

Mount Jackson
Planning Commission Meeting

March 1, 2021

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Regular Meeting

Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chamber at 5901 Main Street. Roll call was taken with Commissioners Anita Miller, Evelyn Burner and Jim Hines in attendance. Commissioner Dennis Andrick attended electronically through Zoom.

Also present Neil Showalter, Town Manager; Donnie Pifer, Mayor; and Debbie Stover, Town Clerk. Darla Orr, the Town's zoning consultant from The Berkley Group attended electronically through Zoom. Dave Moore from Cornerstone Technology was present to video record the meeting.

There were several visitors including Darrin Saylor.

Agenda Additions/Deletions/Changes: None

Introduction of Guests: None

Hear from Visitors: Darrin Saylor spoke on behalf of Melissa Miller who lives at 1591 Georgetown Road. He stated Ms. Miller has owned this land for 20 years, and has never had any water runoff problems until the solar farm construction began. Mr. Saylor stated there are old oak trees on this beautiful property, and a lot of water may cause them to be uprooted and fall over. Ms. Miller's property is in the county, right on the boundary between Mount Jackson town limits and Shenandoah County. Mr. Saylor stated they initially consulted with Mr. Showalter, who directed them to the county office, but the county has not followed up. Mr. Showalter stated his records indicate his last discussion with Mr. Saylor was on January 22, and Mr. Saylor had spoken with Mr. Helsley from Shenandoah County. Mr. Saylor stated he did meet with Jason at the county office, who said he would come out and look at the property and get back with him, but he has not done so. Mr. Saylor stated he also spoke with solar farm representatives who say there is nothing they can do about this issue because they would have to get more money approved, which could take years. Chairman Ambrose asked Mr. Showalter if he could contact the county to check on this issue. Mr. Showalter stated he will contact Jason Smith on behalf of the property owner. Mr. Showalter added he feels Town staff has attempted to work with the property owner as well, stating he personally inspected the property on 3-4 occasions, took pictures, and accepted pictures from the landowner. Mr. Saylor stated he would appreciate any further help the Town could give him.

Approval of the Previous Meeting Minutes – Commissioner Burner MOVED, seconded by Commissioner Miller to APPROVE the Minutes of December 7, 2020 Regular Meeting and 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: None

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New Business:

1. Planning Commission Initiation of Zoning Ordinance Text Amendments Relative to Section 66-41 – Signs.

Darla Orr stated in working with Mr. Showalter regarding recent zoning inquiries, and zoning permit applications, a few issues have come up in regards to the sign ordinance, and it is felt to be appropriate, not to do a full code rewrite, but to add some clarity in a few areas. Specifically, they are examining the process for seeking sign exceptions, and for calculating allowable sign area. Ms. Orr stated there is some discrepancy and more clarity is needed for multi-tenant buildings, such as shopping centers, for calculating the sign area and signs that are within 400 feet of an interstate interchange. Ms. Orr stated tonight, staff hopes to obtain agreement from the Planning Commission to initiate text amendments to the ordinance, after which staff would draft the amendments, entertain comments, and introduce a package at the April meeting to set a joint public hearing.

Commissioner Andrick asked if the Town is being charged for this, and what has changed to cause a need for these amendments, since the new ordinance was just recently adopted. Mr. Showalter stated in the practical application of several items, it was determined a portion of the code needs clarification. For example, the Town allowed Hardees to apply for a Special Use Permit for sign exceptions which the Planning Commission and Town Council heard. However, going forward, the only way a property owner has to appeal sign standards is through the Board of Zoning Appeals, which not as sufficient in that it does not allow for much participation or input. Ms. Orr stated a perfect ordinance cannot be written, and oftentimes it is not until it is used, that it is determined some slight changes are needed. Ms. Orr stated part of the ordinance is clear as it relates to a single user, but needs clarification to be interpreted properly for multi-tenant shopping centers. Mr. Showalter stated staff is asking for permission to review this section of code and provide recommendations for more clarity.

Commissioner Andrick MOVED, seconded by Commissioner Burner to APPROVE Staff Initiation of Zoning Ordinance Text Amendments Relative to Section 66-41 – Signs.

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 | | | |

Board of Zoning Appeals Report: Mr. Showalter stated the BZA met on December 14, 2020 and approved a variance to allow Bowman Andros Products to install two 72-foot tall bulk silos to hold sugar for their new manufacturing processing plant. One is to be erected with the current facility being built, and a second one possibly as business grows. Mr. Showalter stated there was a public hearing on the matter, and the BZA voted 3-0 to allow the exception.

Town Council Items – Mr. Andrick: None

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Zoning Administrator Report – Mr. Showalter stated his report includes four months of activity, and includes 10 approvals, and seven items on hold to review, the largest being a potato unloading facility at Route 11 Chips. There are a few sign applications including Goodwill Industries who is interested in moving to the shopping center where Dollar General previously was. Mr. Showalter stated Bowman Andros has a lingering item from 2019 for a site plan approval, which is awaiting an approved VDOT entrance. Jamie Dodson from Bowman Andros stated all of their work is to be within the VDOT right-of-way, and will introduce these plans to Mr. Showalter on Wednesday. Mr. Showalter stated March 8 is the start date to begin construction for the Hardees Restaurant. The Town Council agreed to consider making a spot blight determination at 6070 Main Street, and Council is working to appoint an advisory committee to aid Mr. Showalter in making this determination. Mr. Showalter stated he received a call today regarding 159 Bridge Street, and will be following up on that issue.

Commissioner Miller asked if any work had begun on the house and parking lot Nate Beall purchased last year. Mr. Showalter stated he has not spoken with Mr. Beall for several months, but no work has begun at this time. Commissioner Burner asked about the unsightly house on Broad Street, and Mr. Showalter stated there is a judgement against the property owner, and Chief Sterner has gone to court several times, but the judge order only requires the owner to pay a fine at this time.

Board Members' Items: None

Commissioner Miller made a motion to adjourn the meeting at 7:24 PM.

Submitted by:

Debbie Stover, Town Clerk