

**Minutes**  
**Luray Planning Commission**  
**October 6, 2005**

The Luray Planning Commission met on October 6, 2005 in regular session. The meeting was held in the Luray Town Council Chambers at 45 East Main Street. Chairman Clifton Campbell presided over the meeting.

Commissioners present:

Clifton Campbell, Chair  
Dr. Eugene Martin  
Hubert Roop  
Bob Borgie  
Peyton Baughan

Others Present:

Rick Black, Assistant Town Manager, Assistant Zoning Administrator  
Jerry M. Schiro, Town Manager, Zoning Administrator

Approval of the Minutes of the September 1, 2005 meeting:

On page 2 of the September 1 minutes Dr. Martin asked question if the closest R-3 property was located approximately 1.5 (miles) west of the proposed project. It was noted that it was 1.5 miles. Asked that minutes note this correction and made motion that the minutes be approved as corrected. The motion was carried by unanimous vote of commissioners present.

Public Hearings:

Virginia Pacific, LLC (owner) and Stonewall Investment Company, LLC (joint applicant) made application for rezoning of parcel of land located along the west side of Yagers Road. Property is identified as Tax Map Parcel # 42A4-13-1 through 24. The rezoning request was from B-1 to R-5 to allow the conveyance of townhouses, independent of the requirements of a Special Use Permit. Members of the Commission had requested an opinion from the Town Attorney concerning whether Special Use Permits convey with the title to property. It was the opinion of the Town Attorney that the Special Use Permit does not convey with the title. Commissioner Campbell asked that this matter be continued until Mr. Bowen's attorney (Mark Reed) and the Town Attorney (Jason Spitler) can meet with the Planning Commission for a discussion at the next meeting of the Commission on November 3. This was agreed to by the Commissioners present and Mr. Chuck Bowen.

Charles A. Judd: Page County Tax Map #42A5-A-88 – Request rezoning from M-1 to R-5 for the construction of a single-family dwelling. The following people addressed the

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Public Hearings:

Commission and opposed the rezoning: Mr. Ralph Janes, Mr. Bobby Mims and Commissioner Campbell. Commissioner Baughan made a motion that the property should be used as manufacturing property instead of residential property and that the rezoning request be denied. Motion was seconded by Bob Borgie. The motion to deny the request was carried 5-0.

Special Use Permit:

Barry W. Nichols, Tax Map #42A12-A-110, Painter Street (West side before Constitution Avenue) – Request Special Use Permit for the construction of a single-family dwelling. Mr. Nichols advised the Commission that when the lot was first subdivided it was zoned residential. In late 80's it was rezoned to B-1. He is asking for a Special Use Permit to build in a B-1 district. This lot is in accordance with rest of lots on that street and has just about the same square footage. He was advised to go with a Special Use Permit.

Larry Hakel indicated that he supported the intention to go back to a residential, he's not sure a Special Use Permit is the way to go. Much rather see it rezoned back to residential instead of leaving it commercial under a Special Use Permit. He recommended it be rezoned back to residential.

Mr. George Waldo who lives at 6 Constitution Avenue spoke in favor or rezoning the property back to residential.

Commissioner Campbell noted that the request is for a Special Use Permit. If we consider rezoning property, we would have to have another public hearing requesting a rezoning change. We can't do it at this meeting because we did not advertise it to rezone this piece of property.

Mr. Baughan made a motion to allow Mr. Nichols to build a single family dwelling in a B-1 district with a special use permit with the understanding that if the Town in the future allows that transfer with the property, then so be it for them. Motion seconded by Dr. Martin and motion carried 5-0.

Amendment to Zoning Ordinance  
Planned Neighborhood Development (PND) overlay district

Mr. Campbell stated that this has been studied and restudied and publicly advertised in local newspaper.

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Mr. Black stated that everything talked about at last meeting has been incorporated to the best of his knowledge.

Mr. Baughan made a motion that the ordinance, as written, be sent to the Town Council for adoption. Motion seconded by Hubert Roop. The motion carried 5-0.

New Business:

Chris Ramsey: Amendment to Appendix A, Section 402. Residential R-2

Mr. Campbell stated that this is not a public hearing concerning his request. This is for recommendations from the Planning Commission.

Mr. Campbell stated that this is not compatible with the district around it. He also stated that it was the consensus of the Commission that R-1 and R-2 will remain single family dwellings under present conditions.

There being no further business to come before the Commission, the regular meeting was adjourned.

Respectfully submitted,

Richard M. Black  
Assistant Zoning Administrator  
Luray Planning Commission