

Department of Planning & Community Development



A public hearing of the Franklin County Planning Commission was held on Tuesday, October 13, 2015, in the Franklin County Board of Supervisors conference room located in the Franklin County Government Center.

THOSE PRESENT:

James Colby – Gills Creek District
C. W. Doss, Jr. – Blue Ridge District
Angie McGhee – Boone District
Earl Webb – Blackwater District
Edmund “Doc” Law – Rocky Mount District
Sherrie Mitchell – Snow Creek District

THOSE ABSENT:

Wendy Ralph – Union Hall District

OTHERS PRESENT:

B. James Jefferson, County Attorney
Steven Sandy, Director of Planning & Community Development
Lisa Cooper - Principal Planner
Lori Crouch - Clerk

The meeting was called to order by Chairman Earl Webb at 6:03 PM in Board of Supervisors conference room. The first order of business was the approval of the minutes from the August 11, 2015 Planning Commission public hearing. Mr. James Colby, representative of the Gills Creek District, made a motion to approve the minutes as written. The motion was seconded by Mrs. Angie McGhee, representative of the Boone District. Chairman Webb noted we have a motion and a second for the approval of the minutes as written, all in favor say aye. Those opposed say nay; motion carried.

(RESOLUTION 10-15-1):

BE IT THEREFORE resolved as intended to promote the health, safety and general welfare of the public and to implement the adopted Comprehensive Plan for the orderly and controlled development of the county by the Franklin County Planning Commission to approve the August 11, 2015 minutes as written and presented.

MOTION: Colby

SECONDED: McGhee

Voting on the motion was as follows:

AYES: Doss, Webb, McGhee, Mitchell, Law, Colby

NAYES:

ABSENT: Ralph

ABSTAIN:

Chairman Webb asked those in attendance, since there is a large crowd this evening and the Planning Commission does want to hear from them; he asked the those speaking keep their comments to five (5) minutes. Mr. Webb asked that they simply not re-state what the person previous to them stated, but if they are in agreement with that statement to please say they agree with the statement, to allow the meeting to move along. If in fact there are other relevant facts, please state them, as the Planning Commission would like to hear them.

Chairman Webb introduced the next item on the agenda as PETITION OF SPECIAL USE - Petition of Julie L. Phelps requesting a special use permit for "Recreational Facilities (Private)", "Summer Camp", "Campground (Private)", and "Motels, Hotels, Tourist and Resort Facilities". Chairman Webb asked Staff to present their report at this time.

Mr. Steve Sandy, Director of Planning & Community Development, thanked the Planning Commission. Mr. Sandy restated the item on the agenda as a Special Use Permit from Julie L. Phelps. Mr. Sandy asked that he may go into a little more detail regarding the application. Mr. Sandy stated that the applicant was in attendance and would like to present the Planning Commission with information as well.

Mr. Sandy stated that this special use permit is for several uses: "Recreational Facilities (Private)", "Summer Camp", "Campground (Private)", and the final category is the "Motels, Hotels, Tourist and Resort Facilities". Mr. Sandy commented the reason for all the different special use permits is because of the variety of the different uses that are being requested. Mr. Sandy stated the Motorcross training facility, that you will be hearing about, would fall under the "Recreational Facilities (Private)". There is a Youth Summer Camp that is being proposed which would fall under the "Summer Camp" category. The "Campground" would entail a couple of things; those that would come for the Motorcross facility to stay overnight and it would also cover the adults that may use the facilities for the Youth Summer Camp. The "Motels, Hotels, Tourist and Resort Facilities" would be for the proposed cabins that would be built on the property; these cabins would be rented out in different ways. Mr. Sandy stated the rental could be related to overnight retreats to religious activities and customers using the Motorcross facilities. They may also be used in conjunction with the campground; allowing the cabins to be used in several different facets. Mr. Sandy stated that when we are discussing the Special Use permit we are really talking about four (4) different activities all covered under one (1) Special Use permit.

At this time, Mr. Sandy showed a map of the County with the property location. The property is located in the Northern portion of the County off of Edwardsville Road. Mr. Sandy showed the zoning map of the parcels involved in the application; all the property is zoned A-1, Agricultural District. There is a small section nearby that is zoned RC-1, Residential Combined District. The map also showed Edwardsville Road, which is a State Route and the primary access to this property; the Phelps Farm is located at 5076 Edwardsville Road. Off of Truman Hill Road, there is a private road, Daylilly Lane, that comes into the rear of the property and accesses the back of the property. Mr. Sandy showed an aerial view of the property. Even though it is zoned Agricultural, this is a wooded area; there are some pastures and fields but mostly it is wooded and the topography is best defined as "rolling hills".

Mr. Sandy asked if he may recap some of the concerns that have been raised in regards to the Staff's recommendation for the Planning Commission, as well as, by adjourning homeowners or those within the vicinity of the Phelps Farm. Mr. Sandy reminded the Planning Commission that they and the Board of Supervisors may assign conditions that are relevant to the Special Use permit to help mitigate any problems that may arise out of this Special Use permit. These conditions are not voluntarily offered, but ones that the Planning Commission and Board may place on the Special Use permit to help mitigate any impact to adjoining property owners. A couple of the conditions that have been discussed are those of density or intensity of use. There are four (4) different uses of the Special Use, there is the Motorcross Training Facility, summer camp, campground and potential user of the cabins. At full capacity the density and intensity of use will be much more than the typical home owners uses. Traffic was another concern. Mr. Sandy stated that traffic was difficult to state what it could be in association with these uses. VDOT (Virginia Department of Transportation) has a manual to assist with calculations in traffic, however, this type of use is not covered in the manual. In the same way, with the summer camp, traffic intensity will be increased. Mr. Sandy did comment that with the summer camp he would expect to see more traffic on a Monday, when the church van or church bus drop off children for camp and picked back up on Thursday. Mr. Sandy commented that the final thing in regards to the Motels, Hotels, Tourist and Resort Facilities; there is currently only one cabin. The concept plan shows twenty-five (25) cabins, it is not known the exact number of cabins to be rented everyday and how many days in a year they would be rented. Mr. Sandy stated that in the staff report there is just an estimate that had been made in what might be expected.

