

**MINUTES
LURAY PLANNING COMMISSION
NOVEMBER 14, 2007**

The Luray Planning Commission met on Wednesday, November 14, 2007, at 7:00 p.m. in regular session. The meeting was held in the Luray Town Council Chambers at 45 East Main Street, Luray, Virginia. Chairman Tom Potts opened the meeting.

Commissioners Present:

Tom Potts, Chair
Peyton Baughan
Clifton Campbell
Larry Hakel
Sam McNeely

Absent: Terry Dodson

Judy Suddith

Others Present:

Bryan Chrisman, Assistant Town Manager
Ligon Webb, Town Planner
Jason Spitler – Town Attorney
Andrew Jenner – Page News & Courier

Chairman Potts called the meeting to order at 7:00 p.m. and everyone joined in the Pledge of Allegiance to the flag.

Approval of Minutes from October 10, 2007 Regular Planning Commission Meeting

There being no additions or corrections to the minutes, a motion was made by Commissioner McNeely and seconded by Commissioner Hakel that the minutes be approved as presented. The vote was as follows: YEA: Commissioners Potts, Baughan, Campbell, Hakel, and McNeely. **Approved 5-0**

NEW BUSINESS:

- **Public Hearing: Special Use Permit, The Laurance, LLC/Mr. Bob Harrison, for eight (8) apartments in a B1 Zoning District.**

Ligon Webb stated several of the Commissioners toured the former Laurance Hotel. The availability of adequate parking within close proximity was a primary concern. The applicant has a vacant lot nearby that will be developed for parking.

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Mr. Webb's rough calculations indicated between 26 and 31 parking spaces of suitable size will be needed.

Commissioner Potts asked all speakers to approach the podium and give their name and address prior to making their remarks.

Melinda Kramer from Leesburg made a short presentation. She is Mr. Harrison's business partner. She emphasized that they want to recreate the architecture and ambience of the former hotel, and provide a much-needed center of business on the west end of town. She answered several questions, and provided a brochure for review.

Bob Harrison of Pine Grove in Stanley also spoke briefly, and emphasized that they were working very hard to create a building that the Town can be proud of. He also acknowledged the need to help "anchor" the west end of the renovation efforts in downtown Luray.

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Commissioner McNeely asked if they have gotten any feedback from the potential neighbors on that street about his endeavors. Mr. Harrison replied that they have received comments back from most of the neighbors, and they are positive. He stressed the importance of completing this project with the best interests of all involved.

Mr. Webb commented that the Town received a letter from Mark Reed saying that he was fully supportive of it.

Commissioner Hakel asked Mr. Harrison when he was going to address the parking and what development stage that would be in. Mr. Harrison replied that the next phase is to get a partial certificate of occupancy for the market, and the studio. They have already consulted Racey Engineering and they are working on a site plan for a graveled parking area that will be designated exclusively for the Laurance, LLC with signs.

Commissioner Baughan commented that the entrance to the parking lot displayed on your sketch is from the rear, which will increase traffic on that narrow alley. He asked why the entire lot wasn't utilized for parking and Mr. Harrison indicated that they eventually want to build a business office out front on Main Street with a first-level parking garage. Mr. Baughan was concerned about the calculation of the required number of spaces, and wanted staff to re-visit that. He felt that the subtraction of non-applicable areas may yield a more accurate number.

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Commissioner Baughan wanted the Town to have their attorney satisfy themselves that the parking provided on this lot is tied to the Laurance Hotel so that in the future it could not be sold separately. In this way, the two properties are permanently linked so that the users of the Laurance will always have adequate parking nearby.

Mr. Harrison stated they also have three spaces they can rent from Allen Cabbage (who is one of their neighbors) if the need arises. Their property doesn't adjoin him, but he is two properties away.

Mr. Webb asked when they envisioned occupying the apartments. Mr. Harrison stated they are about a year away from completing the apartments. They will have to go through all the engineering and all the work of improving the parking lot. Mr. Harrison stated the parking lot is also owned by the same corporation that owns the hotel and that's Laurance LLC.

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Commissioner Potts had several comments regarding various architectural aspects of the building, and asked Mr. Harrison how he planned to handle them. Mr. Harrison responded that they intended to keep the building as original as possible.

There were no comments from the public.

Mr. Webb stated that the only thing that the Commission added as a condition was a statement that a portion of the Main Street lot also owned by Laurance, LLC will be dedicated for parking exclusively for the Laurance Hotel and that both properties must be permanently linked together within the deeds.

A motion was made by Commissioner Hakel that the Commission recommend the approval following the stipulation that Mr. Webb set forth. Motion was seconded by Commissioner Campbell. The vote was as follows: YEA: Commissioners Potts, Baughan, Campbell, Hakel and McNeely. **Approved 5-0**

OLD BUSINESS:

Update on Montvue Nursing Home

Mr. Webb stated the applicants have decided to pursue the by-right zoning of R-3. They are planning on submitting their preliminary plat in December.

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Short Term Rentals: Discussion Concerning limiting Short Term Rentals

Mr. Webb went through the background of the potential code change, and offered suggestions about altering the statement's of intent for each of the affected zoning districts. He also discussed the option of requiring these to apply under a Special Use Permit. Mr. Spitler had some concerns with that process, and thought that it may be best to handle such requests as a separate type of zoning.

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Commissioner Baughan stated he was not in favor of allowing short-term rentals within the residential zoning districts. Commissioner Campbell concurred.

Mr. Webb commented if you want to prohibit them in all residential districts, on the draft definition you could add another statement saying that “short terms rentals are prohibited in all residential districts”. Commissioner Campbell stated that would be all you need. Mr. Webb stated he would make an ad up and advertise it, and use the definition with that language at the end of it. The Commissioner’s generally agreed.

Commissioner Potts stated he was not in favor of limiting it, or prohibiting it, for the Town. He stated that in the Comprehensive Plan, one of the objectives is to encourage the establishment of rental properties on residential lots in the future, or to expand the availability of housing by including rentals on property here in the town. Commissioner Baughan stated he thought long term rentals would best fit that definition. Commissioner Campbell stated the Town would still be encouraging new homes for either sale or rent.

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Commissioner McNeely commented that the new definition will spell out what a short term rental is, and where it can be used. Mr. Webb stated the definition will be “The renting of a private dwelling, including, but not limited to a single-family home, a townhouse, duplex, triplex, multi-family, condominium, or like which is rented, leased or advertised for a term period less than thirty (30) days. A short-term rental shall be considered a “commercial use” as are motels, lodges, inns, or bed and breakfast operations.” At the end of this definition we will add the statement that “short term rentals are prohibited in residential zoned areas”.

Commissioner McNeely stated that the Commission should recognize the students from Luray High School attending the meeting tonight. Commissioner Potts explained to the students some of the things the Commission tries to accomplish for the town, and thanked them for attending.

Enhancing Landscaping Plans in Subdivision Plats and Site Plans

Mr. Webb stated that once again one of the issues brought to the Commission was to look at some enhanced landscaping plans for subdivision plats and site plans. Site plans are required to be submitted, reviewed, and approved for commercial and business uses. He updated the Commission on his proposed changes and additions. He stressed the idea of keeping such a requirement simple and flexible.

Commissioner Potts asked if the Commission is satisfied with landscaping for residential and business so we can go forward with a hearing next month, or do want them to bring back more specific language. Mr. Webb stated he will bring revised language back at the December meeting.

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Mr. Chrisman discussed the proposed definitions for subdivision, subdividing, and re-subdivision. He received comments from several Commissioners, and agreed to alter the language, and include a copy of the proposed policy for handling non-subdivision actions, and that this information will be brought back before the Commission in December.

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Commissioner Potts stated part of the landscaping and lighting plan revisions both fall in line with things that are identified as short term objectives in the Comprehensive Plan. He wanted to document that for the record. He is concerned that the Commission needs to conduct a good review of the Comprehensive Plan to look at what are our short term objectives are so that the Commission can begin to address them methodically. He asked Mr. Webb to put together a matrix showing these items.

Commissioner Potts commented his research of Robert's Rules of Order, and the proper method of calling for the questions, motions and seconds. The manual is available for all Commissioners to review.

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Commissioner Campbell stated that the Commission needs to review a requirement for parking spaces for the employees of any business. He indicated that the Code requires them for tenants and guests, but not for employees and staff. He thinks that this is a problem, and needs to be addressed.

Mr. Webb indicated that he was going to be completing a comprehensive parking analysis of Luray soon, with special attention given to the downtown areas and the businesses there. He also wanted to consider what businesses could be located downtown in currently vacant buildings.

Commissioner Baughan stated he thinks the requirements for parking spaces on the retail areas in the business district contemplate that the square footage ratio to parking includes the employees as well as the customer. He indicated that the ratio may need to be altered after further review by the Commission. Commissioner Potts stated that parking is an issue that he has raised several times to Mr. Black, and members of the Council. So far what he has heard is that the Town has adequate free public parking.

There being no further business to come before the Commission, Commissioner Baughan made a motion to adjourn and seconded by Mr. Hakel.. The meeting was adjourned at 8:40 P.M.

Respectfully submitted,

Bryan T. Chrisman
Assistant Zoning Administrator

ATTEST:
