

Mount Jackson
Planning Commission Regular Meeting and Joint Public Hearing

June 1, 2020

- 1 -

Regular Meeting

Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chamber at 5901 Main Street. Commissioners present were Anita Miller and Jim Hines. Commissioners Dennis Andrlick and Evelyn Burner attended electronically through Zoom.

Mayor Donnie Pifer called the Council meeting to order at 7:01 PM in the council chamber at 5901 Main Street. Councilmember Roger Rudy was present. Councilmembers Rod Shepherd, Bonnie Good, Dennis Andrlick, Judy Fultz, and Whitney Miller attended electronically through Zoom.

Also present was Neil Showalter, Town Manager; and Debbie Stover, Town Clerk. Joseph S. Paxton, Consultant; and Patrick Stonnell, Construction Manager with Retail Business Services attended electronically through Zoom. Dave Moore from Cornerstone Technology was present to video record the meeting. There were no visitors.

Joint Public Hearing

Special Use Permit SUP 20-04 – 5300 Main Street – Food Lion wall sign in excess of 100 square feet permitted in B-3 district.

Mr. Showalter stated Food Lion will be undergoing some renovations and has applied for a special use permit to allow for the installation of a 134 square foot wall sign, which exceeds the current zoning allowance of 100 square feet.

Mr. Paxton stated in his research on the original Food Lion project, there was a 104 square foot wall sign that appeared to have been granted without a special use permit. He also could not find record of an approval for the current 148 square foot wall sign. Mr. Paxton stated the proposed sign is 134 square feet and is the standard Food Lion brand sign being used in the renovation projects. Mr. Paxton stated the Town's ordinance, section 66-240, allows Council the opportunity to approve larger signs, if the applicant can show some peculiarity to the site, which would cause the applicant an unnecessary hardship if they were required to strictly adhere to the 100 square foot maximum for a sign. Mr. Paxton noted that the Planning Commission in its recommendation and Council should be consistent in its actions when granting an exception, and if the request by Food Lion is approved, the Town should be consistent when considering approval for other businesses that may have similar circumstances. Mr. Paxton noted he had requested that Food Lion provide the special circumstances as to why they applied for an exception to the sign regulation, and their response was they prefer to use the standard sign, as to not manufacture a smaller sign, for cost efficiency.

Mr. Showalter reminded the public, they are welcome to submit questions or comments on the Town's website link <http://www.mountjackson.com/speaker-card-online/>, or email townoffice@mountjackson.com, or mail to the Town of Mount Jackson, PO Box 487, Mount Jackson, VA 22842. The submissions for tonight's hearing are due by June 9, 2020.

Mr. Showalter asked Mr. Stonnell to give some detail on the new sign and the renovations in general. Mr. Stonnell stated the sign is back-lit with blue letters and a black lion. He noted the Mount Jackson renovation will mirror the recent Strasburg Food Lion renovation. The renovation will take 16 to 18 weeks, with an upgrade to every department. The deli/bakery department,

Mount Jackson
Planning Commission Regular Meeting and Joint Public Hearing

June 1, 2020

- 2 -

produce department, and meat department will have new refrigerated cases, a new chicken wing bar, and new track lighting. They will install new shelving, the lighting in the sales area will be upgraded, and a new floor will be installed throughout the entire store. There will be a new paint scheme and décor package. They will install all new check-out counters and a new customer service kiosk. Mr. Stonnell stated all work will be done at night, as to not affect open store hours. They do remodels in waves, and this is wave 7, with previous waves in Raleigh and Charlotte markets, and currently in West Virginia, Maryland, DC, and Delaware.

Mr. Paxton stated the ordinance allows some leeway in making an exception, but the Planning Commission and Council should consider if this is a unique situation. If the Council would consider allowing a larger sign for another business in the future, perhaps the ordinance should be revised to allow larger signs in business districts. Staff could not find a reason unique to this location and could not recommend an exception for a larger sign.

Commissioner Burner asked if a unique reason could be the larger parking lot that is farther from Route 11. Mr. Paxton stated yes, that condition would have to be stated specifically in the approval. Councilmember Good stated she does not feel that is a unique reason to approve this. Ms. Burner stated another thing to consider is the proposed sign is smaller than the current one.

Commissioner Hines asked Mr. Stonnell if they were other localities where a custom-sized sign had to be installed, and Mr. Stonnell answered yes.

There were no public comments.

Chairman Ambrose closed the joint public hearing.

*** Of note, the following comment was received by email the next morning:*

From: Thomas Selby <selby9273@gmail.com>

Sent: Wednesday, June 3, 2020 8:45 AM

To: townoffice@mountjackson.com

Subject: Food Lion sign.

"I would say to approve the request for the 134 square foot sign. Yes its bigger that the ordinance allows, but they are actually shrinking it from the current 148 square foot sign."

Mayor Donnie Pifer called for adjournment of the Town Council, motion by Councilmember Rudy, seconded by Councilmember Fultz; the Town Council meeting adjourned at 7:20 PM.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
Councilmember Andrick			
Councilmember Shepherd			
Councilmember Rudy			
Councilmember Good			
6 AYES, motion carried			

Mount Jackson
Planning Commission Regular Meeting and Joint Public Hearing
June 1, 2020
- 3 -

Agenda Additions/Deletions/Changes: None

Introduction of Guests: None

Hear from Visitors: None

Approval of the Previous Meeting Minutes – Commissioner Hines MOVED, seconded by Commissioner Miller to APPROVE the Minutes of May 4, 2020 Regular Meeting and Minutes of May 12, 2020 Joint Public Hearing.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

Old Business:

1. Special Use Permit SUP 20-04 – 5300 Main Street – Food Lion wall sign in excess of 100 square feet permitted in B-3 district.

Commissioner Hines asked if the 100 square foot maximum size is fixed, or based on square footage of the total area or building front. Mr. Showalter stated it is the maximum allowed for signage in the business districts. Mr. Paxton stated during the zoning ordinance revision, Council decided 100 square feet would be the maximum, to keep the Town’s signage visually-pleasing.

Commissioner Andrick MOVED, seconded by Commissioner BURNER to DENY approval of Special Use Permit SUP 20-04.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

2. Ordinance O-06-2020 to amend chapter 66 Zoning, sections 66-1 through 66-390 and sections 66-426 through 66-510 of the code of the Town of Mount Jackson to update and streamline the Town’s zoning ordinance.

Commissioner Andrick MOVED, seconded by Commissioner Miller to recommend APPROVAL of Ordinance O-06-2020 to the Town Council.

Mount Jackson
Planning Commission Regular Meeting and Joint Public Hearing
June 1, 2020

- 4 -

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

New Business:

Consider the following for recommendation to the Town Council:

1. Ordinance O-07-2020 – Updating the Town code’s floodplain provisions
 - A. Set for Joint Public Hearing July 6, 2020 at 7:00 PM
 - B. Consider joint work session with Berkley Group consultants prior to Joint Public Hearing

Mr. Showalter stated as part of the zoning ordinance revision, the floodplain provisions needed to be revised to meet federal guidelines, and, rather than have the floodplain ordinance be part of the zoning ordinance, a new section was created. It is hoped that this will make the ordinance easier to find and use.

Commissioner Burner MOVED, seconded by Commissioner Andrick, the Planning Commission recommends APPROVAL of a Joint Public Hearing on Ordinance O-07-2020 July 6, 2020 at 7:00 PM.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

Commissioner Andrick stated he did not feel a work session is needed as these are federal guidelines, with little flexibility. Mr. Paxton stated one reason a work session may be helpful , would be to gain understanding on the regulations and how they would impact a property owner. The floodplain ordinance is needed to allow property owners to obtain flood insurance, and the revised ordinance also addresses an appeal process for owners who feel their property is not in a flood zone. Mr. Showalter added another option if Commissioners have a question, would be to email him, and he will contact the Berkley Group consultants for answers. It was the consensus of the Commission that no work session was necessary.

Actions of the Board of Zoning Appeals: None

Report on Town Council Items: None

Zoning Administrator’s Report:

Mount Jackson
Planning Commission Regular Meeting and Joint Public Hearing
June 1, 2020

- 5 -

Mr. Showalter stated Hardees site is still under DEQ review, Sun Tribe Solar has not yet provided the final site plan, and Bowman Andros is still in discussions with VDOT.

Mr. Showalter stated a few months ago three properties were cited with misdemeanors, and will be arraigned this Friday. He noted he was advised by the police department, the three property owners will probably be given an extended amount of time to clean up.

Mr. Showalter stated they've served grass notices on three properties which Town staff ended up mowing, one being the Mayor's neighbor.

Board Member's Report: None

Commissioner Miller made a motion, seconded by Commissioner Hines to adjourn the meeting at 7:45 PM.

Submitted by:

Debbie Stover
Town Clerk