Mr. Sandy commented on the water supply and sewage disposal. The cabins, and the summer camp will need a water supply. Most likely the summer camp will need a private community water system, as they will be preparing food. Mr. Sandy stated that sewage disposal is a concern. There would need to be proper disposal fields for all the cabins and bathhouses for the summer camp. Mr. Sandy stated that there needs to be proper facilities on site for disposal of waste even for those on the campground and motorcross facility. All these requirements would be regulated by the VDH (Virginia Department of Health)

in relation to the water and sewer. Mr. Sandy continued with Erosion and Sediment Control and Stormwater management concerns. The County regulates E&S and Stormwater management for the State. Anytime there is land disturbance, whether the cabins or any structure; creating any trails. Any kind of land disturbance will require erosion and sediment control plans that will require a permit. In addition, Stormwater management plans and permits may be required.

Mr. Sandy discussed the Public Safety concern. With all the different uses going on there is a concern for safety, related to rescue, fire, police and other similar services. A suggestion in the conditions is that the property have a operations manual for procedures in case of an emergency.

Mr. Sandy stated that noise has been a concern for many of the adjoining property owners and those in the neighborhood, mostly relating to the Motorcross training facility. One of the things that the staff tried to make clear in the staff report is this is not a racing facility, but a practice and training facility. The County's noise ordinance does not cover a noise like the Motorcross bikes. The County's noise ordinance is to help regulate amplified noises coming from a concert or other type of amplified device. This particular use would not qualify under the noise ordinance. Mr. Sandy stated the Planning Commission and Board of Supervisors could however establish a noise decibel level that would not allow a certain decibel level to exceed if they so chose. Mr. Sandy stated that staff proposed to regulate noise by reducing the number of riders that may ride at any one time and limit hours of operation of the track. Another consideration was moving the tracks away from the road. Finally, ensuring that those that have motorbikes on the tracks those bikes be properly muffled or noise reducing components.

Mr. Sandy addressed access and traffic. Primary access will be off of Edwardsville Road. VDOT (Virginia Department of Transportation) has submitted a letter, which is included in the Planning Commissions packet, stating that the entrance on Edwardsville Road would need to have some improvement. The other concern for VDOT is the access of Daylilly Lane, since it is a private road. Staff has proposed a condition to be placed that use of Daylilly Lane would be for use of service vehicles and access by the property owner. Daylilly Lane will not be a public access road to the property.

Mr. Sandy commented lastly, in regards to the concern of the neighbors of their property value decreasing as a result of the Motorcross activity. Mr. Sandy stated he does not have a good quantifiable method to say "yes, this would reduce the property value". Mr. Sandy does not feel that he can stand before the Planning Commission to address this issue, because he does not know the effect it can have on property values one way or the other. There are no good examples of a property with these types of uses available to compare.

Mr. Sandy stated that he would go over staff recommendations and conditions with the Planning Commission, at this time.

1. **Substantial conformity.** *The property shall be developed in substantial conformity with the conceptual plan, entitled "Phelps Farm," and narrative, entitled "Phelps Farm Narrative for Special Use Permit", consisting of pages 1-4, prepared by Hill Studio, dated 9/8/2015.*
2. **Limitation of Use.** *The use of "Recreational Facilities (private)", "Summer Camp", "Campground (Private)", and "Motels, Hotels, Tourist and Resort Facilities" shall be limited to a recreational motorcross practice/training facility (no racing) and associated facilities, private campground with cabins for youth summer camp and associated facilities, tourist facility for adult retreats consisting of ten (10) self-contained cabins for overnight and/or short-term lodging and associated facilities, including walking trails and outdoor activity areas in conformance with conceptual plan and narrative referenced in #1 above.*

3. Buffering. *The use of “Recreational facilities (private)”, “Summer Camp” and “Motels, Hotels, Tourist and Resort Facilities” shall require the perpetual maintenance of an existing wooded buffer along the exterior perimeter property line of all parcels, measuring not less than two-hundred feet (200’) in depth, as measured perpendicular to the property line. Removal of dead or diseased trees shall be permitted. Mr. Sandy added that In some cases there is no buffer, we are suggesting just the maintenance of the buffer not adding anything new.*
4. Noise:
 - *No motocross racing shall be permitted on the subject property.*
 - *All bikes using the property shall have proper mufflers or other silencers to reduce noise impacts on adjoining properties.*
 - *No more than ten (10) motocross bikes shall be allowed to practice/train on the subject property at any given time.*
 - *Hours of operation for the recreation facility, private shall be limited to 10am-5pm. In addition, use of the recreation facility, private and summer camp shall not occur concurrently.*
5. Compliance with State Regulations:
 - *All overnight use of the property and public gatherings shall be approved by the Virginia Department of Health to ensure compliance with respect to water supply, waste disposal and food service and preparation.*
 - *The existing entrance on Edwardsville Road (Rte. 635) shall be improved to meet VDOT standards and requirements prior to any use authorized by this special use permit.*
 - *No gasoline or oil products shall be stored on the subject property without the approval of VA Department of Environmental Quality and/or Franklin Building Official.*
 - *Each phase of development shall have an approved development plan detailing all land disturbing activities and storm water management.*
6. Operations Manuals: *The property owner shall develop an emergency operations manual for the property that details protocols for fires, bodily injuries, theft, special events and hazardous material incidents on the subject property. The property owner shall also develop a manual defining rules and regulations concerning the uses approved under this special use permit. For example, rules for use of the motocross facility (age, noise, hours restrictions, safety equipment required, etc.) shall be stated therein. Both manuals shall be submitted to the Zoning Administrator before commencing uses defined herein. The manual shall be amended as uses begin or are expanded.*
7. Trash/Litter: *All trash generated on the subject property shall be properly contained and secured on site until it can be picked up by licensed trash hauler or properly disposed at appropriate facility.*

8. *Access to the property from Daylilly Lane (private) shall be limited to service vehicles for the summer camp activities and emergency vehicles. This entrance shall remain gated to limit use from public.*
9. *Lighting of the recreation facility, private shall not be allowed. Dusk to dawn lighting for security shall be permitted.*
10. *No RV camping shall be allowed on the subject property.*

Those are the ten (10) conditions that have been recommended by Staff. Mr. Sandy stated Staff is recommending an approval of the Special Use permit with these conditions. The applicant will be presenting to the Planning Commission some modifications to those conditions or ask for some amendments to those conditions. Mr. Sandy reminded those in attendance that there would be a recommendation from the Planning Commission to go before the Board of Supervisors for another public hearing on Tuesday, November 17 at 6:00pm in the Board of Supervisors Board Room. The public does have an opportunity to come to that meeting and speak as well, if they so choose.

Mr. Sandy asked the Planning Commission if they had any questions for him in regards to the Staff Report. Mr. James Colby, of Gills Creek District, asked Chairman Webb if he may direct a few specific questions toward Mr. Sandy regarding the staff report. Mr. Colby asked if Mr. Sandy would clarify the following sentence on page eight (8) of the staff report, in the first paragraph " This narrative estimates 300 campers per week during summer months and 250 motocross users or spectators resulting in approximately 35 users per month at full build-out." Mr. Colby stated, he is unclear on where staff got the numbers, could it perhaps be a typo. Mr. Sandy commented that he thought perhaps it was a typo in that it should probably be 35 users per day not per month. Staff was trying to give an idea of what the traffic might be on any given day, week or month, honestly, it was very hard to come up with numbers, since there are so many unknowns. Mr. Colby asked for clarification on another sentence under water and sewer on page 8 of the staff report. Mr. Colby read the following, " Primitive camping associated with motocross is currently offered on site but no septic facilities are proposed for this use." and stated he felt this may be contrary to what they are asking about. Mr. Sandy answered Mr. Colby by stating that, currently people will come and use the motorcross facilities they will stay overnight either in an tent or an RV or a sort of camper. At this moment there are no bathroom facilities and the campers are containing the waste and dumping at a disposal site. Mr. Sandy stated that is in part why staff recommended that there not be RV camping on the site. However, if primitive camping is to occur there does need to be some sort of bathhouse installed or a portable facility placed on the property. Mr. Sandy stated again, that those uses would have to be approved through the VDH (Virginia Department of Health) since they regulate the disposal of waste. Mr. Sandy clarified that statement was in the staff report to inform the Planning Commission that there is currently some camping taking place on the site. If camping is to continue staff wants to be sure there are proper facilities available as needed. Mr. Colby thanked Mr. Sandy. Chairman Webb asked for any further questions for staff.

There were no other questions asked at this time. Chairman Webb asked to hear from the applicant at this time.

Ms. Julie Phelps thanked the Planning Commission for allowing them to be here this evening. Ms. Phelps Introduced Mr. David Hill of Hill Studio and Mr. Dean Stone. Ms. Phelps asked to show a video of the Phelps Farm (<https://vimeo.com/139518086>) after which Mr. Hill would speak to the Planning Commission on behalf of Ms. Phelps.

Mr. Hill stated that he is a Landscape Architect and over the last year has assisted Mrs. Phelps in creating the Master Plan for the Farm. Mr. Hill gave an overview of the Master Plan to the Planning Commission. Mr. Hill stated that there are 3 principal components to this Master Plan; the Motorcross Training Facility, the Retreat cabins and the Summer camp. The Training facility is just that, a training course, a supervised training course that is on the northern part of the property. There are no plans for racing here. There are four (4) sections of the training course; The training course with a rhythm section, Junior track, Endo Course, and a trail network through the woods this includes seven (7) miles of trails. Much of the track has already

been created, but there are several upgrades that would will be added. One of which is a tunnel for spectators to go under the track to the observation platform. Mr. Hill continued with the second part of the plan, the summer camp which would be in the eastern part of the property. There will be a picnic pavilion, bathhouse, pool, hogans and other activities that will be part of the summer camp. Mr. Hill continued with the third component, the retreat cabins, that would be located in the northeastern part. Mr. Hill stated that there would be a new vehicular road that would be added to take people back to the cabins, they would not be accessing Daylilly Lane. Mr. Hill acknowledged that the first step in the process is the Special Use permit. This project is to maintain the natural resources of the property. It does fit in line with the Comprehensive Plan and Zoning Ordinance. Mr. Hill stated that this property could potential be turned into a subdivision with two hundred thirty (230) houses. Instead Mr. Hill stated they are encouraging a lower intensity use of this particular property. It would enhance the recreational opportunities in the County and Region. Mr. Hill stated that if we thought about it the A-1, Agricultural zoning is the best place to put something like this in the County, as this is the most inclusive district in the County. Mr. Hill stated that as part of the process, Ms. Phelps hosted the neighbors at her home on the farm, to inform them of what Ms. Phelps would be seeking. Mr. Hill stated he would go over some of the concerns the neighbors had, one of which was the vegetation or forested buffers on the property be kept there. Mr. Hill noted that is important to note that the concept plan would be part of the Special Use permit. Thus would only be developed according to what the concept plan recommends. There were concerns over roads and traffic. There was concern over the emergency plan. There will be an emergency operations manual on the property; as there will also be a track manager, that will be charged with maintaining the operations. Mr. Hill stated the last concern was regarding noise. Virginia suggests some guidelines in noise that may be considered once we get past sixty-seven (67) decibels. HUD which also has done studies in housing, suggests the noise level be in the mid-sixty's (60).

Mr. Hill stated that of the ten (10) conditions that were recommended by Staff, there are really only three (3) that he feels should be discussed more since they come down to the real workings of the project. The first being the number of cabins to be allowed. There were twenty-five (25) cabins proposed and Staff has recommended a decrease in the number to ten (10) cabins. The second and biggest change was Staff recommended ten (10) bikes to be on the tracks at any one time. The suggested change is three hundred five (305). That would be broken down to forty (40) on the Motorcross Training course, twenty-five (25) on the Junior course, two hundred (200) on the trail network and forty (40) on the Enduro course, which would equal the three hundred five (305). Mr. Hill reminded the Planning Commission that the trail network is seven (7) miles long, but even at two hundred (200) riders that is approximately one rider every one hundred seventy-five (175) feet. The last concern Mr. Hill discussed was regarding the overnight stay. Mr. Hill stated that are agreeable to the time of operation suggested by Staff, Ms. Phelps has started a calendar of events for the Summer with summer camp being Monday thru Thursday and the Motorcross Training from Friday thru Sunday. In the Spring and Fall, the training facility would increase during those seasons; there would be no summer camp during the Spring, Fall or Winter. You may however see some ministry retreats. Mr. Hill mentioned the employment aspect of this project which would be an economic development piece. There would be one hundred ten (110) employees on the property when everything is running at full build out. Mr. Hill thanked the Planning Commission for allowing him to speak a little more about the Master plan and asked Ms. Phelps to come with final remarks for the presentation at this time.

Ms. Phelps again thanked the Planning Commission. Ms. Phelps expressed to the Planning Commission the vision that she and her two boys have talked about for years for their property. Ms. Phelps stated that across the nation we are losing off-road land for families to be together and enjoy the time together. Ms. Phelps also stressed to the Planning Commission her concerns for not allowing the campers on the property. This would only be allowed if they are on the property for dirt bike training purposes. Ms. Phelps stated she absolutely does not want anyone coming onto her property to vacation. This is her home and she does not want that. Ms. Phelps also asked that the Planning Commission permit her to allow toy-haulers/campers or just a trailer and a tent, that would be considered dry camping.

Mr. Hill asked the Planning Commission if they might submit proposed amendments to the Staff's conditions for their review. Mr. Hill passed out the proposed amendments to the Planning Commission at this time. They are as follows:

1. Substantial conformity. The property shall be developed in substantial conformity with the conceptual plan, entitled "Phelps Farm," and narrative, entitled "Phelps Farm Narrative for Special Use Permit", consisting of pages I -4, prepared by Hill Studio, dated 91812015.

This is an acceptable condition.

2. Limitation of Use. The use of "Recreational Facilities (private)", "Summer Camp", "Campground (Private)", and "Motels, Hotels, Tourist and Resort Facilities" shall be limited to a recreational motocross practice/training facility (no racing) and associated facilities, private campground with cabins for youth summer camp and associated facilities, tourist facility for adult retreats consisting of ~~ten (10)~~ **a campground and ten (10)** self-contained cabins for overnight and/or short-term lodging and associated facilities, including walking trails and outdoor activity areas in conformance with conceptual plan and narrative referenced in #1 above.

Ms. Phelps has requested a special permit for the motocross training facility, the summer camp (youth), a campground (adults), and cabins (adults). The Concept Plan developed for all of the facilities has been carefully prepared and shared with the County to show the ultimate build-out for the proposed facilities. The master plan was crafted carefully to accommodate 25 cabins; however, the proposed limitation to 10 cabins is agreeable, if the number of cabins is of concern to the County.

3. Buffering. The use of "Recreational facilities (private)", "summer Camp", "Campground (Private)" and "Motels, Hotels, Tourist and Resort Facilities" shall require the perpetual maintenance of an existing wooded buffer along the exterior perimeter property line of all parcels, measuring ~~not less than~~ **an average of one-hundred to** two-hundred feet (200') in depth, as measured perpendicular to the property line. Removal of dead or diseased trees shall be permitted.

Ms. Phelps intends to maintain the existing forested buffer along the perimeter of her property which ranges from 100 to 200 feet in depth, as shown on the Concept Plan dated 91812015. To agree to a buffer of 200 feet in depth is not accurate.

