

Mount Jackson  
Planning Commission Meeting  
July 1, 2024  
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Regular Meeting

Chairman Larry Ambrose called the meeting to order at 5:34 PM in the Council Chambers at 5901 Main Street. Commissioners Evelyn Burner, Karen Costie, Jim Hines, and Anita Miller were in attendance. Also present were Olivia Hilton, Town Manager; and Barbara Riggelman, Town Clerk. Drew Warren, Todd Holtzman, and Ryan Fitzmaurice, reporter for the Northern Virginia Daily, were visitors.

**Agenda Additions/Deletions/Changes:** Ms. Hilton requested to add an update for the Warren Development under Old Business.

**Introduction of Guests:** None

**Hear from Visitors:** None

**Approval of the Previous Meeting Minutes** – Commissioner Costie MOVED, seconded by Commissioner Burner to APPROVE the Minutes of the June 3, 2024 Regular Meeting.

VOTE:

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

**Old Business:**

**1. Orchard Drive Development Update**

Ms. Hilton stated that Staff reached out to Timmons Engineering, who will have to resubmit to the DEQ following a call from them. They will be incorporating feedback from the DEQ in their resubmittal and resubmitting to the Town as well. They are still working on Norfolk Southern, which has been the major holdup. The group is also reaching out to the homeowners along Jackson Street for any temporary easements for utility lines, which would be Danny Hottinger and New Valley Properties.

**2. Warren Development Update**

Ms. Hilton stated that this would be an update to the Warren/Old Hickory Development. Mr. Warren was present to speak about the update and provided a conceptual development plan for the project. Mr. Warren stated that he had tried to use the original drawing to show the existing storm management on the previously approved site plan, along with the previous entrance, and did the setbacks from there. The land has such an upward slope, which is why the road is wrapped around the project as shown. This would also allow for a flat spot within the project for a recreation area. The conceptual plan shows 25 two-story townhomes with a garage, 24' wide by 40' long. Mr. Holtzman inquired who the builder would be. Mr. Warren answered that it would either be himself or Ryan Homes. Discussion ensued on the setbacks and storm water management. Mr. Warren stated that he was hoping to get feedback from the Planning Commission before proceeding with an engineered drawing. The Planning Commission members stated their approval for the conceptual development plan submitted. Mr. Warren stated that he would return with an engineered drawing once it is complete.

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**New Business:**

**1. RZ-01-2024: Request to Rezone (or consider SUP) 6143 Main Street from I-1 to R-1 – Introduction and Set for Joint Public Hearing on August 5, 2024 at 5:30 PM**

Ms. Hilton stated that this request may be better served as a special use permit, rather than having an R-1 island zoning surrounded by I-1 zoning. This would give the Town more control over the property for future developments. Discussion ensued on previous and current zoning of the subject property and neighboring properties, as well as whether this request should be a rezoning or special use permit. Ms. Hilton discussed the timeline for a special use permit and public hearing. Mr. Ambrose requested more information on the subject prior to the next meeting. Ms. Burner inquired if the property could remain I-1 with a special use permit for the house to be residential. Ms. Hilton answered affirmatively but added that the previous rules could be put back in place. Mr. Holtzman inquired into who owned the trailer court. Ms. Hilton answered that she was not sure about the trailer court; this rezoning/SUP application was from Bader Al-Omar for the property in front of the trailer park. Ms. Riggelman answered that Danna Bynaker owns the Smoot Trailer Park.

Mr. Ambrose requested Ms. Hilton check to see if it would be more feasible to allow the I-1 zoning with a special use permit. Ms. Hilton answered that she felt this would be a better way to go than rezoning, but asked the Commission what information they would like to have in order to make a vote or discuss it. Mr. Ambrose inquired if the property were to be sold, would the special use permit convey with the property. Mr. Hines stated that the permit would transmit to the buyer. Ms. Hilton stated the Planning Commission could stipulate conditions in the permit.

Commissioner Miller made a motion, seconded by Commissioner Burner, to SET a Joint Public Hearing on August 5, 2024 at 5:30 PM for a Special Use Permit for 6143 Main Street.

**VOTE:**

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

**2. SU-01-2024: Request to Permit a Single-Family Home within the B-2 District – Introduction and Set for Joint Public Hearing on August 5, 2024 at 5:30 PM**

Ms. Hilton stated that the subject property is 5967 King Street, the site of a vacant prior meat locker. The application and overhead view of the property was shown. The footprint would stay the same, 48' x 20', but would become a single-family home. Mr. Holtzman, the property owner, discussed the property and his plans for a single-story 2 bedroom, 1 bath home on the existing slab. Between the building and the street, there are 2 parking spaces long-term, which would be adequate. The property came with an easement to drive onto the neighboring property, the old feed mill, which is currently being contested. Even if the easement doesn't convey, there are 2 parking spaces in front of the house. Mr. Hines inquired into the easement. Mr. Holtzman stated that is an easement to give the property owner the right to cross over the entire lot to access the old meat locker, which was built in 1945, as long as it did not interfere with the operations of the feed mill. Long term, Mr. Holtzman stated he could not interfere or block access to the neighboring property. Mr. Ambrose inquired

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into parking across King Street along the cemetery. Ms. Hilton stated that this is an item she is working on separately. Mr. Ambrose inquired into the current zoning of the subject property. Ms. Hilton stated that it is B-2, which is mixed use, as well as neighboring parcels. Discussion ensued on zoning and the B-2 district.

