

**MINUTES
LURAY PLANNING COMMISSION
FEBRUARY 21, 2007**

The Luray Planning Commission met on Wednesday, January 21, 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
Clifton Campbell
Peyton Baughan
Terry Dodson
Larry Hakel
Judy Suddith

Absent: Sam McNeely

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 of the Regular Planning Commission Meeting on January 10, 2007

There were two corrections to the minutes on page 1. "The Selection of Chair and Vice-Chair of Planning Commission for terms ending in **January, 2008**", not July 2008. In the third paragraph from the bottom of the page, the sentence "Commissioner Hakel acted as Chair and the vote for Clifton Campbell as Vice-Chair was **6-0**, not 4-2. The minutes as amended were approved..

New Business

- **Robin & Barbara Stombeck: Feedback concerning dividing an existing B1 lot to construct a single-family dwelling**

Ligon Webb stated that the owner of that parcel is Mr. Chris Williams. When the surveyor sent him the survey, it still had the Stombocks name on it. Mr. Williams is the one requesting the feedback. People come to us for feedback before they go through the time and effort of dividing a piece of property. The lot itself in the back is fairly flat, it is adjacent to R-3 and he can get a 7,000 square foot lot there. The next lot over is R-3 and they are all 7,000 square feet minimum. The only issue he sees is the residual lot would be where the house is and that would take it below 5,000 sq. ft. The smallest single family lot in R-4 is 6,000 sq. ft., unless it is in a PND and we do have some PND lots that are 5,000 sq. ft.. Mr. Williams would like to know if it would be favorable. Mr. Webb stated in these types of situations you want to consider precedence and I think you should always be aware of that.

MINUTES
FEBRUARY 21, 2007
PAGE 2

Commissioner Campbell stated this is not consistent with what we have done in the past as far as splitting lots. We have been asked before, and to his knowledge, we have never split a lot that was already designated. Mr. Webb asked if the general consensus on this be not so favorable at the moment.

Commissioner Baughan stated he thought the problem is not so much splitting the lot as it is we have always made it our practice that if we allow residential in B-1 zone, we would use the criteria established for the lot sizes in the R-2. If you split this lot, his understanding is you cannot split it where both parcels would meet those criteria. That is the problem.

Mr. Webb stated he was informed after he sent this out on Friday and after talking to Mr. Black, the feedback is basically that we would not look favorable but the applicant is more than welcome to apply.

Commissioner Potts stated he looked at it today and it doesn't look like much of a building lot, one you would think of as being a good home site even if you did develop it on the back.

Commissioner Campbell asked what the setbacks call for. Mr. Webb stated that's another issue in R-2. Mr. Webb stated there are quite a few issues here that would probably be unfavorable and he thinks the setbacks are a good point.

Commissioner Baughan stated our ordinance definition of a lot is a parcel of land adjacent to a public street. One of your problems might be if we attempt to split it, he doesn't see how you are going to get this 2.3 acres divided and have both lots adjacent to a public street. You have one on Woodland Avenue but your frontage there is only 60.63 feet.

Chairman Potts stated you came here asking what was the reaction of the Commission and the reaction is that nobody thinks it's a very good idea. You heard Mr. Webb and you are free to apply if you'd like and to get a formal response. Commissioner Campbell stated your lot width has to be 75 feet at the setback line in R-2.

Mr. Williams stated he appreciated the Commission's effort in taking a look at it. Commissioner Potts stated you could build offices back there if you'd like since it's a business zoned area.

- **SUP07-1, Regional Jail: A preview of Page County's application for a regional jail on a M1 zoned parcel (scheduled for a public hearing in March of 2007)**

Mr. Webb stated we received the regional jail application on Friday. It is on the agenda for March and is being advertised. He showed the Commissioners a plat that showed the former EMCO site which is owned by the County.

Commissioner Hakel asked if they would be bringing other than just that site, or bringing any construction or design ideas. Mr. Webb stated they have some design ideas and that in the next three weeks he will try to get as much information as he can about the regional jails.

MINUTES
FEBRUARY 21, 2007
PAGE 3

He has talked to the Assistant Superintendent for Winchester Regional Jail and he has some time if anyone would like to go on a field trip to understand what a regional jail is, how it is administered, and how it functions. He has room for us in the afternoon on the 8th or 9th of March and we can take a van and go to Winchester. Commissioner Hakel stated we should go.

Chairman Potts stated he was interested in seeing the article in the Harrisonburg paper. One of the primary drivers for having to submit this was to give the County time to look at a substitution. As he understood previously, they had talked about having it in an industrial park so it would be away from residential areas. We have a request to put it lot line to lot line with a residential area.

Mr. Webb stated we will visit the Winchester Regional Jail on Thursday, March 8, and will leave around 1:00 p.m. It looks like we will probably have 5 or 6 going. .

Chairman Potts stated he has reserved for the Planning Commission a space for a booth at the Festival of Spring. The reaction and interaction of people at the firehouse discussing the Comprehensive Plan and the reaction of the people attending was very favorable. He would like to try to figure out a way for us to have an ongoing dialog with the public as a Planning Commission so we can get their opinion about the things we are doing. This will be Saturday, May 12. He plans to have it manned from 9:00 a.m. until 4:00 p.m. We will talk schedules and see who can come sit there during that time. We will also set up a separate tent, one that will border us, and invite all the folks with approved PNDs or whatever. Also invite the developers to come and tell the public what they are planning on doing, so the public will get a better insight from what they get reading the papers or from limited discussion at the meetings.

OLD BUSINESS

- Comments concerning Comprehensive Plan update process

Mr. Spittler stated he was at the open house on the first night and was impressed by the turn out. Mr. Webb stated we had about 70 the first night and about 40 the second night. It went well at the Fire Hall and we received a lot of good feedback. We received about 100 surveys back. Right now our consultant, Mr. Bacca out of Richmond, is taking all the survey forms. From those surveys we will make up goals and objectives. Some of the goals and objectives will be from the questions and some will be from stand alone comments someone made that the committee thinks is a good idea to put into the Comp Plan. It will come to you and you will be able to review it maybe a month before we go to public hearing. Looking for a deadline of June 13 so you will have it to read and ask any questions you may have. We are also required by the Code of Virginia to share our conceptual plans with VDOT so they will know what we are thinking as far as the future.

**MINUTES
FEBRUARY 21, 2007
PAGE 4**

Commissioner Hakel stated we need to thank Mr. Webb for the work he did in putting that together. It was well organized and well received by everyone. He hasn't heard a negative comment. Mr. Webb stated that informing the public is always a good thing and it's money well spent.

- SUP06-7, Christopher Avery & Ronald Jenkins: Tabled special use permit request to construct five town homes (Brumback Avenue)

Mr. Webb stated he has met with the residents, had a little town hall meeting here, and they are opposed to townhouses on that parcel. They do realize it could be utilized for a business. Bryan was in our scoping meeting with VDOT. Since we have a long term plan and in the process of scoping for Reservoir, we asked them to also consider the realignment of Brumback at Reservoir and they said they would draw it up for us and give us a concept alignment and maybe costs and things like that. He thinks that the long term future of the corridor is that it will align those streets and that will hopefully solve a lot of issues. We have 100 days to take action on it and we're getting close to those 100 days, so at this point we will have to take action on it and send it forth.

Chairman Potts asked if they were aware it was on the agenda for tonight. Mr. Webb stated they were aware.

Chairman Potts asked what was the desire of the Commission. We need a motion to either approve or deny. A motion was made by Commissioner Dodson and seconded by Commission Campbell to deny the special use permit. Commissioner Hakel asked if they have to state the reason why it was denied and Chairman Potts answered yes.

Chairman Potts commented that it's zoned well as B-1. We are approving housing construction all over the area and doesn't see a shortage or a need for townhouses there. Since it's zoned for business, it makes a good business location and that's the best use to the community. Commissioner Campbell commented that the house on Main Street may be a part of that. If that would be the case, then you have excellent business lots here.

Chairman Potts stated he had a motion properly made and seconded to deny recommending a special use permit for construction of townhouses on this property. The vote was 6-0.

Chairman Potts stated for clarification on the disapproval of the special use permit, the disapproval was that it is well zoned as business and the Commission believes that is what should go there, coupled with transportation and community objections.

- Feedback concerning annual report

Mr. Webb stated that Chairman Potts had talked about the annual report. He thought it was a good idea that we set a month each year for the annual report. Mr. Webb will summarize what we have done in the last year. He would like to submit his report in April This will be a one

MINUTES
FEBRUARY 21, 2007
PAGE 5

year report. Commissioner Hakel asked if it was in the by-laws for April or did it say January. Mr. Spittler stated he thought it said January.

Mr. Webb stated he could do it in April this year and then in January next year. Commissioner Baughan asked if the by-laws should be interpreted that the report will be for the calendar year ending December 31, 2006 and will be approved as soon as it is submitted. Commissioner Hakel stated that would be fine.

Commissioner Campbell stated he would like to go back to the discussion on the regional jail since we didn't discuss it in depth. We looked at what was presented and this needs some discussion. First, is it favorable with the Planning Commission and the Town? He commented from what he understands it's to get our opinion as to how far we want to go with it.

Commissioner Baughan stated he was not sure what the Town is asking. He thinks we have two questions here. One is how do you feel about a regional jail being located in your community?. What about this site, is this site suitable for such an activity? If the answer to the first one is no then you don't have to agonize too much about the second one. On the other hand, he doesn't get a strong indication from the Town which question they think we should consider and perhaps the answer is they don't have a sense of what they want to do until it goes through the process and that's fair enough.

Chairman Potts stated he had asked what the thought was and was told that's why we kicked it to you. In fact they wanted to go through submission of a request for a special use permit and then for us to do our review. He thinks part of that review is what does the community want; does it want a jail and second, is this site suitable for such an activity.

Commissioner Baughan stated that speaking for himself, he needs a field trip. He needs a package before the 14th of March with all the information he can get about what is a regional jail; what is the scope of this and what is the impact going to be on the community. He wished they could have given us more time. He knows they are under constraints to get an answer back from the Town because that has to do with their schedule. He would like to see what other choices they have. One of the basic questions is do you want it in your community and we are looking at the Town of Luray. The answer might be fine to have it in Page County but maybe not so fine to have it in a community where we have a large body of residential people. He thinks there are several locations in Page County that might be more appropriate, but he is willing to look at it.

Mr. Webb stated he will look at all the regional facilities. He thinks you brought up a good question and there are about half a dozen in the State operating now. He knows there is one in New River, Winchester, Augusta, Charlottesville and Farmville. Commissioner Baughan stated it would be good to see where in their community they are located. Mr. Webb stated the one in Farmville is located in an industrial park that's not adjacent to residential areas. It would be interesting to look at each physical location and how it matches with what is being proposed here.

MINUTES
FEBRUARY 21, 2007
PAGE 6

Commissioner Campbell stated we have to be thinking about the request that we already have for housing developments in that area. Mr. Spitler stated that at the last regular Council meeting a plat was approved pending receiving an approved bond within the next 30 days. That's a done deal of the townhouses on Collins Avenue. Mr. Spitler is not sure any portion of this property is in the flood plain but Stoney Brook Lane is in a flood plain. Mr. Webb stated a good portion of it is in the flood plain and been covered. Their stance is it's allowable to build in a flood plain, provided you build to certain standards. Commissioner Suddith asked why this was so urgent. Mr. Webb stated the way he understands it from talking to Mr. Belton, right now there are two sites in Warren they are looking at and the one site here. In theory, the Town could approve and say yes you could have a regional jail here and then the regional commission could actually say we are going to go with Warren. What I tried to report to the reporter from the DNR is that if we approve it; it's going to be here.

Commissioner Campbell stated he didn't think we should do it on the thought that it is going to Warren County. We need to be sincere in what we are doing and up front. Commissioner Suddith stated she thinks we have to determine if it's the best use of the industrial park.

Commissioner Hakel stated everything he has read up to now says they were going to try to avoid having it near population centers. Commissioner Dodson stated from what he has read, he thinks the County is under a deadline to have a site submitted by such and such a date and that's why this is being pressured. Commissioner Suddith asked if there are other sites. Mr. Webb stated yes; this site will be in conjunction with other sites that are being submitted. They have analyzed other sites, but this is the one they have chosen. Commissioner Dodson asked can that be changed even if this is approved. Chairman Potts answered yes. Commissioner Baughan stated what he read in the paper, even if we were to approve this, the County could select another site and the reasonable powers that be could approve another site.

Commissioner Campbell stated from what has been in the newspaper, he has not heard anything positive in the Luray area. Chairman Potts stated he did not attend any of the hearings the County had on it to see if anyone showed up to speak in favor of it. They were those who showed up to speak against it. Mr. Spitler stated you can look on the County's web site and read their minutes to see what the comments were. Chairman Potts stated the most frequent comment he heard was about employment. Commissioner Campbell stated the big question on employment is the best use of industrial property which we have here for small industry or any type industry that would be hiring the type people who need jobs.

Mr. Webb stated we will have a full agenda next month. It was suggested that maybe the public hearing should not be held in the council chambers. Commissioner Suddith asked if it had already been advertised. Mr. Webb stated it had been since it had to get to the newspaper. Chairman Potts asked Mr. Webb to see if he could get the Fire Hall for next month.

MINUTES
FEBRUARY 21, 2007
PAGE 7

Chairman Potts stated the Town was caught off guard. The County is in a pinch to submit and get a site listed and we are not going to do anything before they actually submit the location they are requesting the special use permit for. At our next meeting we are going to be under the gun to do something. Commissioner Campbell stated that's why he wanted to discuss it tonight. It's a serious situation as far as our public is concerned and as far as the future growth of the Town of Luray. This has to be our major concern. Commissioner Suddith stated she had someone at the Fire Department ask her why there was not a booth on the regional jail.

Commissioner Baughan commented that the regional jail is a large enough organization, and if it is going to come into the County then it has to be located at least adjacent to the Town because it needs sewer and water. His only comment along those lines was that he can think of some places that are adjacent to the town but not within the corporation limits and they might not have access to water and sewer. That's where I would start and I'm surprised they haven't taken that tactic.

A motion was made by Commissioner Baughan that the meeting be adjourned and motion was seconded by Commission Hakel. The meeting adjourned at 7:45 p.m.

Respectfully submitted,

Bryan T. Chrisman
Assistant Zoning Administrator

ATTEST:
