

**MINUTES
LURAY PLANNING COMMISSION
MARCH 12, 2008**

The Luray Planning Commission met on Wednesday, March 12, 2008, 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 presided and opened the meeting.

Commissioners Present:

Tom Potts
Clifton Campbell
Terry Dodson
Larry Hakel
Sam McNeely

Absent: Peyton Baughan
Judy Suddith

Others Present:

Bryan Chrisman, Assistant Town Manager
Ligon Webb, Town Planner
Jason Spitler – Town Attorney

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

Chairman Potts stated we are going to ask the public attending to consolidate and hold your comments to the shortest possible time since he wanted the Commission to have the opportunity to attend the County meeting on Land Use planning.

Approval of Minutes from February 13, 2008 Regular Planning Commission Meeting

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

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NEW BUSINESS:

- **Final Plat Submittal:** BRVCSP, LLC has submitted the final plat for Phase 1 of Blue Ridge Village's R3 two family attached (duplex) development. Phase 1 creates sixteen (16) two-family dwelling lots. The applicant has submitted engineering plans and a bond estimate for all public improvements. These items are currently being reviewed by the Town's contract engineer.

Mr. Webb stated that the Commission looked at this a couple of months ago, and that last week the Town received their final plat documents with the engineering plans, and bond estimate. Town staff has done an internal review and have a few minor questions. The Town has already sent the engineering plans and bond estimate to the review engineer. Mr. Webb indicated that if so inclined, the Commission could issue a conditional approval with regards to a satisfactory engineering review and bond estimate.

Commissioner McNeely asked if the Town Council approved the ordinance allowing duplexes in R-3 subdivisions. Mr. Webb replied yes, they allowed them to be divided into two lots, so duplexes can now be separated and each side can be sold.

Commissioner Potts stated he got a particular look at Sheet C 1.05 and the references there to the landscaping. He wanted Mr. Webb to ensure that the plan reflected the most recent adoption of the landscaping requirements.

Commissioner Campbell asked if the Town had any plans to improve Memorial Drive. Mr. Webb indicated no, not at this time. He indicated that as part of the Luray condominium project, improvements would be required at the Memorial Drive and West Main intersection. Mr. Webb thought that a light might be needed there at some point in the future. Commissioner Campbell was concerned with the current width of Memorial Drive, and indicated future expansions to the number of users would require widening. Mr. Webb said that the condo project would be required to accomplish some off-site drainage and road widening improvements.

Commissioner Campbell made a motion that this be sent to Council for approval under the condition we satisfy the stipulations and finish the engineering coordination without a problem. Motion was seconded by Commissioner Hakel. The vote was as follows: YEA: Commissioners Campbell, Dodson, Potts, Hakel and McNeely. **Approved 5-0**

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PUBLIC HEARING:

SUP 08-1, Hawksbill Creek Farm/John R. Mrotek: The applicant is seeking a special use permit to allow an existing accessory building – located on an R3 zoned parcel – to be utilized for the storage of recreational vehicles, boats and other like equipment. A commercial storage facility is allowable in the R3 zoning district only by special use permit.

Mr. Webb stated that Mr. Mrotek had submitted a new proffer statement that was a little more definitive in nature. The main issue being that the conditions would be binding on all assigns, and be enforceable by the Zoning Administrator.

The Public Hearing was then opened.

John Mrotek, 4 Jamison Road, Luray, Virginia

Mr. Mrotek stated the reason he's asking for this is that he has scheduled an auction for all of his tractor collection which is set for August 30, 2008. He believes that he has been a good neighbor in Luray, and has improved the appearance of the land greatly. He recently sold a significant portion of land to the Town for the Phase 4 extension of the Greenway at a reduced price. He would like to request the special exception.

Commissioner Campbell asked if the planned rentals were to be annual, seasonal or shorter. Mr. Mrotek stated there may be someone who rents and parks something in there year round.

A motion was made by Commissioner Hakel that the Commission recommend approval to the Council and forward this with the provisions tied to it which have to be recorded against the deed. Motion was seconded by Commissioner Dodson. If it's approved, Mr. Webb will give them something that he records with the deed. The vote was as follows:

YEA: Commissioners Campbell, Dodson, Potts, Hakel and McNeely. **Approved 5-0**

Old Business:

Review and Discussion: Continue review of a "B2" zoning district.

Mr. Webb stated he will have a draft version of the proposed B2 zoning district for the next meeting.

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Commissioner McNeely stated he would like for the Planning Commission to commend Commissioner Terry Dodson on his recent award from the County for the service that he provides to our County on a daily basis. Commissioner McNeely wanted to make sure Mr. Dodson knew that everyone appreciated what he accomplishes daily. Commissioner Potts stated that's a motion of commendation from the Commission. The motion was seconded by Commissioner Hakel. The vote was as follows: YEA: Commissioners Campbell, Potts, Hakel, and McNeely. **Approved : 4-0**

Commissioner Hakel asked if there was anything that the Commission could take up at the next meeting regarding the Comprehensive Plan. Mr. Webb stated that the Commission could talk about methods to eliminate blight, and discuss the sign ordinance. Chairman Potts stressed the importance of reviewing low-impact signs.

Mr. Chrisman stated that Town staff has been attempting to standardize the Town's internal and external reviews of site plans, preliminary plats, subdivision plats, final plats, boundary adjustments, etc. Mr. Webb will be creating a work summary checklist based on the Code of the Town. These sheets can also be used by the Commissioners in their reviews of projects. These lists could also be provided to the applicants for use as a guide. He stated that Mr. Webb forwarded a recent decision that indicated that a Planning Commission does not have to take up an issue until a complete submittal is placed on the agenda. The initial administrative review will look at the completeness of the submittal. This will be followed by a lengthier checklist that evaluates the proposal against the actual Code requirements for what items need to be within the plans. If the first administrative review is incomplete, Mr. Webb is under no obligation to put the issue on the agenda. Mr. Webb can contact the applicant, forward them a copy of the checklist and any of his comments in writing, and they will have to correct the submittal and then re-submit. The use of these standardized checklists will maintain consistency, and will help protect the Town and the Commission.

Town Administration recommends that the Commission take two "readings" on just about every submittal. This allows staff and the Commission members adequate time to review and ask questions. These are usually large projects that represent significant investments. Typically, the Town is under no obligation to rush anything through its review and comment process. Taking two looks at each submittal should help to ensure that since the Town only gets one chance to approve a project, that chance should thoroughly evaluate each submittal.

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Commissioner Potts stated that the Town Council approved the Commission's proposed changes relative to the Code regarding landscaping, lighting, and subdivision definitions.

Commissioner Potts stated that the Commission should come up with a definition of "blight". He suggested that members evaluate existing structures in town to solidify their own personal definitions. He questioned whether the Commission would consider a historic district.

Commissioner Potts encouraged the Commission members to attend the land use planning meeting being held. The first presentation is on Land Use Management Law. The issue of zoning being a legal and suitable application of a government's authority is discussed. Also, the fact that the change of zoning for a parcel does not necessarily create a hardship for an owner.

Commissioner Potts stated he would also like to discuss meeting with the Page County Planning Commission and discussing common interests, especially the zoning aspects immediately adjacent to Luray's corporate limits.

There being no further business to come before the Commission, a motion was made by Commissioner McNeely and seconded by Commissioner Hakel to adjourn the meeting. Motion carried. The meeting was adjourned at 7:30 p.m.

Respectfully submitted,

Bryan T. Chrisman
Assistant Zoning Administrator

ATTEST:
