

VIRGINIA: MINUTES OF THE REGULAR MEETING OF THE DINWIDDIE COUNTY PLANNING COMMISSION HELD IN THE BOARD MEETING ROOM OF THE PAMPLIN ADMINISTRATION BUILDING ON THE 12th DAY OF NOVEMBER 2009 AT 7:00 P.M.

PRESENT:	SAMUEL W. HAYES	CHAIRMAN	AT-LARGE
	BUTCH CUNNINGHAM	VICE CHAIRMAN	DIST #4
	DR. MARK E. MOORE		DIST #1
	DEAN McCRAY		DIST #2
	PATRICIA HAMILTON		DIST #3
	DANIEL LEE		DIST #5
	THOMAS TUCKER		AT-LARGE

OTHER:	MARK BASSETT	PLANNING DIRECTOR
	JOHN C. BLAIR	COUNTY ATTORNEY

PLANNING STAFF RECOMMENDATION FOR C-09-2:

The Staff reviewed the conditional use permit and is satisfied that the applicant has successfully addressed the impacts of the proposed educational retreat center and banquet facility.

Staff's recommendation of APPROVAL of the request for a conditional use permit to allow for the use of the existing property and buildings to provide for retreat facilities including temporary housing to corporate, non-profit, government, religious, fraternal organizations, and the general public is subject to the following conditions:

1. The existing buildings utilized as part of the retreat center shall be modified to meet the building code requirements for the applicable use groups as set forth in the Building Code.
2. Any additional site lighting installed shall be directed downward and inward to the site and shall not directly cast light onto the adjoining properties.
3. All related outdoor recreational and all other outdoor activities and events shall be conducted between 6:00 AM and 12:00 AM.
4. Informal outdoor camping is allowed on a temporary basis with no permanent campsites being established.
5. The retreat center and banquet facilities will comply with all applicable federal, state, and local codes.

Mr. Cunningham asked Mr. Bassett if there is going to be overnight stays in the existing home will it need to be brought up to standard. He said like making it handicap accessible and addressing the parking.

Mr. Bassett said it would have to be brought up to the current building code standards and parking will have to be paved.

Mr. McCray asked Mr. Bassett why there is a need for a low commercial entrance on Zilles Road.

Mr. Bassett said that it is the decision of the Virginia Department of Transportation to what goes and how it will go in their right of way. He said based on the use and the trip generation for that use that is how the decision was derived.

Mr. Hayes said since there are no more questions of Mr. Bassett would the applicant come forward and present his case.

Larry Hixson, Franklin County, residing on Smith Mountain Lake, the agent for the applicant, said Mr. Bassett said it all in his presentation so there is no need to go over anything else, but he would answer any questions the Commissioners might have.

Mr. Cunningham asked Mr. Hixson what the pool building was originally built for.

Mr. Hixson said it currently is used as a banquet hall and a place where churches can have a retreat. He said the original use of the pool house was for it to be a horse barn, but the horses never made it to the farm.

Mr. Cunningham asked Mr. Bassett if the conditions put on the business would go with the current owners if they sold it or would the conditions stay with the business no matter who purchased it.

Mr. Bassett said the conditions will always stay with the business.

Mr. Hayes asked Mr. Hixson if he knew what the percentage of day and night use for the building would be within a year.

Mr. Hixson said he believes the majority of events will take place during the summer months and on weekends.

Mr. Hayes asked the Commissioners if they had anymore questions of the applicant. He said since there are none he is opening the pubic hearing portion of the case.

Sara Gibbs – 4724 Grubby Road – Dinwiddie VA asked if this rezoning request would affect her property.

Mr. Hayes informed Ms. Gibbs that this case is not a rezoning. He told her it is a conditional use permit case and no her property would not be affected

Mr. Hayes asked if there was anyone else desiring to speak. He said since there is no one else he was closing the public hearing portion of the case. He asked the Commissioners if they had any more questions or comments.

Mr. Lee said he wants the applicants to come up with some numbers. He said the numbers pertain to how many people can stay in the house, how many people can be in the pool house building and how many people can be camping at one given point in time. He said he doesn't know what that number should be but we need to come up with one. He went on to say that we are now at the tip of the iceberg with farms and agriculture tourism. He said this means farms turning into commercial businesses where the middle man is eliminated. He said the County needs to help in some way to make this happen.

Dr. Moore asked Mr. Bassett what the stipulation is for making Mr. Moody put an asphalt parking lot on the property adjacent to this building.

Mr. Bassett said he would deem it as a commercial business and under the parking requirement they would need to pave the parking.

Dr. Moore asked Mr. Bassett if the Commissioners could change that requirement under the Conditional Use Permit process.

Mr. Bassett said they could not. He said the only mechanism the applicant has is to go before the Board of Zoning Appeals for a variance to the ordinance.

Mr. McCray said he agrees with Mr. Lee about looking at the ordinance and commercial farming. He added by saying he doesn't have a problem with limiting the Moody's home to eight people. He said the Fire Marshal will regulate the number of people in the pool house and numbering how many people can camp at one time would be hard because it is a temporary stay. He concluded by saying if this Conditional Use Permit passes he would like to see a two or three year review attached to it.

Mr. Blair said he wanted to make sure that the following two new conditions were what the Commissioners wanted to add. He said the first condition states that the maximum number of overnight guests at the existing single-family structure shall be eight (8) for any one twenty-four (24) hour period. He said the second condition states the Conditional Use Permit shall be reviewed by the Planning Commission of Dinwiddie County every two (2) years from the date of issuance of the permit.

Mr. Hayes asked the Commissioners if they had anymore comments. He said since there are none he would entertain a motion for this case.

Mr. Cunningham made a motion and read the following: BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that conditional use permit C-09-2 be recommended for approval with conditions to the Board of Supervisors. It was seconded by Mr. Tucker with Mr. Tucker, Dr. Moore, Mr. Lee, Ms. Hamilton, Mr. McCray, Mr. Cunningham and Mr. Hayes voting "Aye".

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