

Mount Jackson
Planning Commission Regular Meeting
May 4, 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. Also present was Neil Showalter, Town Manager; Joseph S. Paxton, Consultant; and Debbie Stover, Town Clerk. Commissioners Dennis Andrick and Evelyn Burner attended electronically through Zoom. Dave Moore from Cornerstone Technology was present to video record the meeting. There were no visitors.

Agenda Additions/Deletions/Changes: Amendment to SUP 20-03 – Triplett Tech Solar was added as item # 2 under New Business.

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 March 2, 2020 Joint Public Hearing and Regular Meeting and April 23, 2020 Joint Work Session.

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:

Mr. Paxton reminded the Commissioners that next Tuesday, May 12th at 7:00 is the joint public hearing for the zoning ordinance update.

New Business:

Consider the following for recommendation to the Town Council:

1. SUP 20-04 – Food Lion – wall sign in excess of 100 square feet permitted in B-3 district.

Mr. Paxton stated Food Lion has requested a new 134 square foot sign, which is slightly smaller than their current sign, but larger than the originally-approved 104 square foot sign. Staff recommends the Planning Commission request a joint public hearing for SUP 20-04 on June 1st.

Commissioner Burner MOVED, seconded by Commissioner Andrick, the Planning Commission recommends APPROVAL of a Joint Public Hearing on SUP 20-04 June 1, 2020.

Mount Jackson
Planning Commission Regular Meeting

May 4, 2020

- 2 -

VOTE:

AYE

NAY

ABSTAIN

ABSENT

Commissioner Andrick
Commissioner Miller
Commissioner Burner
Commissioner Hines
Commissioner Ambrose
5 AYES, motion carried

2. SUP 20-03 – Amendment – Triplett Tech Solar

Mr. Paxton stated last week staff received an email from Sun Tribe Solar requesting a change in height for the solar panels from 4 feet to 3 feet. One benefit is the panels will be closer to the ground and less visible. Mr. Paxton stated the reason for the commonly used 4-foot height, is to be able to mow under and maintain them. However, Sun Tribe Solar will be using a pollinator mix under their panels so there will be little maintenance. Mr. Paxton stated the Town's zoning ordinance allows for minor modifications of special use permits, however, this particular modification requires a recommendation by the Planning Commission to Council.

Mr. Paxton stated there were two other issues that Sun Tribe Solar added some clarification on. One is the fencing surrounding the array, and whether it should have an opaque covering. Council decided they prefer opaque on the residential side, but it would not be necessarily on the interstate, open field, or school sides. Secondly, an electric line needs to be run from one side of the property to the other, which will run along the back side of the retaining wall that blocks the school parking lot. Mr. Paxton stated it was discovered during the engineering phase, there is a fiber cable that runs along the bottom of that brick wall. Sun Tribe Solar decided rather than hand digging and potentially hitting that cable, they requested a Shenandoah County building official allow them to attach the electric conduit to the back side of the brick wall. The electric line will come from underground, just before where the LP tanks are located, attach to the brick wall, go around the west side, and at the end of the wall go back underground and connect on the far southern side of the property. These two items are for informational purposes only, and do not require further action.

Mr. Andrick asked if the size of the propane tanks, and how far the electric line will be from the tanks. Mr. Paxton stated they were larger in size, and on the other side of the wall. Mr. Andrick stated electric lines have to be a certain distance from propane tanks. Mr. Paxton stated staff will check on this, however, Sun Tribe Solar did speak with a Shenandoah County official, and provided a letter stating this meets electric codes. Mr. Andrick stated he wants to make sure the distance was correct, so it won't hold up approval on the project.

Commissioner Miller MOVED, seconded by Commissioner Burner, the Planning Commission recommends APPROVAL of a modification to SUP 20-03 to the Town Council, that the panels will be three feet high, rather than four feet high.

Mount Jackson
Planning Commission Regular Meeting
May 4, 2020

- 3 -

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			

Actions of the Board of Zoning Appeals: None

Report on Town Council Items: None

Zoning Administrator's Report:

Mr. Showalter referred to the report in the commission packets. He stated there were three zoning applications, two of which were approved for home repairs, and one at 5497 Main Street, the old towing business, is still under discussion. The new renter is solidifying his business plans, and has not submitted a final application. Mr. Showalter added the Hardees site is awaiting approval of the soils with DEQ.

Mr. Paxton stated he spoke with a Bowman Andros representative, and they are finalizing the improvements on Route 11 with VDOT. He stated VDOT is requiring some improvements, even though the majority of the work doesn't impact Route 11. Bowman Andros is negotiating these improvements with VDOT, to keep costs down. Mr. Paxton stated when the special use permit was originally submitted, the plans did not get submitted to VDOT, and staff has been working to correct this.

Mr. Showalter stated the Town has filed with the court, to enforce portions of the nuisance property town code, against 6017 Broad Street, 6070 Main Street, and 6091 Main Street. Those cases have a court date of early June. The other enforcement actions have been slowed due to the coronavirus situation.

Mr. Showalter stated the joint public hearing is May 12, 2020 on the zoning ordinance rewrite. Mr. Paxton stated it was brought up in the work session, to change the proposed A-1 setback from 100 feet to 50 feet. He asked if the Planning Commission had a recommendation for Council. Mr. Ambrose stated he is in favor of changing to 50 feet mainly due to the annexation on Turkey Knob Road. Mr. Hines asked if 50 feet is in reference to the dwelling or the farm, and, from a neighbor, or from the road. Mr. Paxton stated it was for any structure, and from the road. Mr. Paxton stated the reason 100 feet was proposed is because A-1 in the traditional sense was to encourage open space.

Mr. Ambrose asked for a vote from the Planning Commission to recommend to Council changing the A-1 setback from 100 feet to 50 feet in the zoning ordinance update. No motion was made.

Mount Jackson
Planning Commission Regular Meeting
May 4, 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			

Mr. Showalter added staff is currently working on the floodplain ordinance, and should have that ready for introduction at the next meeting in June. Mr. Paxton stated he hopes by week end, to send a draft of a proposed floodplain ordinance, which will replace the current one. He stated the old one was adopted in the early 70's and is out-of-date with federal regulations. Mr. Paxton noted there is very little land within the Town limits currently in flood areas, but there are significant growth areas that if annexed, could be. Mr. Paxton stated this will be a separate stand-alone ordinance and will repeal the old ordinance. Staff hopes to bring this to Planning Commission on June 1, to call for a public hearing and consider and potentially adopt at the July meeting, then send to Council for its July meeting. Mr. Ambrose asked if the Town uses FEMA's floodplain regulations, and Mr. Paxton stated yes, it is verbatim with FEMA requirements. He added it is based on the 100-year floodplain, with flood hazard areas that are designated by zones. There is an A zone (flood district), and an AE zone (floodway), which is more severe and cannot be built on. Mr. Paxton stated fortunately there are no AE areas in the Town, with the exception of the bottom land on Bridge Street. Mr. Paxton stated because there are some areas in the Town that have flood potential, and in order for those residents to be eligible to get flood insurance, the floodplain ordinance is required to be adopted.

Board Member's Report: None

Commissioner Miller made a motion to adjourn the meeting at 7:27 p.m.

Submitted by:

Debbie Stover
Town Clerk