Ms. Hilton stated that another thing the Planning Commission could do with a special use permit is to have regulations that it be an owner-occupied property. Last month, the Planning Commission discussed the number of rental units in town; this could be permitted as a single-family home with the expectation that it must be sold or be an owner-occupied property. Mr. Hines inquired if the property extends to the railroad. Mr. Holtzman answered that it does not. Mr. Holtzman stated his concerns with mandating certain properties be commercial if the town's population does not support that. Ms. Hilton stated that the properties could remain legal non-conforming for the time. Discussion ensued on the subject property and potential uses.

Ms. Costie stated her appreciation for Mr. Holtzman and the work he does on renovating properties, however she felt that the town needs more properties in town to purchase and not rent.

Commissioner Burner made a motion, seconded by Commissioner Miller, to SET a Joint Public Hearing on August 5, 2024 at 5:30 PM for SU-01-2024.

Ms. Hilton discussed the timeline for the Special Use Permit. Mr. Holtzman stated that he would not be able to attend the Joint Public Hearing on August 5. Mr. Ambrose requested a representative be present in the event there were questions from the public. Mr. Holtzman stated his agreement with this request. Ms. Hilton stated that she could answer questions regarding the permit, but it could be beneficial to have the project contractor attend to answer questions regarding the building. She could also have Mr. Holtzman available via phone.

VOTE:

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

**Board of Zoning Appeals Report:** None

**Town Council Items:** Ms. Burner asked Ms. Hilton to speak on the most recent development. Ms. Hilton stated that the Town has been able to purchase Guy Baker's property which adjoins the town park. Ms. Hilton showed the Baker property to the Commission. Kimley Horn has submitted a draft, which Council will discuss at their meeting on July 9 and what they envision for that space, a road to the baseball field, buffering from I-81, etc. The plan was to vote on the park plan in August, but this property addition will set these plans back a couple of months. The road thru the park will be named Baker Boulevard in honor of Mr. Baker. Some dates for public input will be announced at the July 9 Council Meeting to discuss future plans for the park, the dog park, and the river access. Neighboring homeowners will be invited.

**Zoning Administrator Report:** The demolition permit was approved for the Race Street property. Staff was waiting on letters from Dominion, Shentel, and the Town to say there was no water. Demolition has been set. Mr. Hines inquired if there was a survey plot, where the boundary is between the property owner to the east, and how much land is still there. Mr. Hines stated there was an eminent domain when Orkney Grade was made,

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so a payment would be owed if some land was taken from the Banks' property. Ms. Hilton stated that there is a survey and she could check with Jay Neal regarding this. The Town sent a check for the \$3500 owed in county taxes in order to get the permit approved.

There is a meeting next week with Valley Engineering to draw up plans for the dog park on King Street and the Red Banks river access, so these will be coming up. The debate is how to safely make a sidewalk down Daniel Gray Drive to Fleming Park for the river access. Mr. Hines inquired into the dog park and if a soil sample has been done since this property used to be a scrap yard. Ms. Hilton stated that she would look into this.

**Board Members' Items:** Mr. Hines stated that neighboring localities have been installing blinking speed limit signs and inquired if the Town has considered installing something like New Market, Edinburg, and Woodstock. Ms. Hilton stated that she would look into this request.

Mr. Hines inquired if there were any ADA regulations regarding the sidewalks, as it seems they are wider at Triplett Tech and narrow heading north to Shannon Avenue. The width of the street will shrink with the installation of the new streetlights. Ms. Hilton stated that she thought they needed to be 32 inches and so far, the smallest area between the light poles is at Shannon Avenue. All the sidewalks that are being installed are supposed to be 5 ft. in width. Discussion ensued on the newly bricked sidewalk. Mr. Hines stated that below Ms. Hilton's residence, there is a small walkway where a half-inch edge needs to be addressed by either the property owner or the Town. Mr. Hines also inquired what the warranty is on the sidewalks, as bricks settle after a time, and if there would be any future compensation for this. Ms. Hilton stated that she would check on a warranty, but ultimately it would be the Town's responsibility to maintain the sidewalks. Ms. Hilton inquired into the overhang that Mr. Hines was addressing below her residence, which she believed was an old Baptist church, and asked if the overhang was into the bricks. Mr. Hines stated that it is just past the blacktop at her residence, at a small gravel section, and is just the end of the brick. He was worried about the safety if someone were to step on it wrong; this needs to have some type of edge that is sloped. Ms. Hilton stated that she would look into this issue.

Commissioner Miller made a motion, seconded by Commissioner Burner, to adjourn the meeting at 6:19 PM.

Submitted by: Barbara M. Riggleman, Town Clerk