

Department of Planning & Community Development



A meeting of the Franklin County Planning Commission was held on April 12, 2022, in the Board of Supervisors meeting room located at the Franklin County Government Center.

THOSE PRESENT:

Sherrie Mitchell- Chair, Snow Creek District

Debbie Crawford- Vice Chair, Union Hall District

David Clements- Rocky Mount District

C.W. Doss, Jr.- Blue Ridge District

David Pendleton- Blackwater District

Cheryl Ege- Gills Creek District

Angie McGhee- Boone District – By Phone

OTHERS PRESENT:

Lisa Cooper- Interim Director, Planning

Tim Mack – Senior Planner

Tina Franklin - Clerk

Chris Dadak - County Attorney

The meeting was called to order by Chairwoman Mitchell at 6:00 p.m. The next order of business was the approval of the minutes from the March 8, 2022, meeting. Chairwoman Mitchell asked the Planning Commission if there were any comments or corrections to the minutes as written; there were none.

Chairwoman Mitchell announced the minutes would stand as written.

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Chairwoman Mitchell introduced the next item on the agenda and asked for the staff report.

APPLICATION for COMPREHENSIVE PLAN CONFORMANCE REVIEW – Application of Western Virginia Water Authority, Applicant, and Larry B. Draper, Owner, requesting a Comprehensive Plan Conformance Review on an approximate 15.295 acres of property zoned A-1, Agricultural. The property is located along Old Franklin Turnpike in the Union Hall district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0660008500. The purpose of this Comprehensive Plan Conformance Review is to evaluate the Comprehensive Plan's compatibility with a Public Water System. This property has a future land use designation of Village-Union Hall (Case # CONF-03-22-17251).

Mrs. Lisa Cooper, Zoning Administrator presented on behalf of staff by reading the background on the review of the Comprehensive Plan. She indicated we are making sure that this public utility is in compliance with the Comprehensive Plan. The Board of Supervisors may not need to have a public hearing and staff would let you know what their decision is.

Mrs. Cooper stated the property is located within the heart of Union Hall and is very wooded at this time, but the water tower will be visible from the road and properties surrounding the property. She indicated which zoning classifications surrounded the property. She provided the concept plan created by the applicant, as well as the water service areas in the county.

Mrs. Cooper talked about the Union Hall Village Plan and showed the map of the tier 4 which is the proposed traditional village category.

Mrs. Cooper talked about the future land use designation and that it would be the Village Union Hall. She read the recommendation from staff.

Mrs. Sherrie Mitchell asked her to return to the slide that shows the water service area. She asked where the border of the service was located. Mrs. Cooper stated WVWA's long range plan has looked at ways WVWA could hook onto the Westlake system and maybe long-term goal is to connect somewhere at the lake. Mrs. Mitchell asked if the photo simulations were done by applicant or county. Mrs. Cooper stated that was done by the applicant.

Mrs. Cheryl Ege asked, in regard to procedure, why the Concept Plan is being referenced during this part of the application process. Mrs. Cooper explained

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when they do the Comprehensive Review they always tack the Concept Plan to it to make sure when the site plan is brought to the Department of Planning and Community Development it is in compliance with the Concept Plan. Mrs. Ege asked if Planning Commission members are able to ask for conditions within the next application that are different from what's on the current Concept Map. Mrs. Cooper confirmed.

Mr. Scott Kroll, Director of Infrastructure and Development at WVWA, presented as applicant. Mr. Kroll introduced Mr. Stevie Steele and Mr. Larry Draper. Mr. Kroll advised he would answer any questions from the Planning Commissions.

No questions from Planning Commission members.

Mr. Kroll advised that there is a typo on the staff presentation on the tank size. "Gallons per day" is incorrect, it should be a gallon capacity. They are currently proposing 150–250-thousand-gallon capacity.

There were no citizens to speak.

Mrs. Crawford stated she finds that pursuant to the requirements of Section 15.2-2232 of the Code of Virginia I find, with the inclusion of the one (1) condition recommended by the staff, that the proposal (1) is consistent with adopted comprehensive plan policies, goals, objectives, and strategies pertinent to villages, (2) will not be of substantial detriment to adjacent or surrounding properties, (3) is in character with the project future land use of the community, and (4) that such use will be in harmony with the purpose and intent of the comprehensive plan and with the community's public, health, safety, and general welfare. Second by Mr. Doss.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: McGhee, Clements, Pendleton, Doss, Ege, Crawford, Mitchell

NAYES: None

ABSENT: None

ABSTAIN: None

Chairwoman Mitchell announced the next item on the agenda and asked for the staff report.

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Application of Special Use Permit - Western Virginia Water Authority, Applicant, and Larry B. Draper, Owner, requesting a Special Use Permit, with possible conditions, on an approximate 15.295 acres of property zoned A-1, Agricultural. The property is located along Old Franklin Turnpike in the Union Hall district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0660008500. The purpose of this Special Use Permit request is to allow for the installation of a Public Water System. This property has a future land use designation of Village-Union Hall (Case # SPEC-03-22-17252).

Mr. Timothy Mack presented the petition on behalf of staff. He provided the background of the project.

Mr. Mack stated the biggest change to the concept plan were the setbacks of the tower. Mr. Mack also added the water service area adopted by the Board of Supervisors. Mr. Mack read the analysis prepared by staff and read the recommendation.

Mrs. Deborah Crawford asked from VDOT, the proposed driveway and it has to be 20' wide. It is so close to where Berger Loop turns, would it possible to move that driveway due to the vehicles traveling the roadway. Mr. Mack stated they could definitely move that driveway. But it would be up to VDOT.

Mrs. Mitchell stated she thought the simulation photos were useful and asked how far the tower would be located from the road. Mrs. Cooper stated the tower would be 180' from the road.

Mrs. Crawford stated they talked a little about the placement of the tower at the site visit. She indicated the proposed location of the tower will be the best option for the gravity flow. Mrs. Crawford stated she would like it to be further back if possible.

Mr. Scott Kroll pointed out when they met with VDOT they were pleased with the location of the driveway that was proposed, and there was already a grade change along the shoulder. Mr. Kroll advised using that location will require minimum land disturbance that they will need to do. He stated they may need to improve that driveway location a bit since they have to have the driveway 20' for fire and Ems purposes. He stated one reason they chose this site was because of the topographical drop off in all four directions. The topography high is approximately where stated in the Concept Plan. He stated if they relocate the

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tower further back on the property from the road then the tower would have to be taller. He provided photos of a similar tower located in Roanoke which is only 60' off the edge of the road and is 120' tall. Mrs. Crawford asked if the tank in Roanoke was white or light blue. Mrs. Mitchell asked how they determine what the tank looks like. Mr. Kroll advised this application requires a tank design called an "elevated storage tank." Rather than doing a ground storage tank, like in Burnt Chimney. This tank design allows them to get the elevation they need without making the tank larger than necessary. The stem of the tank is designed to raise the bowl of the tank to create the storage capacity.

Mrs. Ege asked Mr. Kroll to tell them how the tank in Westlake compares. Mrs. Ege asked about Summit View. He stated that was 100' and has a 500-thousand-gallon tank. Mrs. Ege asked him to explain what Mr. Kroll meant when he stated the hydraulics system needed to match up. Mr. Kroll advised that their long-term plan is to connect the systems in different areas of the county, so when they do connect them, they can move water in either direction. Mr. Kroll went into further detail explaining the difference in height needs of tanks compared to elevation levels of the land. Mrs. Ege stated they really do not have any leeway with the height of the tank. Mr. Kroll confirmed this and discussed minimum water levels and pressure requirements. Mrs. Ege asked if the storage tank like the one at Burnt Chimney be feasible. Mr. Kroll confirmed that a ground storage tank would not be feasible. Mr. Kroll elaborated that with a ground storage tank, if there are not enough water connections going to consumers, the water becomes stagnate and does not meet the water quality requirements.

Mrs. Crawford talked about the concept plan and a 20' buffer and asked if they were planning on taking down as few trees as possible or planning to cut everything down and then re-plant the 20' buffer. Mr. Kroll stated they were going to try to minimize tree removal and have other options to provide other buffer areas.

Mrs. Crawford asked if they ever outgrow the tower size or would you have to add a tower. Mr. Kroll stated most of that is driven by the elevations and this tower will be fairly large size for as much growth potential. He stated right now they have two (2) wells that are available to them. Mrs. Crawford asked what would drive having longer distribution lines, or lines that were further out. Mr. Kroll advised this is driven by funding. Mrs. Crawford asked if their funding is people wanting to connect to the line. Mr. Kroll stated not necessarily. He advised that they are

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allocating a certain amount of money to this project. The number of connections will not affect their capital investment.

Mr. David Pendleton asked how often the tanks would have to be drained and reserviced. Mr. Kroll stated they usually get a about 30 years of life out of a tank before they need to be reserviced.

No citizen comments.

