

Mount Jackson
Planning Commission Meeting
November 4, 2019

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Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chamber at 5901 Main Street. Commissioners in attendance were Mr. Thompson, Ms. Miller, Ms. Burner and Mr. Hines. Acting Town Manager, Neil Showalter; Consultant, Joseph S. Paxton; and Town Clerk, Debbie Stover, were present. Commissioner Andrick was absent. There were no visitors.

Regular Meeting

Agenda Additions/Deletions/Changes: Commissioner Bob Thompson stated he'd like to be added under New Business.

Introduction of Guests: None

Hear from Visitors: None

Approval of the Previous Meeting Minutes – Commissioner Burner MOVED, seconded by Commissioner Thompson to APPROVE the Minutes of September 9, 2019, Regular Meeting.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioner Thompson		Commissioner Andrick
“ Miller		
“ Burner		
“ Hines		

4 AYES, motion carried

Old Business: Mr. Paxton stated he has received the revisions to the new zoning ordinance, which he and Mr. Showalter have not yet had a chance to look at. He believes after it is reviewed by the Ordinance Committee, the next step would be to have joint work session between the Planning Commission and Town Council to have the individuals involved in the revisions come and answer any questions. Mr. Paxton stated he did notice there were some substantial changes in January 2017, and he was not certain which were old changes or new changes, and will report back on this at a later time.

New Business: Commissioner Thompson stated he is resigning his position on the Planning Commission after the meeting today because he has sold his home in Mount Jackson, and will be moving to Edinburg. He stated he enjoyed his time on the Commission and working with the community and the other commissioners.

Actions of the Board of Zoning Appeals: Mr. Thompson stated the last BZA meeting was as a result of an appeal by the Zerkels' to the Zoning Administrator's decision on the issues at their property. Their lawyer presented more of the same information, nothing of which was significantly different from previous meetings. Mr. Thompson stated the BZA didn't feel they had enough information to overturn the Zoning Administrator's previous determination, and therefore voted 3-1 to uphold that previous decision, and deny the Zerkels' appeal. Mr. Showalter added the Zerkels' have filed with the Circuit Court, and the town's insurance company has hired an attorney from Charlottesville who is currently in the process of formulating the town's response to the suit. Mr. Paxton stated court action could affirm the county's position, could overturn it stating the process

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was invalid and must start over at the Planning Commission level, or could be referred back to the BZA with instructions.

Report on Town Council Items: None

Zoning Administrator's Report: Mr. Showalter stated he and Mr. Paxton prepared a summary of activity from the last two months, which primarily involves three pending cases. Mr. Paxton stated the first one is regarding solar panel installation at Triplett Tech. When researched, it was found the town passed the solar ordinance in 2017. Under that amended ordinance, solar panel installations of this type are permitted in A-1 and I-1 zones only, and Triplett Tech is in an R-2 zone permitted by special use permit. The approach to this request is the Town will need to consider an amendment to the zoning ordinance that permits small scale solar facilities as an accessory use to a primary education facility. Because the school use requires a special use permit, staff's recommendation is that any accessory use should require a separate special use permit, and meet the other regulations in the Town code for solar facilities such as setbacks, screening, and removal of the panels if they become unused. Mr. Paxton stated he received an email from the engineer for the solar contractor showing the panels are to be located behind the school where the old soccer fields were, and as far away from the houses as possible. Staff's understanding is that there will be approximately 700 panels on an acre and a half, and the engineer advised that the panels will power the school and allow some excess capacity to be sold to Dominion Virginia Power, likely during the summer months. The second pending case, involves an area along Center Street. There are some parcels in that area that are used for industrial uses but the primary use within this area is residential. The town has received a request from a landowner to allow the construction of a new single family home, but residential uses are not permitted by right or special use permit in the industrial zone. Staff is discussing a proposal to rezone the residential parcels to R-2, while continuing to allow the primary industrial area to remain. The third pending case involves the last property on the south side of Bridge Street. The property has topographic challenges with a large portion of it in the flood area. The property owner wants to subdivide a lot to allow a single family home to be built up on the hill. Staff discussed with the property owner the requirement to clean up the parcel before any further work was undertaken to subdivide the lot. After a site visit, staff is concerned that the property owner may not be able to subdivide the property and meet setback requirements. Another concern is that due to the layout of the lot there may not be sufficient area to provide enough separation for two access points (driveways). This will be determined by VDOT.

Board Member's Report: None

Commissioner Burner made a motion, seconded by Commissioner Miller, to adjourn the meeting at 7:35 p.m.

Submitted by:

Debbie Stover
Town Clerk