

Department of Planning & Community Development



A meeting of the Franklin County Planning Commission was held on July 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

OTHERS PRESENT:

Lisa Cooper- Director, Planning
Tim Mack – Senior Planner
Megan Fenner – Clerk
Chris Dadak - County Attorney

The meeting was called to order by Chairwoman Mitchell at 6:00 p.m.

The first order of business was the annual vote for chair and vice chair of the Planning Commission. Chairwoman Mitchell asked if there were any nominations for chair. Ms. Deborah Crawford nominated Ms. Sherrie Mitchell for chair. Mr. C.W. Doss seconded the nomination.

The nomination was confirmed, 7-0; voting on the nomination was as follows:

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

Department of Planning & Community Development



NAYES: None
ABSENT: None
ABSTAIN: None

Chairwoman Mitchell then asked if there were any nominations for vice chair. Mr. C.W. Doss nominated Ms. Deborah Crawford for vice chair. Ms. Angie McGhee seconded the nomination.

The nomination was confirmed, 7-0; voting on the nomination was as follows:

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

The next order of business was the approval of the minutes from the June 14, 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.

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

APPLICATION for SPECIAL USE PERMIT – Application of Craig and Angela Wilson, Applicants and Owners, requesting a special use permit, with possible conditions, on an approximate 26.152 acres of property zoned A-1, Agricultural. The property is located at 750 Penn Hall Road in the Union Hall district of Franklin County and further identified by real estate records as Tax Map/Parcel # 0510002002. The purpose of this request is to allow for a tourist and resort facilities development, where such use is permitted in A-1 zoning districts by issuance of a special use permit granted by the Board of Supervisors. This property has a future land use designation of Low Density Residential (Case # SPEC-06-22-17360).

Mr. Timothy Mack presented the staff report.

The applicant is requesting a special use permit to allow for a tourist and resort

Department of Planning & Community Development



facilities development on an approximate 26.152 acres of property located at 750 Penn Hall Road in the Union Hall district.

The proposed development will comprise of an existing 5,000 square foot manor house that is planned to have a 4,750 square foot addition (9,750 total square feet). With the addition, the manor house will consist of 12 suites, including a master suite and bunkroom, all outfitted with a full bathroom, closet and coffee bar. The manor house itself will also feature a new full kitchen. In total, the manor house will accommodate up to 26-30 occupants (two [2] adults per bedroom, plus the bunkroom).

Outside of the manor house, the proposed development will include several primary and ancillary features. The key features include a 10,000 square foot clubhouse to be used by guests for various purposes such as pre-event lounging and queuing, and 33 950 square foot cottages to accommodate guests of the property not staying in the manor house. The interior of the clubhouse will have several entertainment amenities including an arcade, gaming simulator, private bowling alley, a fully equipped bar, lounging areas, a pool, fire pit, and accessory bathrooms and locker rooms. The cottages will all be equipped with two (2) bedrooms and bathrooms, an open living area, and a kitchen.

The proposed development will also have several ancillary features, enumerated and summarized below:

- Event barn: 9,000 square feet, capable of accommodating up to 350 guests. Will include a full commercial-scale kitchen, two (2) fully equipped bars, a bride and groom suite, and a lower floor for storage and a store and tavern.
- Country store and tavern: This feature will be located on the lower floor of the proposed event barn and will be accessible to guests staying on the property.
- Outfitters shop: This 1,200 square foot feature is to be located toward the lakeside of the property and will be dedicated to guests for the provision of accessories and equipment for lake enjoyment. Accessories will include items such as paddleboards, kayaks, and life preservers.
- Event and boat docks: There will be two (2) private docks for the proposed development. The first dock will be a larger in size, and available for guests to use for events, e.g., wedding ceremonies. The second dock will be smaller, consisting of several boat slips, only available guests staying on the property and invited guests attending events.
- A potential outdoor dining and activity/recreation and games area, both of

Department of Planning & Community Development



which would be on the remaining slab from the existing barn – to be demolished.

- A potential vineyard to coincide with the development has also been discussed if the owner/applicant were to acquire more adjacent property in the future.

The owners are anticipating, at full staff, approximately 10-20 on-site employees, including a manager, groundskeepers, housekeeping, and a cook to prepare food for guests staying at the facility. For events, food and beverages would be a catered service.

While the proposed tourist and resort facilities development is one contiguous use, the owners are expecting to phase the development of the site, focusing on the addition to the manor house, the clubhouse and event center, and a few cottages on the north end of the property. The rest of the site will be built out afterwards.

Nearby parcels are a mix of large residential, agricultural and vacant lots, all zoned A-1, Agricultural. The owner and applicant for this petition owns the closest structure (a single-family dwelling) to the proposed facility, located across the road.

The application was advertised, site posted, and notifications sent to all adjacent property owners. The Development Review Team (DRT) reviewed the application at its June 15th meeting. As of the date of this report, staff has received no inquiries about the petition.

Chairwoman Mitchell asked if any Planning Commission member had questions for staff. There were none.

Chairwoman Mitchell advised they would now hear from the applicant.

Mr. Kevin Schaffer introduced himself as project architect with Design Develop. Mr. Schaffer also introduced Mr. Brandon Scott, Earth Environmental and Civil, who is doing the civil and site work, along with Mr. Robert Moore who is the owner's representative and will also be on site to oversee construction.

Mr. Kevin Schaffer started off by thanking Staff for being helpful and transparent through the planning process. Mr. Schaffer stated they understand all conditions and have no objections to the conditions recommended by Staff. Mr. Schaffer

Department of Planning & Community Development



talked about the applicants: Craig and Angela Wilson. Mr. and Mrs. Wilson have been frequent visitors to the Smith Mountain Lake area. Mr. and Mrs. Wilson are currently in the process of building a house at Smith Mountain Lake. The applicants noticed a shortage of high-quality short-term rentals at Smith Mountain Lake, and the existing short-term rentals were quickly booked. When this parcel became available, the applicants had a vision of what they wanted to build.

Mr. Schaffer emphasized the applicants' desire to preserve the natural beauty and amenities of Smith Mountain Lake. Mr. Schaffer stated this will not be another development where the area is bulldozed and cleared out. Mr. Schaffer stated they intend to achieve a low impact development through clusters of cottages that follow the natural landscape, preservation of wooded areas, introduction of warm season meadows, emphasizing view sheds and preservation of the manor house.

Mr. Keven Schaffer referenced the Zoning Ordinance, and stated they are using the ordinance as a guide to check their actions. Mr. Schaffer emphasized how serious the applicants are about not changing the character of the surrounding area. Mr. Schaffer gave examples of their design that will uphold the characteristics of the area. Mr. Schaffer advised he would answer any questions that the Planning Commission had.

Ms. Deborah Crawford asked Mr. Kevin Schaffer if they are anticipating any issues with the availability of water supply to the resort, like needing to drill more than one well. Mr. Schaffer stated this is still being evaluated, but they are expecting to drill more wells since there is only one functional well on the property.

Ms. Deborah Crawford asked if there would be any problems if the applicant was asked by VDOT to make changes to the road. Mr. Brandon Scott, with Earth Environmental and Civil, stated they have looked at the average daily traffic on Kemp Ford Road, Dillard's Hill Road and Penn Hall Road. Mr. Scott stated they will most likely have to do a traffic narrative and a turn lane analysis, but they will conform without a problem.

Ms. Cheryl Ege asked for clarification if the roads will be to VDOT specifications. Mr. Brandon Scott advised that the roads would be private, and since they will be

Department of Planning & Community Development



internal to the site, will not be to VDOT specifications. Mr. Scott clarified that Penn Hall Road is a state-maintained road and will maintain a VDOT road.

Ms. Deborah Crawford asked if Mr. Kevin Schaffer had any timeline for building. Mr. Kevin Schaffer stated Phase 1 would include the clubhouse, a series of cottages, and the renovations to the manor house. Pending approval, they are hoping to start Fall 2022 on the renovation to the manor house, and as early Spring 2023 for the building of the clubhouse. Ms. Crawford asked if the building would take 1-2 years to complete. Mr. Schaffer stated that's accurate.

Ms. Cheryl Ege questioned if there was enough parking for a 350-person event at the event barn. Ms. Ege asked what the plans for parking were if someone had a 350-person event at this location. Mr. Kevin Schaffer advised that any parking would have to meet zoning requirements, and that is dependent on the number cottages and occupants they have staying at the property. Ms. Ege asked for clarification on the parking that is shown in the renderings of the plan. Mr. Schaffer stated the parking shown in the plans is for the manor home as well as the cottages. Guests staying in the cottages would either walk to their cottage or are given a golfcart to use for onsite transportation during their stay. Ms. Ege questioned if any overflow parking would take place in a grassed area. Mr. Schaffer stated that would most likely be the case.

Chairwoman Mitchell stated she would open the floor to any citizen comments.

Ms. Rita Kent spoke against the Special Use Application. Ms. Kent advised there is already a lot of traffic in the area that all the occupants of the resort would be driving past by her residence.

Ms. Beth Simms who lives on Scott Street spoke in favor of the application. Ms. Simms stated she was relieved that the land wasn't bought for "cookie cutter" homes. Ms. Simms stated she was recently married, and there was no place like this in Franklin County to have family come in and stay with you.

Mr. Bob Kent of Kemp Ford Road would like to know if VDOT is going to do anything with Kemp Ford Road and Dillard's Hill Road to support the extra traffic. Ms. Lisa Cooper explained if the petition is approved by the Board of Supervisors

Department of Planning & Community Development



there will be a site plan review where VDOT will analyze the road conditions and the amount of traffic coming through to determine if any improvements need to be made. Mr. Kent added that Kemp Ford Road is not very wide. Mr. Kent was concerned more construction would be a burden to an already busy roadway.

Chairwoman Mitchell advised the period for public comment is now closed. Chairwoman Mitchell asked if the applicant would like to come up and address any concerns brought up. The applicant declined. Chairwoman Mitchell advises the commissioners would now discuss the case.

Ms. Cheryl Ege stated that this project would be an asset to Franklin County. Ms. Ege continued stating that the area is designated A-1 for agricultural purposes and stated that there is nothing in the project that would meet this description. Ms. Ege suggested that rezoning this property as a commercial use would better fit the project rather than issuing a Special Use Permit. Ms. Ege advised that the By Right uses in a Planned Commercial Development, PCD, also include all uses in a B-2 District, General Business, which would allow for everything the developer wants to do and would reflect an accurate zoning designation.

Mr. C.W. Doss responded by listing off some permitted uses of A-1, Agricultural districts: antique shops, assembly halls, bed and breakfast establishments, churches, colleges, lodges. Mr. Doss suggested that some of these listings are similar to what the applicants intend to do with the property.

Ms. Angie McGhee stated the goal was not to spot-zone and was concerned that they would in fact be spot-zoning if they voted to rezone the property. Ms. Lisa Cooper stated that Staff attempts to look at applications and determine what is the best course of action when situations like this come up. Ms. Cooper stated there are Special Use Permits in A-1, Agricultural areas that are for commercial use. It was staff's recommendation that the applicant move forward with a Special Use Permit, rather than to rezone the property to a commercial use. Ms. Cooper confirmed if they rezoned the property which is surrounded by A-1, Agricultural properties it could be considered spot-zoning and was not something she would recommend. Ms. Cooper added if the property was rezoned, proffers are voluntary, and there is not much Staff can do to protect the surrounding area. Mr. Timothy Mack confirmed that a Special Use Permit allows Staff to strictly

Department of Planning & Community Development



enforce the conditions set by the Planning Commission and Board of Supervisors, and that's why they suggested a Special Use Permit.

Ms. Deborah Crawford stated she agreed with Ms. Angie McGhee. Ms. Crawford asked if the applicant requested to rezone the property. Mr. Timothy Mack stated the applicant did not request rezone.

Ms. Cheryl Ege advised the intent of zoning is to keep compatible uses together and to separate incompatible uses. Ms. Ege stated it was unlikely that anyone will purchase the surrounding land from AEP and use it as agricultural land. Ms. Ege stated this is an opportunity to get the rezone right.

Ms. Cheryl Ege motioned that the Planning Commission deny the application for a Special Use Permit in an A-1, Agriculture zoned area, and instead recommend the applicant work with Staff to submit an application for rezone from A-1, Agricultural, to PDC, Planned Commercial Development which would accurately reflect the applicant's intended use of the property and the Zoning Ordinance. There was no second to the motion.

Ms. Deborah Crawford motioned that the proposed use will not be of substantial detriment to adjacent property, that the character of the zoning district will not be changed thereby, and that such use will be in harmony with the purpose and intent of the County Code, the uses permitted by right in the zoning district, and with the public health, safety and general welfare to the community. Ms. Deborah Crawford moved to recommend approval of the applicant's request for a special use permit to allow for a tourist and resort facilities development with the eight (8) conditions as recommended in the staff report, with the change in date to condition one (1) from June 6, 2022 to June 8, 2022.

Ms. Cheryl Ege asked if there would be no recommendations around the Virginia Health Department requirement for supply and methods of water supply and sewage disposal. Ms. Angie McGhee pointed out condition 3a. Ms. Lisa Cooper read condition 3a which included the Virginia Health Department and upholding standards of water supply, sewage disposal and food services.

Mr. David Pendleton seconded Ms. Deborah Crawford's motion to approve.

Department of Planning & Community Development



The motion to approve was approved, 6-1; voting on the motion was as follows with the following conditions:

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

Chairwoman Mitchell announced the next item on the agenda.

Solar Ordinance- Update

Ms. Lisa Cooper stated that the Board of Supervisors has held several work sessions focused on the Solar Ordinance. Ms. Cooper stated last meeting they have come to a consensus and are moving forward on July 19th meeting for the Comprehensive Plan Amendments and the Zoning Ordinance Amendments. Ms. Cooper went into detail about the thought process behind the changes made by the Board of Supervisors. Ms. Cooper stated she would answer any questions the Planning Commission has. There were none.

Chairwoman Mitchell advised that they would now open up the floor to any citizen who would like to approach the Planning Commission with any planning issues. Hearing none, and seeing none, they would now close the period for citizen comment.

Meeting adjourned at 6:58 pm