the property. There is a gas easement that runs north and south through the center of the property. Rockland Rd. has roughly 7.5 acres that runs in the remainder of the property. This property has a significant history of development projects that have somewhat limited its development potential in many ways.

Zoning and Comp Plan slide, the property is currently designated Commercial (C) and Residential - One (R-1). It is largely surrounded by Industrial (I) properties to the northeast and southeast then 340/522 corridor that runs along side the western part of the property. The property currently has zoning approval for a shopping center in 2004 or 2005. Since that time that shopping center has not been developed on the property, the market has not supported that use. In the submission packet you will see a letter from Rappaport explaining some of the history behind it. They had been actively marketing that site, but development has not come to it for the shopping center use. The applicant is seeking a rezoning to Industrial (I) and Commercial (C) with proffers. To clarify it is currently zoned Commercial (C) in many areas we would be rezoning some of that property to Commercial (C) as well and replacing the proffers. The result in zoning would be Industrial (I), largely, with a segment above Rockland Road left as Commercial (C) but with a new set of proffers. On the right-hand side, you see the new set of plans designation which is entirely Commercial (C). That has not come to be despite the owners' efforts. The Comprehensive Plan shows that between Country Club Road and Fairground Road the land is designated as Industrial (I) and Commercial (C) zoning along the Route 340/522 corridor to the east. The property we are talking about today is right in the Industrial (I) where it meets the Commercial (C) area. The Comprehensive Plan designation was brought up today because it will probably be a topic of discussion throughout this process and while we go through this case. Staff has rightfully pointed out the use of the applicant seeking right now is not supported by the right of designation. Mr. Rivera wanted to respectfully submit a couple of ideas about this Comprehensive Plan, mainly its' legal status. The Comprehensive Plan is a guide and as a guide it was never intended to be influentially followed. It does require a considerable consideration as applications are presented before you. It also needs to incorporate market realism as well. The private sector is the group that is tasked with the development of these properties. Executing the plan that is shown in your Comp Plan, if it is ever intended to be developed it certainly needs to show the market realism. The other things to highlight about the Comprehensive Plan there are the written goals the County seeks to accomplish, and some of the goals incorporate things like the diversification of the Warren County tax base, the strengthening of the tax base, the consolidation of Industrial

uses on similar uses, nearby similar uses, and other things to consider. While this project does not necessarily support the designation of what is being proposed today there are many other aspects of the Comprehensive Plan that do support the use the applicant is going to be pursuing for this property. While Commercial (C) has proven to be infeasible on this property despite repeated efforts by Rappaport (Cedarville LLC), there has been shown to be an existing significant need for other uses mainly Industrial (I) uses in Warren County and in the greater region. Mainly the other uses are warehousing and distribution uses. You will see a letter of support from the Virginia Inland Port that will outline some of the market trends and the existing needs which support this use, mainly a low vacancy rate for warehousing uses in the general area. The last thing Mr. Rivera would like to highlight is that the applicant is coming to you with a fully funded project that is ready to go as soon as there is final approval for it. The Commercial (C) designation and the shopping center use has proven to be stagnant for a long period of time and is not in a similar state.

Mr. Rivera also wanted to flag another topic that will be of discussion. You are looking at the Route 340/522 corridor transportation plan that is part of the comprehensive plan. On the map there is a planned connector road that is set to intersect the property, and this would be yet another way that the property would be burdened with a large roadway in our section. The applicant has explained to Mr. Rivera that if that roadway is to be built on the property the project becomes economically infeasible. While we have spoken to Staff repeatedly about these issues, mainly this planned connector road and have reviewed potential alternatives to allow for this road network to exist on the property it does not look like we can accommodate the planned road. With that being said, the applicants are proposing a use today that will bring significantly less traffic in the plans than the one that is already approved on the property. You have approval for a shopping center which will roughly result in about 30,000 daily trips to and from the site. This would be about 4,000 daily trips; the PM hours would be similarly reduced from about 2,700 to 250. When you look at the relative need for this Route 340/522 corridor transportation plan considering the intense of the use of what is proposing at this point it is diminished.

Mr. Rivera showed a conceptual exhibit of the property. The applicant is looking to propose about 985,735 sq. ft. of warehousing and distribution facilities split across the 4 different buildings. The general plan of development here is to develop the property from east to west with that final building closest to Rt. 340/522 being the last one to be developed. The area north of Rockland Road is not shown because it is being reserved for the Commercial (C) uses in the hope that we can accommodate some of the Comprehensive Plan's vision for that area as well. Mr. Rivera also wanted to talk a little bit about the data centers, it is a component of the property project, and the applicant is seeking the right to reserve the right to develop the property with Data Centers, should the Board of Supervisors ultimately allow that use. There is a series of submissions for proffers if that land-use would be allowed. They realize it is a topic of ongoing consideration and that it has not been approved at this point, but they think that this site would be a site to allow the County to

capitalize on an industry that has in some people's view had negative externalities on communities. This is a site that is located next to high power transmission lines in fact crossing the property, is Industrial in nature for warehousing and distribution use and is proven to have less traffic use than the commercial use as a shopping center would have been which is the main focus of this application. It really is an opportunity for the County from our perspective. It is not something they (the applicants) seek to push on you if it is something you do not think would be accommodable on this site please keep in mind that though we have incorporated this data center use in the project proposal that we think would be a prime location for this use and a great opportunity for the County, this is first and foremost a warehousing distribution application. If a user came along that wanted to develop the site with data centers, he thinks it would be a great benefit but that is not the main subject of this approval proposal it is just an opportunity.

Dan Doty a representative of Rushmark Rockland Road

Mr. Doty wanted to highlight one or two things: As Mr. Rivera mentioned there is a long history on this site. Rappaport are commercial and retail experts; they have been unable to develop this as commercial retail through multiple cycles over the last 15 years. We think this is a logical location for the logistics part. It is near the Inland Port, which desperately needs space. It is surrounded by other industrial buildings and has an industrial character at this site for reasons Mr. Rivera mentioned. Rushmark is a privately owned real estate development company owned by two families. They have existed for 20 years and are backed by a construction company that is owned by the families that has been around for 9 years. We would like to be long term owners of this site and potentially never have to sell. We want to do what is in the best interest of the community. We do not want to do anything that is going to have a reverse impact. We have tried to be as responsive as possible to some of the concerns that have been raised. Mr. Doty wanted to point out that they are ready to develop, they want to pursue this on speculation without a tenant on hand, they have the capital to do immediately, which most other developers don't have in the current capital market of its environment. Although they have not started marketing the site because they do not have the entitlement that they need, they have been approached by three separate tenants comprising of approximately 300,000 sq. ft. That is roughly 1/3 of the density they would build on the site. Those tenants stated they would provide roughly 300 jobs in skilled light manufacturing work. We think that's a good endorsement for this project. We hope we can do better than that when this project becomes a reality, and we think it's a lot of good things for this community in terms of bringing jobs and broadening the tax base. Lastly, just wanted to touch on the four points where we have tried to be as responsive as possible to the concerns raised by Warren County. The first one is having the parcel to the north of Rockland Rd. remain zoned Commercial, we reconfigured our parking so that we could keep that Commercial, so we have tried to accommodate that request. The second is that we know there is congestion at Country Club Rd. and Winchester Rd., we are proffering \$937,000.00 to be used for improvements at the intersection, which hopefully will alleviate a problem that already exists before this project is built. The road running through the site is part of the Route 340/522 corridor

transportation plan, as Mr. Rivera mentioned, we think it is not necessary given we are going to have significantly less traffic. We are going to be in an industrial park with fewer trips and we think it might not substantiate a safety issue. Our transportation consultant has looked into this extensively and does not believe that road solves any issues. Virginia DOT will weigh in on this, they are much smarter than I am on this. Lastly, there has been concerns raised that the building along Winchester Rd. is very large in scale and very close to the road. It meets set back by the mandatory 100' although I would note that there is precedence for very large-scale structure along Winchester Rd., we would try to mitigate that by architectural treatments and landscaping so that it is as visually appealing as soon as possible. He thanked everyone for their time.

