

**REGULAR MEETING OF
LURAY PLANNING COMMISSION
March 14, 2016**

The Luray Planning Commission met on Monday, March 14, 2016 at 5:30 p.m. in regular session. The meeting was held in the Luray Town Council Chambers at 45 East Main Street, Luray, Virginia at which time there were present the following:

Commissioners Present:

Ronald Good
Grace Nowak
Mark Malone
Tracie Dickson
Brian Sours
William Fisher
John Shaffer

Others Present:

Charlie Hoke, Town Manager
Ligon Webb, Town Planner

The meeting was called to order by Chairman, Ronald Good, at 5:30 p.m. and everyone joined in the Pledge of Allegiance to the flag.

APPROVAL OF MINUTES:

Mr. Webb stated the minutes of January 13, 2016 meeting were very long. He stated that he didn't have the chance to scale them back, and the minutes of the Special Meeting on January 20, 2016 has been completed. He indicated that both would be in the packet for the next meeting.

Public Hearing: Luray Planning Commission - Rezoning Request for a Brewery:

Commissioner Good stated this rezoning request has been properly advertised in the *Page News & Courier*. Mr. Webb stated that this particular property is in an Enterprise Zone and gives them a chance to expedite this process. There was a little confusion initially with the zoning of the parcel as communicated to the applicants.

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The Planning Commission talked in May 2010 about breweries as one of the trends that was happening in different places and it seemed like breweries were popping up everywhere. The Town put them in our code and added it as a special use in the industrial district, and it was also added as a by-right use in the business district. This location was an appliance store, and then was to a scooter store. It is currently zoned industrial (M1).

The idea of getting involved in a brewery has developed between James Turner and David Sours. About a year ago they started a "hops yard". They approached Mr. Webb about starting a brewery, and he suggested several locations in town. He suggested looking into this building. It is owned by the Fire Department, and they have worked out a lease. Once Town staff came to a determination that they would need a special use permit or a rezoning, that information was relayed to the applicants. Mr. Webb said the building is more of a commercial type building and that he didn't see it having an industrial type building in the future. Long term, if Hawksbill Brewery expands and has to go to a much larger building, as far as the Fire Department's perspective, it would be better if it was zoned commercial and the Fire Department agreed.

The applicants also have a process that they will be going through with the ABC Board. There are licensing requirements from the Alcohol, Tobacco Tax and Trade Bureau, as well as the Health Department and Building and Zoning. As far as the actual production, the brewery hopes to produce 400 barrels of beer a year, which roughly would be 12,400 gallons. The Town Code states micro-breweries can produce up to 200,000 gallons annually. Questions have been asked about parking. As far as parking goes; the Town recently went through amending the code to make the parking ordinance more lenient. Since it's considered industrial, Mr. Webb didn't think it is exempt from the parking code. However, he believed that the parking situation at the site is good. If it was rezoned commercial, then Mr. Webb believes that the site would be exempt from the ordinance. Right beside them they have 30 spaces which would be readily available from the Fire Department as part of their parking. On-site they have at least 5 spaces for employees to park.

Another issue that was raised was the smell. For a small system like this it's no more than a restaurant. In Mr. Webb's opinion, this is something that would be beneficial to the town.

Mr. James Turner stated he had looked for real estate up and down Main Street for the last seven years, and saw several buildings he was interested in, but could never make the deal work until this building came open last summer. He said that he learned about it from the Fire Department and the applicants came up with the idea that this might be the place. As they prepared to go through the process here of officially rezoning the building, they heard the question of parking and the Fire Department allocates five spaces in the triangular lot next to the site. The Fire Department have offered those as long as there are not fire hall events that conflict with that use. There is also parking that is on the east side of their property that is also available for their use. The primary issue is that the brewery and their patrons need to understand that it's a fire department and if they are responding to a call, the business and guests may be blocked in. Mr. Turner thinks they are

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considered part of the Main Street district at the site, and so they think that the tourist population wouldn't mind walking up and down Main Street in order to get to the brewery. As far as the odor with breweries, these days the systems are very modern and don't make that smell anymore. What is installed is a system that is fabricated with a lid on all cooking vessels so all odors are contained. There is a condensate stack so the steam that is coming out of there goes up, cools and condenses back into the water and that water can in turn be recycled for cleaning purposes on the vessels after cooking, or they can be strained into the wastewater stream. He stated that they would be using cleaners that will have a minimal impact to the sewer system here.

Chairman Good then opened the public hearing.

Cathy Herbert stated, "I live in Luray. I thoroughly support this. I moved here about twelve months ago from New York. This kind of business is important and speaks for itself and also to set the stage for what is welcome here and what is attracting the young person who wants to spend some time in town".

Luke Trodveski [spelling?] – "I'm also speaking in favor of the brewery. I think the Planning Commission should do everything possible to take obstacles out of the way of any business that wants to open

here and welcome them with open arms. We see the downtown area now with a lot of vacant stores, and I think once we get a couple of businesses coming in that is going to revitalize downtown and will make it a destination. A lot of people pass through Luray but don't stop in Luray and I think this might be one of those opportunities that Luray has to get additional tourists and additional people coming in and also get additional businesses opening up. I am in favor of this and looking forward to it. Regarding smell; has anyone been to the Hopkins Ordinary House in Sperryville. They have a little brewery underneath the building there. I was there a few weeks ago. Other than knowing it was there, you wouldn't know what is going on in there. There was no smell, even inside the place where the brewing goes on there was no smell. People park in town and they walk. Fortunately, we have the downtown area between the tracks and the Mimslyn and people walk those distances easily enough, so I don't think parking is an issue and there's enough off-street parking around town that will accommodate people for a long time to come".

Gary Drum – "I own a business here in town. I am in favor of the brewery. To echo the thing on smell, I went to the brewery in Sperryville who make their beer right there on the premises and you sit at the bar and drink it; you don't know anything is going on and can't tell the difference. That place is always packed with tourists. I can't see why we can't bring that to Luray. They are going to be close to Main Street and that increases foot traffic downtown. That's the key area right there and I think that's going to be a big asset on that end of town".

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Leah Pence – “I’m also here in favor of the brewery. I have two concerns. The first is long term plan in terms of off-street parking. Property is cheap in Luray right now. After the brewery starts and after the buildings start to fill up, I will be the first one to tell you that properties are going to go up. Second is the plan in terms of run off for wastewater”.

David Sours, one of the applicants, stated they had a few conversations with Mr. Hoke regarding wastewater. In the short term, it will be going into the Town’s sewer system. It is not an exorbitant volume in the short run and Mr. Hoke seemed to think it was something the Town could handle. He stated that the brewery will work through wastewater issues regarding pH and cleaner types and things of that nature. For the volumes, he indicated that he had discussed with Mr. Hoke, and that there weren’t any hard concerns in the near future. No solids will enter into the wastewater”.

The applicants went on to explain the planned operations. They indicated that the brewery will operate using a five-barrel system. Each barrel contains 31 gallons of beer. The proposed brewery hopes to produce 400 barrels of beer a year, which is roughly 12,400 gallons annually. The Town Code states micro-breweries can produce up to 200,000 gallons annually; therefore, the proposed operation would be well under this threshold. In the short run they will not be able to sell direct to any ABC licensed restaurant. In the State of Virginia they have to go through a distributor for that to happen. The hours of operation will be Thursday through Sunday and any Monday that is a holiday. Thursday hours are 4:00 p.m. to 8:00 p.m.; Friday 11:00 a.m. to 8:00 p.m.; Sunday noon to 6:00 p.m. and Monday that would be holiday it would be open for six hours. They would like to do the brewing, and be in the shop working, when they are not open for business.

Chairman Good then closed the public hearing.

Commissioner Shaffer stated this should be one of the easiest things we have to determine this year, and hoped the Town Council would feel the same way. For tourism alone, this is a major factor and believes it’s the basic part of the total revitalization of downtown Harrisonburg and with that said made the motion move to recommend approval to the Town Council. Motion was seconded by Commissioner Nowak. The voting was as follows: YEA: Commissioners Good, Nowak, Malone, Dickson, Sours, Shaffer and Fisher. **APPROVED: 7-0**

Mr. Webb stated this recommendation will be forwarded to the 7:00 p.m. Council meeting, and that Chairman Good will be advising the Council of the Commission’s recommendation at that meeting.

Review: A draft “Mixed-Use” Zoning Use in the B1 (General Business) Zoning District

Mr. Webb stated a request has been made regarding allowing downtown/commercial zoned structures to be used for both residential and commercial purposes. Generally speaking,

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“downtown” commercially zoned lots provide commercial/retail space on the lower (street level) floor, and some provide residential spaces on the upper (second story and above) floors. When a building is used for both commercial and residential uses, it is referred to as being “mixed use”.

However, in Luray’s Town Code residential uses in the business district are only allowable use by special permit. The idea behind creating a mixed use zoning is to allow commercially zoned buildings the ability to be utilize both commercial and residentially by-right.

A potential definition for mixed use: *Mixed Use Development: A lot/parcel zoned for general business in which a mixture of commercial and/or residential uses are conducted. Commercially zoned buildings in which a minimum of 25 percent of the gross floor space is dedicated for business/commercial uses may also be utilized for residential purposes. Residential uses must conform to all requirements set by the local Building Official.*

Mr. Webb stated that the Commission can continue to consider this at their April meeting.

Review: Updated Draft Official Town Zoning Map

This map provided reflects changes that have happened since 2012.

Mr. Webb stated that some of the colors have also been changed to give it more contrast. This will come back next month, and Mr. Webb will advertise it.

There being no further business, the meeting was adjourned at 6:30 P.M.

Ligon Webb
Town Planner

ATTEST: _____