4. Noise:
 - a. No motocross racing shall be permitted on the subject property.
 - b. All bikes using the property shall have proper mufflers or other silencers to reduce noise impacts on adjoining properties.
 - c. ~~No more than ten (10) motocross bikes shall be allowed to practice/train on the subject property at any given time. (See notes below.)~~
 - d. Hours of operation for the recreation facility, private shall be limited to 10am-5pm. In addition, use of the recreation facility, private and summer camp shall not occur concurrently. **However, motocross training shall be permitted as an activity during the youth summer camp.**

Item (c) proposing to limit the motocross bikes on the property at any one time is not agreeable and is an insufficient number to enable the applicant to economically operate the proposed motocross training facility. There are approximately 10 miles of trails and track that can be used. In addition, regulating the numbers of bikes does not necessarily achieve a lower volume of sound.

Sound can be addressed in other ways. The motocross operator will have a track/trails manager who will manage the number of bikes on the track and trails at any one time. They will supervise

and direct trail and track use based on bike type and size, age riders, and adopted safety standards.

The master plan is based in having these numbers of riders on-site simultaneously:

- 40 Motocross training course and rhythm section
- 25 Junior Training Track
- 200 Trail Network (woods loop)
- 40 Enduro Course

Item (d) hours of operation are acceptable. Typically, the summer camp and the motocross training facility will not be operated concurrently. However, there may be a summer camp activity for youth that offers introductory motocross training (similar to archery, kayaking, or other physical activities).

Additional agreeable conditions to address sound concerns:

- e. A track/trail manager will supervise and direct trail and track use and the number of riders based on bike type and size, age of riders, and adopted safety standards.
- f. Trails now located close to Edwardsville Road (at a higher elevation) will be relocated to locations that are lower in elevation, below the grade of the road.
- g. New trails will be sited below the slopes to the extent possible so that the natural earth provides some sound suppression.
- h. Plantings and plant-stabilized earthen berms will be used in selected open-field locations near the motocross track to help absorb and minimize noise to the extent feasible. These locations will be identified and shown on the Erosion and Sediment Control Plan submitted to the County during site development.

5. Compliance with State Regulations:

- a. All overnight use of the property and public gatherings shall be approved by the Virginia Department of Health to ensure compliance with respect to water supply, waste disposal and food service and preparation.
- b. Existing entrance on Edwardsville Road (Rte. 635) shall be improved to meet VDOT standards and requirements prior to any use authorized by this special use permit.
- c. No gasoline or oil products shall be stored on the subject property without the approval of VA Department of Environmental Quality and/or Franklin Building Official.
- d. Each phase of development shall have an approved development plan detailing all land disturbing activities and storm water management.

This is agreeable.

- 6. Operations Manuals: The property owner shall develop an emergency operations manual for the property that details protocols for fires, bodily injuries, theft, special events and hazardous material incidents on the subject property. The property owner shall also develop a manual defining rules and regulations concerning the uses approved under this special use permit. For example, rules for use of the motocross facility (age, noise, hours restrictions, safety equipment required, etc.) shall be stated therein. Both manuals shall be submitted to the Zoning Administrator before commencing uses defined herein. The manual shall be amended as uses begin or are expanded.

Consider the following substitute condition:

Operations Manual: The owner/operator shall prepare an Operations and Safety Manual that addresses protocols for fires, injuries, hazardous materials, and rules of operation for facilities. Emergency and safety procedures will be coordinated with the Red Valley Rescue Squad #9 and the Burnt Chimney Fire

Department to ensure effective safety methods and communication. The owner will provide a copy of the manual to the Zoning Administrator before commencing operations of the facility.

7. Trash/Litter: All trash generated on the subject property shall be properly contained and secured on site until it can be picked up by licensed trash hauler or properly disposed at appropriate facility.

Agreeable condition.

8. Access to the property from Daylilly Lane (private) shall be limited to **private use by the property owner**, service vehicles for the summer camp activities and emergency vehicles. This entrance shall ~~remain~~ be gated to limit use from public.

Daylilly Lane shall remain open for private use by the property owner. The Daylilly Lane entrance is not presently gated.

9. Sports or stadium Lighting of the recreation facility, private shall not be allowed. Dusk to dawn lighting for security shall be permitted.

Agreeable condition. The applicant does not intend to install sports lighting for the recreational facility.

10. No RV camping shall be allowed on the subject property.

We understand that the Franklin county Zoning Section 25-155, Campgrounds and Recreational vehicle/Camper Areas, would normally apply to any RV camping. There may be a motocross participant who desires to bring an RV and stay overnight, as an incidental use to the training. we will require that to stay overnight, any RV (known as a "toy hauler, similar to fully-contained horse trailers with living quarters) vehicle must be fully self-contained with regard to water, sewage and electricity, and will require no utilities for their living quarters. No more than 20 such vehicles will be allowed to remain on site over night at a time. We agree not to permit anyone other than those involved in training to camp with an RV on the property.