Mr. Rivera speaking; he described a slide he has up would be a view of the building from the intersection of Rockland Rd. and Route 340/522N. One of things they are proffering into the application, is to limit the size of the building to keep it to a 50' height. An alternative view as well from the southwestern corner and a little bit closer on the building as well. They are proffering general conformance to the general architect themes that are seen in the images. We are hoping it will give the County a little bit more certainty and security with what is going to be seen from the road on this site. Mr. Rivera stated that was all for today and he would be happy to answer any questions anyone may have. He asked Mr. Wendling if he missed anything.

Mr. Wendling stated he thought he got everything and thanked him for coming.

Mr. Huson asked how large is it?

Mr. Rivera replied about a total of 77.584 acres, roughly. He showed a slide of the parcel and where exactly it sits.

Ms. Richardson asked if the residential house to be demolished is the house that is right off Route 340/522N that had burnt down?

Mr. Rivera replied yes, that is correct.

Ms. Richardson asked if there would be any other residential houses that would be impacted?

Mr. Rivera replied no, this is the only one that is constructed on this site.

Chairman Myers stated he had heard some concerns in the past especially from the Town on how there is an aquifer that cuts across that property to a spring and a lot of concern on being environmentally sensitive. We know we are in a karst area and when you start blasting the water table drops and goes away. Have you done any studies on how to protect this?

Mr. Rivera replied, great question, this is something to consider here, and we have done an environmental fact review of this site study and fact review of the site. It is included in our submission to the County, and I am happy to share that or discuss that with you in a little more detail. It would be served by public water and sewer here on the site, we wouldn't be discharging into the aquifer. We are also proffering a monetary contribution for water quality monitoring, recognizing that if you increase and serve in many areas there is an additional need to watch for the quality of the water in the water shed. The applicants will be contributing about \$75.00 an acre to help the County in that way.

Mr. Kersjes stated he hears quite a bit from residents up the street in Blue Ridge, the gap between there and the grocery stores we have they keep talking about Trader Joe's. If you look at their product they don't go into large buildings, they kind of are in funky areas usually and they provide a great service. We are kind of a (food and grocery) desert out here we have Martin's and Wal-Mart.

Mr. Rivera stated he hears him on a couple of levels here. Number one he loves Trader Joe's, who doesn't. On that point, this Commercial out parcel here, we do not have plans for commercial development, but we are retaining it for something in the future. We can not really control the market right or weather or not a developer will come through and develop that out parcel with a Trader Joe's. He would certainly hope someone would come along and would do that. We are recognizing the need speaking of the members of the community we have been speaking to, we would love to be in touch with them as well recognizing they might have an interest in this property. Please feel free to talk to him or pass along contact information, they would love to speak to them.

On a motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote of 5-0, the Planning Commission authorized item VII-A, for the proposed condition of rezoning from Commercial (C) and Residential (R-1) to Industrial (I) and Commercial (C) use permit requests for advertisement for their public hearing as presented.

Site Plan Approval:

BR2021-10-01 Sheetz Inc. - Linden - A request for final site plan approval for a Sheetz convenience store with gas pumps and a public-school bus stop and shelter with drop-off parking area. The property is located on Route 79 (Apple Mountain Road), is zoned Commercial (C) and Agricultural (A) and is identified on tax map 31 as parcel 39.

Mr. Wendling stated attached is a final site plan from Sheetz Inc. - Linden seeking the Planning Commission's approval for a 6,139 square foot convenience store with 6 two-sided gas pumps. This project includes as school bus stop with student drop-off parking and a bus shelter. The retail space and automobile fueling station are uses permitted as a matter of right pursuant to section 180-27(B)(14) "*General retailing and wholesaling uses...*" and 180-27(B)(3) "*Automobile filling station*" of the Warren County Code.

