

Warren County Planning Commission Meeting Minutes of June 9th, 2021

At a regular meeting of the Planning Commission of Warren County held in the Warren County Government Center on June 9th, 2021 at 7:00 PM.

Present: Robert Myers, Chairman (Happy Creek District); Hugh Henry, Vice Chairman (Fork District); Scott Kersjes (North River District); Joseph Longo (Shenandoah District); Kaylee Richardson (South River District); Caitlin Jordan, Assistant County Attorney; also, present Joe Petty, Planning Director; and Natalie Lentz, Administrative Assistant

Absent: Matt Wendling, Deputy Planning Director

Adoption of Agenda:

On a motion by Mr. Henry, seconded by, Mr. Longo and by the following vote, the Planning Commission adopted the agenda as presented:

Ayes: Myers, Henry, Longo, Kersjes

Approval of Minutes:

On a motion by Mr. Kersjes, seconded by Mr. Henry and by the following vote, the Planning Commission approved the minutes as presented:

Ayes: Myers, Henry, Longo, Kersjes

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; no one came forward, so the public presentation was closed.

Public Hearings:

CUP2021-05-01- 9700 Court, LLC

A request for a conditional use permit for an enclosed storage facility. The property is located at North River Square Lot 4, Winchester Road and Identified on tax map 12B, section 1, block 1, lot 1. The property is zoned Commercial (C) and located in the North River Magisterial District.

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Mr. Petty shared that the applicant is requesting a conditional use permit for enclosed storage. The property is located on Winchester Road in the North River Magisterial District. The proposed facility will consist of two phases. The first phase includes a building footprint of 21,000 square feet, the three levels total 63,000 square feet, which provides 48,058 square feet of rentable space. The second phase includes a building footprint of 21,000 square feet, the two levels total 42,000 square feet, which provides 32,000 square feet of rentable space will be constructed in the future dependent on market demand. The property lies within the County's Highway Overlay District, which has architectural requirements on all building façades visible from the corridor highway (Route 340/522). Another requirement of the Highway Corridor Overlay District is no outdoor storage, which would include recreational vehicles, boats, and cars that are being stored on the property. They will need to be fully screened from view of the highway corridor. The Planning Department has been working with the applicant on the screening process and landscaping. Mr. Petty shared the following conditions recommend by staff if approved:

1. The applicant shall comply with all Virginia Department of Transportation, Town of Front Royal Public Works Department, Warren County Building Inspections, and applicable environmental regulations and requirements.
2. The applicant shall submit a formal site plan to the County prior to the issuance of a building permit.
3. The permanent color of building materials shall be earthen tones in compliance with the County's Highway Corridor Overlay (HC) District ordinance and all building facades visible from Rt. 340/522 shall be constructed of a combination of stone and Drvit/EFIS or similar material as approved by the Warren County Planning Department.
4. All outdoor lighting fixtures shall be full cut off fixtures as required by the Warren County Zoning Ordinance.
5. The property shall be in compliance with Warren County Code Section 180-45.5 regarding the supplemental regulations for self-storage facilities.

Mr. Petty stated that he would be happy to answer any questions and the applicant is also present to answer any questions.

Chairman Myers thanked Mr. Petty and asked if there were any questions; there were none.

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Chairman Myers opened the public hearing. He asked if anyone wishes to speak for or against this matter; no one came forward. The public hearing was closed.

Mr. Henry shared that this use seems to be a good fit for this commercial area.

Mr. Henry moved that the Planning Commission forward this request to the Board of Supervisors with the recommendation to approve the conditional use permit request of 9700 Court, LLC for an Enclosed Storage Facility with the conditions as recommended by staff.

Mr. Kersjes seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Longo, Kersjes

CUP2021-05-02- 9700 Court, LLC

A request for a conditional use permit for the storage of cars, boats, and recreational vehicles. The property is located at North River Square Lot 4, Winchester Road and identified on tax map 12B, section 1, block 1, lot 1. The property is zoned Commercial (C) and located in the North River Magisterial District

Mr. Petty shared that the applicant is requesting a conditional use permit for the storage of cars, boats, and recreational vehicles. The property is located on Winchester Road in the North River Magisterial District. The proposed facility will consist of two phases. The first phase includes a building footprint of 21,000 square feet, the three levels total 63,000 square feet, which provides 48,058 square feet of rentable space. The second phase includes a building footprint of 21,000 square feet, the two levels total 42,000 square feet, which provides 32,000 square feet of rentable space will be constructed in the future dependent on market demand. The property lies within the County's Highway Overlay District, which has architectural requirements on all building façades visible from the corridor highway (Route 340/522). Another requirement of the Highway Overlay District is no outdoor storage, which would include recreational vehicles, boats, and cars that are being stored on the property. They will need to be fully screened from view of the corridor highway. Mr. Petty also shared the following conditions that have been recommended by staff if approved:

1. The applicant shall comply with all Virginia Department of Transportation, Town of Front Royal Public Works Department, Warren County Building Inspections, and applicable environmental regulations and requirements.
2. The applicant shall submit a formal site plan to the county prior to the issuance of a building permit.

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3. The area on the property for the storage of RV's, boats, and cars shall be adequately screened from view of Route 340/522 North in accordance with the County's Highway Overlay District and as approved by the Warren County Planning Department.
4. All vehicles shall have valid tags and inspections while stored on the site.
5. The storage of recreational vehicles, boats, and cars on the property shall be in conjunction with the enclosed storage facility (CUP#2021-05-01).

Mr. Petty stated that he would be happy to answer any questions and the applicant is also present to answer any questions.

Chairman Myers opened the public hearing. He asked if anyone wishes to speak for or against this matter; no one came forward. The public hearing was closed.

Mr. Kersjes questioned if there will be enclosed storage for classic vehicles and if so, will they need valid tags and inspections while stored inside.

Mr. Petty shared that the zoning code only requires vehicles stored outside to have valid tags and inspections. If the applicant wishes to store vehicles indoors, he may need to contact the Building Department to make sure everything is up to code and see if there is a difference between storing personal goods and automobiles.

The applicant Brian Tomayko (8600 Glen Myrtle Avenue) came forward to share that they will discuss the storage of vehicles indoors with their contractor and architect. They did have a plan for drive up storage mainly for contractors to use to store extra supplies, but they could also visit the idea of storing vehicles in this area as well.

Mr. Myers asked if there were any further questions; there were none.

Mr. Longo moved that the Planning Commission forward this request to the Board of Supervisors with the recommendation to approve the conditional use permit request of 9700 Court, LLC for the Storage of cars, boats, and recreational vehicles with the conditions as recommended by staff.

Mr. Kersjes seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo

CUP2021-05-03- 9700 Court, LLC

A request for a conditional use permit for a Building in Excess of 50,000 Square Feet located in the Route 340/522 Highway Corridor Overlay District. The property is located

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at North River Square Lot 4, Winchester Road and identified on tax map 12B, section 1, block 1, lot 1. The property is zoned Commercial (C) and located in the North River Magisterial District.

Mr. Petty shared that the applicant is requesting a conditional use permit for a Building in Excess of 50,000 Square Feet located in the Route 340/522 Corridor Overlay District. The property is located on Winchester Road in the North River Magisterial District. The building is part of a proposed Enclosed Self-Storage Facility which will consist of two phases. The first phase includes a building footprint of 21,000 square feet, the three levels total 63,000 square feet, which provides 48,058 square feet of rentable space. The property lies within the County's Highway Overlay District, which has architectural requirements on all building facades visible from the corridor highway (Route 340/522). Mr. Petty also shared the following conditions that have been recommended by staff if approved:

1. The applicant shall comply with all Virginia Department of Transportation, Town of Front Royal Public Works Department, Warren County Building Inspections, and applicable environmental regulations and requirements.
2. The applicant shall submit a formal site plan to the county prior to the issuance of a building permit.
3. The exterior façade of the building shall meet the County's Highway Overlay District and as approved by the Warren County Planning Department.
4. All mechanical equipment shall be shielded and screened from the public view and designed to be perceived as an integral part of the building.

Mr. Petty shared that he would be happy to answer any questions and the applicant is also present to answer questions as well.

The applicant Kevin Tomayko (8159 Rie-Bob Lane) came forward to share that they are aware of the screening requirements for this property, and this is the least amount of square footage they could get for this use.

Chairman Myers asked If there were any questions; there were none.

Chairman Myers opened the public hearing. He asked if anyone wishes to speak for or against this matter; no one came forward. The public hearing was closed.

Mr. Henry moved that the Planning Commission forward this request to the Board of Supervisors with the recommendation to approve the conditional use permit request of 9700 Court, LLC for a building in Excess of 50,000 Square Feet Located in the Route 340/522 Highway Overlay District with the conditions as recommended by staff.

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Mr. Longo seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo

Authorization to Advertise:

CUP2021-06-01- John Suh

A request for a conditional use permit for a short-term tourist rental. The property is located at 515 Corron Drive and identified on tax map 19, lot 83F. The property is zoned Agricultural (A) and located in the Fork Magisterial District.

Mr. Petty shared that he will be standing in for Mr. Wendling this evening therefore he will be reading his items on the agenda and apologizes if he misses any details.

Mr. Petty shared that the applicant is requesting a conditional use permit for a short-term tourist rental for rental of the single-family dwelling for less than thirty days. In the statement of justification, the applicant states request to operate a short-term tourist rental to offset his expenses for his single-family dwelling. He plans to live in the dwelling full time but will rent it when he is out of town. He states there is sufficient parking for three vehicles. The property is located off a private road and this subdivision does not have a POA/HOA. This property does meet the required setbacks to adjoining property owners. In review of early Health Department requirements, the structure is a two-bedroom dwelling which allows an occupancy of four persons. Mr. Petty shared that he would forgo reading the conditions but is happy to answer any questions.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

Mr. Longo seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-02- Neal Sutliff

A request for a conditional use permit for a short-term tourist rental. The property is located at 1720 Khyber Pass Road and identified on tax map 23A, section 9, block 35, lot 47A. The property is zoned Residential-One (R-1) and located in the Happy Creek Magisterial District.

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Mr. Petty shared that the applicant is requesting a conditional use permit for a short-term tourist rental to rent the single-family dwelling for less than thirty days to offset his expenses for construction of a new structure. The demolished "cabin" was derelict, and Mr. Sutliff decided to replace it with a new structure to improve the property. His intent is to use it for both a weekend retreat for his family and as a short-term tourist rental due to its proximity to local tourist destinations and family friendly activities. The property is listed as being owned by NJS Land, LLC of which the applicant is a member and manager as stated in his application. He plans to complete construction by August 2021 as it is currently under construction. He is currently researching local companies or individuals that can be retained as a property manager to oversee the use. The property is located within the Skyland Estates Subdivision and the applicant has notified them of his intended use for the property. The Planning Department will also notify them when notifying adjacent property owners. The applicant was issued an OSE Construction permit for a residential septic system and drainfield for a three bedroom dwelling. The property does meet the required setbacks and the applicant currently has all the permits required by the Building Department. Mr. Petty shared that he would forgo reading the conditions, but he is happy to answer any questions.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

Mr. Kersjes seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Richardson

CUP2021-06-03- Chad & Charleen Backstrom

A request for a conditional use permit for private use camping. The property is located on Burma Road and identified on tax map 19H, section 1, lots 12 and 13. The property is zoned Residential-One (R-1) and located in the North River Magisterial District.

Mr. Petty shared that the applicant is requesting a conditional use permit for Private Use Camping on vacant lots in the Man-Da-Lay subdivision which is in the Special Flood Zone Hazard Area (SFHA). The applicants purchased these lots November 2020 and were unaware that a conditional use permit was required for Private Use Camping at the time they tried to apply for an electrical permit. The intent is to use the property for outdoor recreation and overnight camping for friends and family on a non-commercial basis.

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Mr. Petty also read the following conditions that have been recommended by staff if approved:

1. The applicant shall comply with all Warren County Health Department regulations and requirements.
2. Materials associated with the campers are to be stored in a neat and orderly fashion during the time of use and are to be removed from the site when not in use.
3. The applicant shall post the property with a lot/parcel number for Fire and Emergency Rescue Services and have an emergency egress plan for removal of the recreational vehicles and portable commode prior to a predicted flood event.

Mr. Petty shared that it is important to review private use camping annually due to flood events and making sure all recreational vehicles in the Special Flood Zone Hazard Area (SFHA) are operable and able to be moved in the event of a flood.

Chairman Myers thanked Mr. Petty asked If there were any questions.

Mr. Henry questioned if a house was removed from this property in the past.

Mr. Petty answered that the Health Department records do show a house on the property, but it has since been removed. There is an existing well and septic system on the property, but the applicant has no intentions of using it.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

Mr. Longo seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-04- Shawn and Christine Tsanganelias

A request for a conditional use permit for private use camping. The property is located on Burma Road and identified on tax map 19H, section 1, lot 2. The property is zoned Residential-One (R-1) and located in the North River magisterial district.

Mr. Petty shared that the applicant is requesting a conditional use permit for Private Use Camping on vacant lot in the Man-Da-Lay subdivision which is located in the Special Flood Plain Hazard Area (SFHA). The applicant purchased this lot in February 2019 and was notified in October 2019 and May 2021 by County staff that they would need a conditional use permit in order to keep the accessory structure he built on the property

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according to the Warren County Code section 180-16 the Floodplain Overlay District. This was done after an inspection was made by the Planning and Zoning Department during our annual review. The applicant intent is to use the property for personal outdoor recreation, overnight camping, barbecuing, and picnicking with family and friends on a non-commercial basis. Mr. Petty shared that he would be happy to answer any questions.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

Mr. Kersjes seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-05- Mountaintop the Church at Skyline

A request for a conditional use permit for a private school. The property is located at 7655 Stonewall Jackson Highway and identified on tax map 28, lot 45B1. The property is zoned Agricultural (A) and located in the South River Magisterial District.

Mr. Petty shared the applicant is requesting a conditional use permit (CUP) for a private school. The property is identified as tax map 28, lot 45B1, located at 7655 Stonewall Jackson Highway in the South River Magisterial District, and is zoned Agricultural (A). The church was constructed in 1992 and does not have a CUP as the use was permitted by-right in the Agricultural district prior to the adoption of the current ordinance on August 19, 1992. The current code does list a Private School as a use that may be permitted upon issuance of a CUP by the Board of Supervisors. As a response to the many challenges parents and students faced during the COVID-19 pandemic in 2020, the church began a private school and were unaware of the requirements for a conditional use permit. The school would operate from August to May, Monday through Friday, 8:00am to 3:30pm, and would accommodate 30 or less students. This application does not expand/change the existing use of the church; therefore, we are not accommodating any conditions specific to the church use. The applicant contacted the Planning Department looking to become compliant with all permits needed for the private school as they are ready for enrollment for the next school year. The Planning Department has requested comments from the appropriate departments and will share those comments with the applicant. Mr. Petty shared that he would be happy to answer any questions and the applicant is present as well to answer any questions.

Chairman Myers asked If there were any questions; there were none.

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Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

Mr. Longo seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-06- Melissa Halko

A request for a conditional use permit for a short-term tourist rental. The property is located at 261 Sunset Village Road and identified on tax map 27B, section 2, lot 78A1. The property is zoned Residential-One (R-1) and located in the Fork Magisterial District.

Mr. Petty shared that the applicant is requesting a conditional use permit for a short-term tourist rental to rent the single-family dwelling for less than thirty days in order to offset her expenses for a second home. Ms. Halko is an experienced manager of short-term tourist rentals and owns one in Luray. She has home improvement and maintenance service contacts that will be assisting her to manage the property. She expects to rent the property from six (6) to nine (9) months out of the year depending on the season and plans to market it to people who want to visit and enjoy the natural resources and attraction the County has to offer. The applicant has provided the Planning Department with a letter from Ms. Cook acknowledging this request, and she stated that there are no restrictions against homeowners at Junewood estates. Mr. Petty shared that the property does meet all the required setbacks and he will forgo reading the conditions but did share that there is an occupancy limit of six persons as this is a three bedroom dwelling. Mr. Petty also shared that he would be happy to answer any questions.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

Mr. Longo seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-07- Ken Colton/KLC & Co, LLC

A request for a conditional use permit for the storage of cars, boats, and recreational vehicles. The property is located on Winner Court and identified on tax map 5, lot 11B. The property is zoned Industrial (I) and located in the North River Magisterial District.

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Mr. Petty shared the applicant is requesting a conditional use permit for storage of cars, boats, and recreational vehicles. The property is located on Winners Court in the North River Magisterial District. The proposed facility will have enclosed storage buildings which is a by-right use and an area for outdoor storage of vehicles. The project is not within the overlay district though it must meet supplemental regulations for enclosed storage and landscaping. A conditional use permit was issued in 2017 for a Contractors Storage Yard but it was never established. The applicant will need to submit a formal site plan to the county prior to the issuance of a building permit. The applicant is aware of the landscaping and screening requirements for this property. Mr. Petty shared that he would be happy to answer any questions and the applicant is also present to answer any questions as well.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

Mr. Longo seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-08- James Humphrey

A request for a conditional use permit for private use camping. The property is located on Burma Road and identified on tax map 19H, section 1, as lot 1. The property is zoned Residential-One (R-1) and located in the North River Magisterial District.

Mr. Petty shared that the applicant is requesting a conditional use permit for Private Use Camping on a vacant lot in the Man-Da-Lay subdivision which is located in the Special Flood Hazard Area (SFHA). The applicant was gifted this lot in August 2018, and it was subject to some flooding during the 2018 moderate flood events. County staff observed an abandoned boat and trailer with other items such as picnic table on this lot after the flooding. This was done after inspections were made by the Planning and Zoning Department during the annual reviews in 2019 and 2021. These have since been removed as of the date of this application. The applicant intent is to use the property for personal outdoor recreation and overnight camping. This request is in the same subdivision as two other private use camping sites on the agenda. Mr. Petty shared that he would forgo reading the conditions but would be happy to answer any questions.

Chairman Myers asked If there were any questions; there were none.

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Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

Mr. Longo seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-09- Kimberly Countryman

A request for a conditional use permit for a country general store. The property is located at 4536 Strasburg Road and identified on tax map 10, lot 92A. The property is zoned Agricultural (A) and located in the North River Magisterial District.

Mr. Petty shared that the applicant is requesting a conditional use permit for a country general store. A conditional use permit for a Grocery & Restaurant was approved by the Board of Supervisors in 1992 for this property, it was modified in 2006, and was last extended on October 21, 2014. The property was purchased by the applicants, Kimberly Countryman/Universal Millenium Investments Inc. in 2004 and they operated the Store/Pizza Shop thereafter. However, Planning Department determined the permit expired in 2018 given there was no established use in the structure. On January 7, 2021, the Board of Zoning Appeals upheld the decision that the CUP had expired. This request is to reestablish the use of the store which was in operation prior to July 1, 2008. The property will need to meet the current supplemental regulations, and meet any requirements provided by outside agencies. The applicant is aware of the regulations and will meet all the requirements needed. Mr. Petty shared that the applicant was not present, but he would be happy to answer any questions.

Mr. Longo questioned if the applicant had intentions on establishing a restaurant in the country general store and if the drawings presented to them is for the new country general store.

Mr. Petty shared that a country general store is allowed up to fifteen (15) seats for food consumption. In the past they did have dine-in sitting but were limited, the main use was carryout. There are size requirements for food preparation and in dining for country general stores. The drawings presented are what the applicant submitted but will be reviewed to make sure all requirements are be met before the conditional use permit is issued.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

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Mr. Kersjes seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

CUP2021-06-10- Randall Lewis & Monica Stover

A request for a conditional use permit for private use camping. The property is located on Farms Riverview Road and identified on tax map 15D, section 1, block 3, lot 24. The property is zoned Residential One (R-1) and located in the Happy Creek Magisterial District.

Mr. Petty shared that the applicant is requesting a conditional use permit for Private Use Camping on vacant lot in the Shenandoah Farms subdivision Riverview section which is in the Special Flood Hazard Area (SFHA). The applicant recently purchased this property in November 2020 and was informed by County staff that he required a Conditional Use Permit for private use camping. The applicant's son and daughter-in-law own a recreational lot on Farms Riverview Road, and he would like to spend time with his grandchildren camping, fishing, and having fun. The applicant may build a house on the lot later since a portion of the lot is out of the floodplain in non-flood zone "X". Mr. Wendling has been working with the applicant to make sure they are compliant.

Chairman Myers asked If there were any questions; there were none.

Mr. Henry moved that the Planning Commission authorize the proposed conditional use permit request for advertisement for a public hearing.

Mr. Longo seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

Comprehensive Plan Review:

CUP2021-06-10- Five Nine Designs Group

A request for a Comprehensive Plan Review for a Public Utility Storage Building. The property is located on 5985 John Marshall Highway and identified on tax map 32, lot 3. The property is zoned Agricultural (A) and located in the Happy Creek Magisterial District.

Mr. Petty shared that Section 180-65(B)(1) of the Warren County Zoning Ordinance requires that no public building, public structure, or public utility shall be constructed, established, or authorized, until the general location or approximate location, character

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and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof. The Commission shall communicate its findings to the Board indicating approval or disapproval with written reasons therefor. The Commission may hold a public hearing if it feels that one is necessary. Attached is a request from the Five Nine Design Group for a determination that a proposed site for a public utility building in the Linden area at 5985 John Marshall Highway (Route 55) is in compliance with the Warren County Comprehensive Plan. The site is zoned Agricultural (A) and located on tax map number 32 as parcel 3. A copy of the sketch layout of the site is included. Section 180-10(F) of the Warren County Zoning Ordinance states that, *"Unless otherwise prohibited by this chapter, public utility poles, lines, transformers, pipes, meters and other facilities necessary to the provision of public utility services within the county shall be permitted in all districts."* The 2013 Comprehensive Plan does not address the provision of electric services. The proposed site is located within the Highway Corridor Overlay District as it is directly on Route 55, however it is setback from the roadway. The site should be screened appropriately pursuant to Section 180-18 of the Warren County Code (Zoning Ordinance) or as otherwise recommended by the Planning Commission. The building is a precast concrete building, with exposed coarse aggregate finish, that is set on and anchored to a concrete foundation at the required frost depth for soil conditions. The building is manufactured and assembled off site and shipped to the site for placement. There will be no antennas, towers, or dishes at the site for this building. The facility will be unoccupied and is not open to the public and locked at all times. Access is only permitted by trained and authorized service personnel. The building will be serviced by an emergency generator and protected by a security fence. The Planning Department has communicated with the applicant and informed them that they will need to screen this building and provide appropriate landscape. The applicant has been in discussions with the Building Department to all of the appropriate permits that they will need.

Mr. Henry added that it looks as if the building will set off the road and does not seem to create any issues in the proposed location.

Mr. Petty shared that there are screening requirements for this building because it does lie within the Highway Corridor Overlay District. The building is just about as far off the roadway as possible.

Mr. Kersjes questioned what business will be using this proposed utility building. He also added that the property directly behind this building recently sold and there is little to no vegetation screening between the two properties.

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Mr. Petty replied that the applicant was not specific on the actual business that will be in the building, their license with the commonwealth states public utility. He also added that it will be screened properly by the applicant and the fence surrounding the building will be green to match the natural screening.

Mr. Kersjes questioned why the proposed utility building will be in the back of the property instead centered inside of the property.

Mr. Petty shared that the applicant is trying to be less intrusive to the property owner and it is a uniquely shaped lot, they are trying to keep it as far away from the highway as possible.

Chairman Myers questioned if the building would have full time occupancy.

Mr. Petty shared that this building would not be occupied full time it would be visited as needed or for maintenance, there is off street parking for one vehicle.

Mr. Kersjes questioned if there will be air conditioning in this building and will this building pose any noise complaints; Chairman Myers also questioned the square footage of the proposed utility building.

Mr. Petty shared that the proposed building would be four hundred twenty (420) square feet. The building would use a generator in the occurrence of a power outage, but it is also next to an interstate highway, so the noise is already there.

Mr. Henry added that he feels comfortable with this proposed utility building, it does not pose an impact on traffic and will provide the community with a service that is needed in this area.

Mr. Petty shared that the applicant did explore other locations, but this site seemed to fit the best for and had adequate room to maneuver without encroaching on existing homeowners.

Chairman Myers asked if there were any additional questions; there were none.

Mr. Henry moved that the Planning Commission approve the request of the Fine Nine Design Group.

Mr. Kersjes seconded the motion which passed by the following vote:

Ayes: Myers, Henry, Kersjes, Longo, Richardson

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Commission Matters:

Mr. Petty shared that the comprehensive plan review will begin next month starting with the natural resources section. The first proposed work session would be July 14th at 6:00 pm before the regular Planning Commission meeting if that works with everyone's schedule. A packet with the amended natural resources section will be provided to each member to review and begin keeping notes.

Chairman Myers and Mr. Henry welcomed the new South River Planning Commission member Ms. Richardson.

Ms. Richardson shared that she looks forward to working with the community and the Planning Commission.

There were no comments from Mr. Longo or Mr. Kersjes.

Chairman Myers ask if there were any questions from staff.

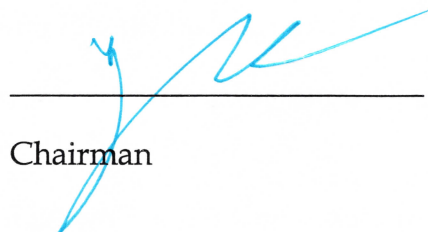
Mr. Petty welcomed the new Planning Commission member and share he is looking forward to working with everyone on the Comprehensive Plan Review. The Planning Department has received many applications for the Zoning Officer position, and anyone interested is encouraged to apply.

There were no additional comments from staff.

Adjournment:

Mr. Henry moved, and Mr. Kersjes seconded a motion to adjourn; unanimously approved.

The meeting was adjourned at 8:02 pm.



Chairman