Mrs. Crawford suggested that the buffer system should be added to the conditions. Mrs. Crawford suggested with the buffer being on three sides, leaving out the rear of the property to assist with the drainage field. Mrs. Crawford would also like for Union Hall residents to have input with the Board of Supervisors on the appearance of the tower: logo, color, etc. Mrs. Cooper offered to include citizen's input on the appearance of the tower in their staff report. This was agreed upon by Mrs. Crawford. Mrs. Cooper suggested that if the Planning Commission wanted to keep the 20' buffer all around, it would be enforceable if added to the list of conditions. It was determined that the 20' tree buffer shall be added to the conditions.

Mrs. Crawford stated that the use will not be of substantial detriment to adjacent properties, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the uses permitted by-right in the zoning district, and with the public health, safety and general welfare to the community. Therefore, I move to recommend approval of the applicant's request for a Special Use Permit to allow for the installation of a Public Water System in accordance with Sec. 25-179 of the Zoning Ordinance, with the four (4) conditions as recommended in the Staff Report. The fifth (5th) condition maintain 20' boarder tree buffer as shown on the concept plan dated 4/11/2022. Seconded by Mr. Clements.

The motion to approve was approved, 7-0; voting on the motion was as follows with the following conditions:

AYES: McGhee, Clements, Pendleton, Doss, Ege, Crawford, Mitchell
NAYES: None
ABSENT: None
ABSTAIN: None

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Union Hall Village Plan Update – Discussion

Mrs. Cooper stated the consultants are putting the finishing touches on the Village Plan and we are hoping to have something for the May meeting. She stated the consultants would not be back for the public hearing. She indicated that staff will be required to do the public hearing for the Planning Commission and the Board of Supervisors. Mrs. Cooper advised if the consultants were called back out, the county would be required to pay for it out of professional services.

Mrs. Crawford asked if the public meeting would be held in the Union Hall area. Mrs. Cooper stated they are proposing that and the church would be a great place to hold the meeting but she was not sure that the church would let them hold the meeting there. She stated the meeting could be at the Glade Hill School if they could use the gymnasium. The gymnasium is set up for sound and there is a score board that would function as a timer so citizens would be able to speak. She stated it was possible that the public meeting would not be in May but possibly in the summer.

No further comments.

Short-Term Rental Update - Discussion

Mrs. Cooper apologized that there was not a lot of information in their packets regarding short-term rentals. She indicated that the way we look at the compliance components is different compared to Host Compliance. She stated that Host Compliance currently has 217 active listings and 168 registered units on its compliance status. She indicated that county staff considers compliance as the unit is registered; the fees have been paid; and that successful compliance inspection has been completed and approved. She stated the county has 34 units that are active and 124 units pending. Mrs. Cooper advised this means only 20 percent of the units are in compliance, and she would like to see that number increase. The units are supposed to be inspected prior to renting. Mrs. Cooper advised they are trying to get more people in compliance. It can take up to 45 days or more before they can be taken to court if not in compliance. There are different things staff can do to get more in compliance, such as changes to ordinance and county code.

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Mrs. Cooper stated Mr. Mack looked into the process other localities use which include Roanoke County, Bedford County, Botetourt County, City of Norfolk, City of Martinsville, City of Virginia Beach, Campbell County, and Amhurst County.

Mrs. Ege reminded everyone that the BOS asked them to take a look at lot sizes and setbacks on properties for short-term rentals and she did not see anything in the materials that was applicable to Franklin County. She stated she did not know if the Planning Commission would like to discuss what they feel would work as far as set backs and lot sizes, or if anyone had any other suggestions to the ordinance. Mrs. Cooper stated the localities did not have setbacks in their ordinances but did have lot sizes. Mr. Mack stated other localities were not concerned with lot sizes unless it was a lot size less than 5 acres then you would need a special use permit. Mrs. Crawford stated they have discussed the lot sizes. Mrs. Cooper stated it has been requested by the BOS to discuss lot sizes again. She indicated that Bedford County is thinking about hiring Granicus and will in the future be coming to our office to talk to us about the system.

Mrs. Mitchell asked if the planning consultant with Host Compliance would have any insight that would assist them. Mrs. Cooper noted the discrepancies between zoning ordinance and county code. Mrs. Cooper further explained discussion of adding liability insurance to the requirements, in order to have the ordinance and the code to click together. Mrs. Mitchell would like for the consultant to also look at the set back and lot sizes.

Mrs. Ege stated that one thing prompting the lot size and setbacks and talked about information received from Waters Edge, and citizens writing letters talking about how some of the homes are more appropriate for short term rentals. There are some neighborhoods that are highly developed and still listed as A1. This is what has prompted the board to look at these requirements again. Mrs. Mitchell acknowledged the differences in areas of the county. Some areas of the county small lots aren't very frequent.

Mrs. Cooper announced staff changes.

No one spoke during citizen comment.

Meeting adjourned at 8:18pm