Planning staff has reviewed the information submitted with this application. The site plan appears to meet the zoning ordinance requirements for parking, buffering, setbacks, lighting, building materials renderings/elevations and landscaping. We have requested comments from the Virginia Department of Transportation, Warren County Building Inspections (Erosion and Sediment Control), Virginia Department of Environmental Quality (Stormwater) & Office of Water Quality, Rappahannock Electric Cooperative, Warren County Emergency Services, Warren County Public Schools, and the Warren County Health Department.

Mr. Wendling stated in an e-mail to the Planning Department dated 11/29/2022 the Warren County Health Department - Environmental Health Manager, Jim Davis states they plan to issue a construction permit for an alternative onsite sewage system in the next week or two.

County staff and the applicant have met with VDOT to review this site plan, to discuss all the public transportation improvements along the front of this property on Rt. 79 Apple Mountain Road based on the traffic impact analysis submitted by the applicant. There are still a few issues that are being worked out with VDOT and VA DEQ for stormwater, so approval of this site plan should be contingent upon final approval from both agencies.

Mr. Wendling stated the applicant's engineer, Katherine Robinson from Bohler Engineering is in attendance tonight if you have any questions. There are also two other gentlemen in attendance tonight representing Sheetz.

Mr. Myers stated, from the public hearings one of the many items they brought up was availability of water. Curiously asking how many gallons of water a minute did they get? John Eidberger, the project manager engineer agent with the Linden, Apple Mountain Sheetz replied, they drilled a well months ago and then did a 24-hour stress test, which is a 24-hour pump down test that we do. The result to that we were drawing was 19.5 gallons per minute and that is an adequate amount for the Sheetz. We are now working on a design for the interior water distribution system in the building.

On the following motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote of 5-0: Satisfied that the Sheetz Inc. - Linden request to construct a convenience store and gas station in the Commercial (C) zone as proposed meets the requirements of Warren County Code Section §180-64, I move that the Planning Commission grant approval of the site plan and so inform the Board of Supervisors of their action. Such approval is granted contingent upon final approval from Virginia Department of Transportation, Warren County Health Department, Virginia Department of Environmental Quality, Warren County Building Inspection, and the Planning Departments.

Commission Matters

A. Planning Director – Capital Improvement Plan 2023 -2028 follow-up comments, update on text amendment for Light Industrial and Data Centers, other proposed Zoning text amendments, FY 2023 Work Session schedule for Comprehensive Plan and data status update and discussion of Browntown Community Center Association’s comments and survey.

Mr. Wendling stated the following:

Capital Improvement Plan 2023 -2028 follow-up comments: We are finished for now and Ms. Logan would be happy to hear that we were able to complete it this evening. We will keep you posted on the final tallies for it.

Update on text amendment for Light Industrial and Data Centers- The Board recently had a work session. We discussed the text amendment for Light Industrial and Data Centers, they wanted to table it and will decide on it, possibly at the January 3rd meeting on the current draft of the ordinance. He believes they will be reevaluating the ordinance in the future based on some of the conversations we had with the Board we will know more on that after the next meeting, and we will bring that to the Planning Commission once further research and drafting gets done if necessary. We do have a few other proposed text amendments we may be looking at in the upcoming year. Potential for evaluating some of the Short-term Tourist Rentals and what we are seeing with the amount of those coming through and potentially a couple of other items that are related to some Commercial (C) uses in the Agricultural (A) zoning district.

FY 2023 Work Session schedule for Comprehensive Plan and data status update and discussion of Browntown Community Center Association’s (BCCA) comments and survey, Mr. Wendling stated he would be glad to get some input on that if you want to meet. When would be best to meet for that? We do have some data that has been provided from the Northern Shenandoah Valley Regional Commission (NSVRC) since they did some data mining on the demographics and economic development sections and for some in the land-use section. We will be putting that in the plan and developing a draft of the Comp Plan in the near future. Considering what we are seeing come through we might want to look at the March time frame and see where we are with that schedule. In reference to the Comp Plan, Mr. Wendling stated he has meet with the Browntown Community Center Association (BCCA) recently. They provided comments and surveys that have been passed along, which are in the Planning Commission’s packets. We had a very informative and productive discussion and meeting yesterday. We will be moving forward with incorporating some of their comments regarding updates to the Comp Plan.

Mr. Wendling wished everyone a very blessed Merry Christmas.

B. Commission Members

Mr. Kersjes wished everyone a Happy Holiday and New Year.

Chairman Myers wished everyone a very happy and joyous whatever you celebrate.

Mr. Henry wished everyone a Merry Christmas. Mr. Henry questioned the Rockland Rezoning, he feels it will be good overall but before he can vote on that, they are talking about doing away with the Rt. 340/522 Corridor Connector Road?

Mr. Wendling stated, yes sir for all intents and purposes that would end on that side.

Mr. Henry stated he would like to see it end at Rockland Road. He wants them to develop the property he thinks it is good he would like to see something done with it and has no problem with the Data Center. There is nothing but big buildings and power lines out there. He feels that is a perfect opportunity for Industrial (I) and Commercial (C) has not done well and it really fits our Comprehensive Plan for that Corridor. They are going to do their own traffic study and I kind of know how the transportation study works when you pay for it, it comes back and it kind of says what you want it to say.

Mr. Wendling stated they have submitted a traffic study; the Traffic Impact Analysis but is 252 pages and he would be glad to share it.

Mr. Henry stated for common sense do we have anyone we can talk to about that Corridor Road not making it to Rockland Road. We have the Lowes and all that stuff there, he thinks everyone was kind of counting on it. This seems like years back when we were with, he thinks Doug Stanley and Taryn and they would bring us all these Corridor Roads that would take a load off of 522 to keep some of the not thru traffic flow off. He understands that they are going to have less trips, but they are still going to have 4,000 trips a day, which is still significant. He would really like to know and would like as much information as possible besides their data.

Mr. Kersjes stated he sees the corridor was planning for a retail area, now that you don't have the retail when he comes out of the Wal-Mart parking lot onto Rt.340/522 and gets to Rockland Road very seldom does he see anyone coming out of that road at any time, daytime, night, or weekends so that Corridor would not take that much traffic off of Rt.340/522.

Mr. Henry stated probably not.

Mr. Kersjes stated he thinks having a retail center there would provide a service road for getting to those other retailers that we do not have anymore.

Mr. Henry stated it could have stayed Commercial (C) it would have been all retail shops. The Corridor Road would have been a necessity we would have had to have it, it would have been all built into it (the shopping center). I would be curious to what the overall impact will be from the Corridor Road.

Chairman Myers stated out of the 4,000 vehicles how many those are trucks? He knows most will be, but he would like to see that data.

Mr. Henry stated he thinks Industrial fits our Comprehensive Plan and warehouses do so in the big scheme of the growth of that area. That Corridor Road at one time used to be considered important.

Mr. Wendling stated two of the things to note on that item are what do we have existing in place, just what has been identified from Country Club Road, let's just say, up to the road that serves the Kelley Industrial Park. What pieces have been put in place? The other thing is to work with VDOT and let them review the TIA that they have been provided and to see is there some sort of alternative or a compromise, something in lieu of bisecting that parcel, potentially getting an easement that allows for an additional lane to serve Rockland Road along Route 340/522N. He is not a transportation engineer.

Mr. Henry stated even if it gets to that property, they proffered property at the hotel there at the circle and all that stuff. If we are not going to build any of that road, then they need to give that property back.