Revised 10/19/15

Chairman Webb asked if the Planning Commission had any questions for the applicant at this time. Mr. Jim Colby stated he had a couple questions for the applicant. Mr. Colby stated the first question is to safety issue and would there be an operations manual that would address the safety. Ms. Phelps answered there would be a safety manual provided. Mr. Colby asked for a few examples of what the operations manual would include. Some key safety concerns. Ms. Phelps stated that with a Track Manager, they would need to make certain the trails were marked with arrows showing direction of the riders. To alert the rider if they are going the wrong direction they will be made aware. There will be weekly checks of the signs, and of the bridges that go over creeks. Ms. Phelps commented she did not feel that the track would have a big impact on the emergency services. Mr. Hill stated there would be diagrams of access for emergency. There were be labeled mile markers and gates. Mr. Colby asked when the track is at full build out, what will be the maintenance upkeep. Ms. Phelps stated there would be constant maintenance, she anticipates four (4) full time maintenance staff to maintain the property. Mr. Colby asked if there would be trainers on the property. Ms. Phelps stated they would have a trainer, but the person they currently have would be sent for certification to train. Mr. Colby asked who would be the market. Ms. Phelps stated that the riders would be coming from everywhere. Ms. Phelps stated that the AMA (American Motorcross Association) is behind her in this venture. Mr. Colby asked if there were any other facilities like this in Virginia. Ms. Phelps stated that there is not anything like what she is requesting in Virginia. Ms. Phelps stated that on her property the terrain is everything the riders need for different types of racing, not just one type. Mr. C.W. Doss, Representative of the Blue Ridge District, commented that it appears that Ms. Phelps has already been doing some type of training for sometime as far back as 2014. Mr. Doss asked Ms. Phelps what you want to do in the future, is this comparable to what you have been doing currently. Have the neighbors already experienced some of the sounds and noise already. Ms. Phelps stated that yes, the neighbors

have experienced some of the noise. Ms. Phelps believes the noise will in fact increase. Ms. Phelps also stated she has no interest in having a racing facility with the large number of riders. Mr. Doss asked for some clarification in the different types of racing, i.e. hair-scramble, motorcross. Mr. Doss asked would the hair scramble being going on through the woods. Ms. Phelps stated that there would be hair scramble training on her property, but this is not a race.

Mr. Colby commented that the amended conditions would take some time to review. He did ask Ms. Phelps about the buffering in the amended conditions. Mr. Colby stated you are suggesting a buffering that is an "average" of one hundred (100) to two hundred (200) feet in depth that does not make sense, what is an "average". A minimum makes more sense. Mr. Hill stated the he understood the question, the minimum would be one hundred (100) feet. Mr. Hill went on to say that on the Master Plan they had several trails that were right on the boundary of the property. They would move the trails further into the property due to concerns of the surrounding neighbors. Mr. Hill stated that the buffering would be between one hundred (100) and two hundred (200) from the edge of the boundary.

Mr. Colby asked if Staff had received the amended conditions prior to the Planning Commission meeting, to review and discuss. Mr. Hill stated that they had emailed the document to Mr. Sandy on Monday, October 12, but was unsure if the offices were open due to holiday. Mr. Sandy stated that the offices were closed on Monday, and he received the amended conditions first thing that morning. He would be happy to comment on the amendments if the Planning Commission wishes him to. Mrs. Sherrie Mitchell, Representative of the Snow Creek District, asked Chairman Webb if she may direct a question to Ms. Phelps. Mrs. Mitchell stated she has just noticed that in the summary of the neighborhood meeting, that this project is a long range project spanning over the course of ten (10) to twelve (12) years; could Ms. Phelps please speak a little more in regards to the phases or timeline. Ms. Phelps stated the first phase would be to put in a new driveway off Edwardsville Road and creating the motorcross track along with the observation deck and a bathhouse for the motorcross. The second phase would consist of primitive hogans, and a bathhouse. The third phase would be the cabins, and the pavilion. Ms. Phelps stated she would like to push the pavilion into the second phase, as they have the funding. Ms. Phelps stated that she is going to begin to look for grants and funding for the second and third phases. Mrs. Mitchell asked Ms. Phelps if her first goal is to get the motorcross facility up and running. Ms. Phelps stated that is true. The motorcross facility would allow her to start making revenue with the least amount of employees to move into the second and third phases.

Chairman Webb asked if there were any further questions for applicant. There were no further questions at this time.

Chairman Webb opened the meeting to public comments at this time.

Ms. Cheryl Chrzanowski was called to speak at this time. Mrs. Chrzanowski thanked the Planning Commission for the opportunity. Ms. Chrzanowski, lives across the street, stated she is opposed to the plan due to the noise and the effects it will have on their health and not being able to enjoy the peaceful, rural setting of their property. Ms. Chrzanowski stated that having spoken with a real estate agent their property could decrease as much as twenty (20%) percent. After speaking with an appraiser, the appraiser stated that they would not be able to sell the property with the motorcross track across the street. This is a concern to Ms. Chrzanowski, that their property will be devalued. Ms. Chrzanowski reiterated to the Planning Commission her concerns being the noise level, the effects it will have on their enjoyment of their property and the effect that is can have on their health. Ms. Chrzanowski gave the Planning Commission folders with legal litigation against motorcross facilities. Ms. Chrzanowski thanked the Planning Commission for their time.

Ms. Linda Hughes was called to speak. Ms. Hughes thanked the Planning Commission and stated she had given the Planning Commission copies of the letter she had written. Ms. Hughes and her husband are property owners with land adjacent to Ms. Phelps on Daylilly Lane. Daylilly Lane is a one lane, private, gravel driveway. Ms. Hughes stated that she is opposed to the Special Use application. Ms. Hughes stated that from her prospective it is not a good use of the land and proposed access road parallels with Daylilly. Ms. Hughes stated that there is an open field directly across from their property. There are no wooded

buffers. Ms. Hughes states that their quality of life, health and environment are in detriment. Ms. Hughes stated the on a website for motorcross riders that the forum spoke about the dirt bikes being in the low ninety (90) decibel to the low one hundred (100) decibel level. Ms. Hughes shared the Occupational Health and Safety hazardous noise levels that exceeds the average of 85 decibels, the World Health Organization suggests that this type of noise level be limited to four (4) times per year. Ms. Hughes stated that they hear this weekly, if not daily. Ms. Hughes stated she went to the County's ordinance and learned a great deal. She learned this property as well as their own is listed as "prime agricultural land". Ms. Hughes does not consider this a good use of "prime agricultural". Ms. Hughes stated in Franklin County's Comprehensive Plan there are references made that this area is designed to maintain Rural character. Ms. Hughes stated the Comprehensive Plan has a Rural Residential as a mixed use, she does not feel this is a good representation of mixed use. Ms. Hughes stated that she and her husband are adamantly opposed to this petition of Special Use permit. Ms. Hughes thanked the Planning Commission for their time.

Brad Hughes was called to speak. Mr. Hughes stated that the noise of the dirt bikes interfere with the natural sounds of the environment. Mr. Hughes stated that he feels this is a nightmare. He is adamantly opposed. Mr. Hughes stated his way of life is being disturbed.

Dale and Lori Kingsbury were called to speak. Mr. Kingsbury stated his only concern was the noise. He stated they moved out to Franklin County, for the peace and quiet. Mr. Kingsbury lives on the hill across the street from Ms. Phelps. He is also concerned with the increased traffic. Mr. Kingsbury reiterated that his main concern is the noise. He thanked the Planning Commission.

Susan Walker was called to speak. Ms. Walker thanked the Planning Commission and stated she is a neighbor of Ms. Phelps. Ms. Walker stated that she absolutely supports Julie Phelps' project. Ms. Walker asked the Planning Commission to please approve a recommendation for the Special Use permit.

Norman Young was called to speak. Mr. Young stated he is a neighbor who owns property close to Ms. Phelps. He currently resides in Roanoke County. Mr. Young stated he is opposed to this petition because he would hate to see his property value go down. Mr. Young thanked the Planning Commission.

David Janney was called to speak. Mr. Janney stated he lives within the midst of Julie Phelps property. He stated that they fully support Julie Phelps petition. Mr. Janney feels this is a great opportunity for her and the County. This would bring revenue to the County. Mr. Janney stated that the noise of the motorcross bikes do not disturb him or his family. Mr. Janney believes this will attract tourism and revenue in the area. Mrs. Janney stated that she works nights and she naps every afternoon, the bike noise does not bother her. Mr. Janney thanked the Planning Commission.

Sarah Hughes was called to speak. Miss Hughes lives on Daylilly Lane. Miss Hughes is opposed to this petition because of the noise. Miss Hughes believes that there will be many people moving away and losing jobs. This is not a quality way of life.

Tim Miller was called to speak. Mr. Miller resident of Cooper's Cove. Mr. Miller has stated he has heard the dirt bikes, but was unsure of where they were coming from. He stated that he moved to Franklin County for the quiet and peace. Mr. Miller stated that motorcross bike training does not belong in this area. Mr. Miller believes this will eventually be a huge impact in this area, traffic will be congested. Mr. Miller stated that there will be a tax on the emergency department of Franklin County. Mr. Miller stated that they do not want this in Franklin County. Mr. Miller thanked the Planning Commission for their time.

Matt Harless was called to speak. Dr. Harless is the closest neighbor of Julie Phelps. Dr. Harless submitted a letter to the Planning Commission in opposition because he was unsure whether or not he would be available to attend the meeting due to his schedule. Dr. Harless stated to the Planning Commission that he was able to sleep this afternoon, usually this in not the case. He is woken up every day with the noise of the dirt bikes. Dr. Harless stated his rest is imperative to the lives of others in the Emergency Room. Dr. Harless noted that he believes this motorcross facility to be in the wrong time and in the wrong place. Dr. Harless stated that the noise is deafening and will only get worse. He believes his property value will decrease due to the motorcross facility. Dr. Harless told the Planning Commission this type of facility does not belong in

this area, a nice quiet, peaceful neighborhood, but rather in a wasteland, or timbered area far away from neighborhoods. Dr. Harless noted the new access road is even closer to his property than what the trails are currently, which will bring more noise that will echo down across his pond. Dr. Harless thanked the Planning Commission for their time and hopes that they will understand that it is more about the community than he feels it is about the people outside the community.

Paul Hellkamp was called to speak. Mr. Hellkamp and his wife live on Edwardsville Road across the street, they are in full support of Julie Phelps Petition for a Special Use permit. Mr. Hellkamp stated he had decided to take it upon himself to do a little sound testing and has provided the Planning Commission members with a folder which includes this information. Mr. Hellkamp thanked the Planning Commission for their time.

Rich Metz was called to speak. Mr. Metz is currently building a home off of Hardy Road and is planning to move to Franklin County in a couple of years. Mr. Metz is in support of Julie Phelps Special Use permit. Mr. Metz believes there is a need for a training facility. Mr. Metz agrees that noise is an issue, but with the buffer zone the noise should be abated. Mr. Metz thanked the Planning Commission for their time.

Mark Courtright was called to speak. Mr. Courtright lives off of Hardy Road. Mr. Courtright is in support of this petition and the program that Ms. Phelps would like to put into place. Mr. Courtright agreed that motorbikes are noisy, but it comes down to what you can live with. Mr. Courtright likes the idea of moving the trails into the property and adding some buffering. Mr. Courtright thanked the Planning Commission for their time.

