

**REGULAR MEETING OF  
LURAY PLANNING COMMISSION  
January 15, 2020**

The Luray Planning Commission met on Wednesday, January 15, 2020 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 at which time there were present the following:

Commissioners Present:

Ronald Good, Chairman  
Grace Nowak  
Brian Sours  
Tracie Dickson  
Bill Huffman  
Frankie Seaward

Commissioners Absent:

John Shaffer

Others Present:

Steve Burke, Town Manager  
Bryan Chrisman, Assistant Town Manager  
Dawn Shores, Planning & Zoning Assistant

The meeting was called to order by Chairman Ronald Good, at 7:00 p.m. and everyone joined in the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

**Motion:** Commissioner Sours made the motion to accept the minutes from the December 11<sup>th</sup> meeting. Second was by Commissioner Dickson.

**YEA:** Chairman Ronald Good, Commissioners Grace Nowak, Brian Sours, Tracie Dickson, Bill Huffman, Frankie Seaward.

**Approved 6-0**

**CITIZEN COMMENTS**

No citizens spoke

**PUBLIC HEARINGS**

**A. Alley Vacation 19-6-600 7<sup>th</sup> Avenue**

Chairman Good presented public hearing to Vacate Alley 19-6-600 7<sup>th</sup> Avenue.

**CITIZENS COMMENTS**

Allen Louderback requested to Vacate Alley for the purpose to increase lot size for future development to his current properties and is willing to add provisions for Mr. Carroll to continue to have access for his farming purposes.

Ryan Carroll requested the Alley not to be vacated as he needs access to use his tractor to feed his cows. He is concerned that if it is vacated or narrowed his alternative route is Luray Avenue to Fifth Street and Seventh

Avenue. He has taken this route before and has been contacted by Chief of Police Bow Cook that there was mud on the road and told him to find another route. Mr. Carroll stated he spent a lot of money to have access to the alley way. Mr. Carroll presented paperwork to the Commissioners showing the alternative route that he has taken to reach his property along with the current route through the Alley.

Commissioner Seaward asked if Mr. Carroll's property is in Town limits. Mr. Carroll stated his property is not within the Town limits.

Commissioner Huffman asked Mr. Carroll how often he accesses his property through the Alley. Mr. Carroll stated at least every other day.

Commissioner Nowak asked if Mr. Carroll has been ticketed for using the route of Luray Avenue to Fifth Street and Seventh Street. Mr. Carroll stated he was not ticketed by the police but had a verbal warning.

Commissioner Huffman asked Mr. Louderback if he was not granted the Alley if it would stop development on his property. Mr. Louderback stated he was not sure at this point.

Mr. Carroll is concerned that the provision that Mr. Louderback said he would put on the properties would not transfer with new owners. Mr. Carroll expressed he wanted to leave the alley as public.

Commissioner Dickson inquired about an Easement being done and if he would still be able to have access to the property once the land was sold?

Mr. Burke said if it the Alley was vacated the Planning Commission can recommend to Council that a 20-foot Easement be dedicated to Mr. Carroll's properties in place of the alley and it would be recorded and will transfer with the properties.

Commissioner Dickson asked Mr. Carroll if he was willing to accept the Easement and if it would ease Mr. Carroll's concern. Mr. Carroll stated he does not want the Easement and wants to keep the Alley.

Commissioner Dickson inquired if the Easement was done will everything be the same as it is currently.

Steve Burke stated that the property would be owned by Mr. Louderback and then the rear set would be to the property line verses to the Alley. It could allow for a larger building.

Commissioner Nowak clarified if Mr. Louderback acquires the Alley, he can say the lot has an additional 20-foot but with the Easement no one would be able to build on the 20-foot line.

Commissioner Nowak asked Mr. Carroll if he maintains the Alley. Mr. Carroll confirmed that he does maintain it.

Chairman Good stated that he doesn't see that adding 20-feet to the property would make a big difference.

Following close of the public hearing Commissioner Nowak stated that since Police Chief had already stopped Mr. Carroll once for using the streets it makes it difficult for him.

Commissioner Seaward stated it was tough decision for him since Mr. Carroll lives in the county and feels that he should have the right of way to go through the alley.

**Motion:** Commissioner Huffman made the motion recommending denial to Town Council. Second was by Commissioner Nowak.

**YEA:** Chairman Good and Commissioners Grace Nowak, Tracie Dickson, Brian Sours and Bill Huffman.

**NAY:** Commissioner Seaward

**Approved 5-1**

## **ADD VOTE FOR CHAIRMAN AND VICE CHAIRMAN TO THE AGENDA:**

**Motion:** Commissioner Dickson made the motion to add to the agenda to vote on Chairman and Vice Chairman. Second was by Commissioner Nowak.

**Yea:** Chairman Good, Commissioners Grace Nowak, Brian Sours, Tracie Dickson, Bill Huffman, Frankie Seaward.

**Approved 6-0**

## **ELECTION OF CHAIRMAN AND VICE CHAIRMAN:**

**Motion:** Commissioner Huffman nominated Ronald Good as Chairman for Planning Commission. Second was made by Commissioner Dickson.

**Yea:** Chairman Good, Commissioners Grace Nowak, Brian Sours, Tracie Dickson, Bill Huffman and Frankie Seaward.

**Approved 6-0**

**Motion:** Commissioner Dickson nominated Grace Nowak as Vice Chairman of Planning Commission. Second was by Commissioner Sours.

**Yea:** Chairman Good, Commissioners Grace Nowak, Brian Sours, Tracie Dickson, Bill Huffman and Frankie Seaward.

**Approved: 6-0**

## **UPDATES & DISCUSSIONS**

### **A. Code amendment-Chapter 704-Satisfaction of applicable Fees, Charges, Expenses & Liens**

Steve Burke stated that Town Attorney has drafted language to withhold Permits until delinquent real estate taxes, nuisance charges and other liens that conform to current state Code have been paid.

Steve Burke announced that we will be holding a Public Hearing in February.

### **B. Urban Agriculture Concerns**

Steve Burke provided a draft of Zoning Code Amendments regarding urban agriculture for Planning Commission to review. He also presented a draft of Article I Sec. 18-1 of having animals within the Town limits that the Town Council is currently reviewing.

Commissioner Huffman suggested that a Special Use Permit be required for other animals other than domesticated animals within the Town limits.

### **B. Code Amendment-Artisan Manufacturing**

Steve Burke presented a Draft Zoning Ordinance for Artisan Food & Beverage, Artisan Manufacturing and Microbrewer as a by right use in the Business District B-1. A Public Hearing is scheduled in February.

### **C. Zoning Ordinance Amendments**

Steve Burke stated that FEMA needs to review and approve Floodplain regulations. The Town Attorney is in the process of making some changes to Code Ordinance language.

### **D. 2019 Planning Commission Annual Report**


Steve Burke presented The Annual 2019 Planning Commission Report for review.

**CHAIRMAN'S ANNOUNCEMENTS**

Chairman Good stated next Commission Meeting will be on February 12, 2020.

**ADJORNMENT**

There being no further business, the meeting adjourned at 8:13 p.m.

  
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Steven Burke  
Town Manager

  
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Dawn M. Shores  
Planning/Zoning Assistant