Mr. Wendling stated he can tell you the Front Royal Self Storage has dedicated a small strip of land to the very back of that property where currently that will serve as their storage for boats, RV's, motor homes, campers, and recreational vehicles. They have no plans on building the rear structures anytime soon, until the market demands it. They do plan on putting up security fencing and having that surround the parking areas. They have dedicated a small piece of that storage area. Again, they are in the process of building and once that is done until that road is built, they are going to continue to use that land for storage. Consequently, the question we have is how soon you expect something like that to happen, what do we have in place right now, and what is an alternative to potentially going directly through this property and Rushmark Property if it's even in the future use.

Chairman Myers stated right now it is called Carolina Drive by the (Marriot) hotel when you come out on the other end up there it kind of comes back behind the jail and Equus.

Mr. Wendling stated, right, that is Winners Court.

Mr. Henry stated he really doesn't want anymore entrances onto 522, he doesn't know if there is any benefit to this.

Mr. Wendling stated one of the other things he will mention, this is just to consider because staff has some concerns, by rezoning that property you are pretty much saying ok there is no more Commercial (C) in that area. Between the parking and their warehouse building in the front that will severally restrict that kind of further development. That leaves us with narrow lots of Commercial (C) going up the west side of 340/522 which are basically limited by Crooked Run and a steep slope on the back side of those properties and the Crooked Run Two property which basically is shot down unless someone wants to pony up \$25,000,000-\$27,000,000 for a new bridge. In his conversations with Mr. Murphy, who owns that property, he would be open to doing pretty much anything even if he could access it from the back part on Ritenour Hollow Road. He is watching this pretty closely. Mr. Wendling wanted to make everyone aware that this is an important thing to consider, not taking sides or anything but it is Commercial (C) land.

Mr. Henry stated he would have supported it going Industrial (I) but not going Residential. He is trying to support this if he can figure out the Corridor.

Mr. Wendling stated we would work on that; he thinks before the Planning Commission moves forward, we will make sure all comments from agencies are submitted and properly reviewed. This is too big of a project to move on with those and he thinks you have to have a really good feel about your decision on this project. We will make sure we get as much information to you for the next meeting.

Ms. Richardson shared for everyone to stay safe over the holidays.

C. Senior Assistant County Attorney; Caitlin Jordan

She stated and wished everyone a Very Merry Christmas and Happy New Year.

D. Planning Department Staff; Zoning Administrator, Chase Lenz - Update on VAZO Certification, Site Plans, Zoning Permits, Zoning Violations

Update on VAZO Certification-Mr. Lenz stated he did get his certificate for the Certified Zoning Administrator; the email signature has letters after it, and this is his second certification. He has the Certified Floodplain Manager (CFM), and Matt has hat certification as well.

Sheetz Site Plan- Mr. Lenz stated we have some comments out for that on their building permit.

As far as the Zoning Permits, it is mostly residential a few commercial permits. The biggest application he has right now is both the site plan and building permit is Wal-Mart. They are applying for an addition to expand their pickup order area. A large portion of the store is being remodeled; he believes it is waiting for an administrative approval on the building side of this. He asked Matt if this is correct?

Mr. Wendling replied yes.

Mr. Lenz stated the Planning Commission won't see this site plan, but he would be happy to provide updates as it progresses. As of today, we do have comments out to Wal-Mart.

Mr. Lenz stated our Zoning Officer Chris Brock has moved on to the Sheriff's Office. For the time being he will be back out on the streets until we can get his replacement for zoning enforcement.

Chairman Myers stated there is a paved area that is kind of across from the Cracker Barrel. He had heard at one time it would maybe end up being a gas station.

Mr. Lenz stated he believes the Wal-Mart site plan shows it has opened parking.

Mr. Wendling stated yes, they withdrew that a long time ago. The benefit to that parking area is that some of the parking they are taking up for this project will kind of offset what they will have available.

Mr. Lenz stated he believes it is a 30x127 foot addition and will take up 45 parking spaces.

Adjournment:

Chairman Myers called for a motion to adjourn, on a motion by Mr. Henry, seconded by Mr. Kersjes, and by the following vote of 5-0 the meeting was adjourned at 8:15 PM.

Warren County Planning Commission
Chairman