Jonathan Beasley was called to speak. Mr. Beasley owns a racetrack in Maryland. Mr. Beasley is in support of the petition for Julie Phelps. Mr. Beasley feels the three hundred (300) riders is going to be difficult to reach. However, he did say that the AMA has estimated that each rider generates \$186 per day into the local economy. Mr. Beasley thanked the Planning Commission.

Nathan Thurman was called to speak. Mr. Thurman asked the Planning Commission to look at the need of this facility as a whole for the children and youth in the County. Mr. Thurman supports the petition for Julie Phelps.

Keith Floyd was called to speak. Pastor Floyd is in support of Julie Phelps petition. Pastor Floyd stated Julie Phelps has a passion to help youth and families. Pastor Floyd asked if Franklin County is not where this facility belongs, than where does it belong. This will promote Franklin County in a positive and fun way. Pastor Floyd thanked the Planning Commission.

Clif Williams was called to speak. Pastor Williams is in support of Julie Phelps petition. Pastor Williams believes this will be a positive impact and fully supports the Phelps petition. Liberty University has looked at something similar to what Ms. Phelps is considering, in Lynchburg, which is huge. Pastor Williams believes this would increase employment. This would also encourage small businesses. Pastor Williams stated this would engage surrounding communities. Pastor Williams thanked the Planning Commission.

Evan Perry was called to speak. Mr. Perry works at Star City Power in Roanoke. Mr. Perry is in support of Julie Phelps petition. Mr. Perry stated the people that ride the bikes understand that it is a privilege to ride and they care for the land. Mr. Perry believes there is positive economic "backlash" for the area.

Theresa Champagne was called to speak. Ms. Champagne lives close by Julie Phelps and is in opposition to the Special Use permit. Ms. Champagne asked Ms. Phelps how many riders on her property. Ms. Phelps stated they have had at the most thirty (30). Ms. Champagne stated Edwardsville Road is a steep and sharp curves in the road and not one that RV's should be allowed to drive on, let alone three hundred (300) riders coming to up the facilities. Ms. Champagne also stated the noise and disturbance to their quiet would be a nuisance.

Frank Chrzanowski was called to speak. Mr. Chrzanowski stated he is not against "things" coming to Franklin County, but is opposed to this petition. Mr. Chrzanowski stated that most of those people that have spoken

are not from the area, do not live with the noise every day. Mr. Chrzanowski stated no one is against the youth camp or cabin retreats. As was stated before, Mr. Chrzanowski said, if you had to hear the every day, you would not want them there either. Mr. Chrzanowski thanked the Planning Commission.

Chairman Webb asked if there were any other members of the public that would like to speak at this time. There were no further comments. Chairman Webb moved the public hearing into regular session.

At this time the Planning Commission discussed the petition among themselves. Mr. Colby stated he feels that they need more time to review the information that was presented to them this evening, i.e. the two (2) packets of information, several letters, and petitions. Mr. Colby stated that there are many important concerns that need to be considered. The applicant has given the Planning Commission four (4) pages of modifications. Chairman Webb stated they may table the request. Mr. Colby stated that is what he would prefer to do so at this time. Mrs. McGhee stated that she agrees that she has not had enough time to go over the information. Mrs. Mitchell stated she is all right with what has been heard this evening but if the Planning Commission is inclined to move toward a recommendation she agrees it would be good to table the request. Mr. Sandy requested of the Planning Commission that they give Staff some specific information to allow them to move forward a time frame of the petition. Mr. Colby stated he understood that Staff did not see the recommendations until today. The following information was requested of the Staff to review further: Buffering, and Sound (Noise) is still an issue, how can we, Staff, help protect the citizens. And lastly, the camping issue.

Mr. Jim Colby, Representative to Gills Creek District, motioned to table the Special Use permit petition until the November 10, 2015 regularly scheduled meeting, directing Staff to work with the applicant, Julie Phelps, to come to agreeable conditions. Mrs. Angie McGhee, Representative of the Boone District, seconded the motion.

(RESOLUTION 10-15-2):

BE IT THEREFORE resolved as intended to promote the health, safety and general welfare of the public and to implement the adopted Comprehensive Plan for the orderly and controlled development of the county by the Franklin County Planning Commission to table the request for a Special Use Permit for the purpose of "Recreational Facilities (Private)", "Summer Camp", "Campground (Private)", and "Motels, Hotels, Tourist and Resort Facilities".

MOTION: Colby
SECONDED: McGhee
Voting on the motion was as follows:
AYES: Colby, Doss, McGhee, Webb, Mitchell
NAYES: Law
ABSENT: Ralph
ABSTAIN:

Chairman Webb recessed the meeting to allow the public that did not intend to stay for the remainder of the meeting time to depart.

At 8:55pm, Chairman Webb called the meeting into order for the discussion of the Board of Zoning Appeals petition. Chairman Webb opened the floor to Mr. Sandy. Mr. Sandy gave the Planning Commission members an overview of the application for a variance that will be presented to the Board of Zoning Appeals on Thursday, November 5, 2016. Mr. Sandy asked the Planning Commission Members if they had a recommendation to give to the Board of Zoning Appeals. At this time, the Planning Commission did not have a recommendation for Mr. Sandy. Mr. Sandy stated that should the members of the Planning Commission decide to make any comments or bring any concerns to the Board of Zoning Appeals; if they would call or email Mr. Sandy with those remarks before the November 5th meeting.

With no other business, the meeting was adjourned.

Lori A. Crouch

Clerk

October 30, 2015

Date