

Mount Jackson
Planning Commission Meeting
April 3, 2023
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Regular Meeting

Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chambers at 5901 Main Street. Commissioners Jim Hines, Anita Miller, Evelyn Burner, and Karen Costie were in attendance. Also present were Neil Showalter, Town Manager; Erick Moore, Planning and Development Director; and Barbara Riggleman, Town Clerk. Robin Middleton was a guest.

Agenda Additions/Deletions/Changes: Addition of Planning Commission training session discussion.

Introduction of Guests: Chairman Ambrose asked the visitor present to introduce herself.

Hear from Visitors: None

Approval of the Previous Meeting Minutes – Commissioner Miller MOVED, seconded by Commissioner Costie to APPROVE the Minutes of March 6, 2022 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: None

New Business:

1. Planning Commissioner Training Discussion

Mr. Moore reported that he had put together an opportunity for one-on-one community planning. This would be a two-day session, with dates available being May 11, 16, 17, 18, 23, and 24 and/or June 6, 7, and 8 with a time frame of 9:00 AM to 12:00 PM. The instructor will be Mike Chandler who lives in Charlottesville. The dates were discussed and it was decided to see if Mr. Chandler will be available on May 16 and 17, 2023. Mr. Moore stated that the sessions will last 3 hours each, be held at the Town Hall, and will be conducted in an interactive fashion with more opportunity for discussion. The instructor would be present in person and information discussed would be more focused on issues that the Town of Mount Jackson would encounter.

2. SU-23-01: May May's Day Care & Preschool, LLC Special Use Permit – Introduction and Set for Public Hearing

Mr. Moore reported that the project location is 5250 & 5252 North Main Street. The subject property was previously used as office space, zoned B-2; existing structure is 1,755 sq. ft. finished; subject parcel is 0.468 acres. To the north is a US post office, to the west are single family dwellings, to the south is a commercial tree service, and to the east is a single family subdivision. Mr. Moore gave a presentation showing pictures of the subject property. Mr. Hines inquired if the boundary line shown in the slide between the subject parcel and the post office is a correct boundary line; in the slide, parking spaces for the post office are actually on the subject parcel. Mr. Moore answered that the dimensions are from Shenandoah County's GIS and there is a disclaimer that all property lines are just represented and not to be a legal description. Mr. Moore stated that in the Staff Report, there is an actual copy of the parcels. Mr. Moore reported that the applicant will be using both suites in the existing structure. They will remove the wall and combine the two suites, so the entire space will be used by

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the applicant. Mr. Moore showed a picture from above of the subject parcel and included parking spaces. Mr. Moore reported that the Highway (B-2) Business Zoning District Statement of Intent states: Accommodate general business areas; highway-oriented commercial, fast food, wholesale, and similar uses; greater volume of traffic; uses are not within centralized shopping area (B-3); recognizes demand for a variety of uses; and ensure site is compatible with small-town character, charm, and history. In relationship to the Comprehensive Plan, project reviews: Guide future town growth, physical, and economic development; promote health, safety, convenience, order, prosperity, and general welfare; promote appropriate and economic development south of town; enhance employment opportunities; and encourage efficient use of land to enhance property values and tax base. Mr. Moore showed a picture of the subject parcel on Mount Jackson's Zoning Map and Future Land Use Map. Staff recommendation is to set a joint public hearing for the Planning Commission and Council to hear SU-23-01 on May 1, 2023 at 7:00 PM.

Chairman Ambrose inquired if there was enough land in the rear of the subject parcel within the fenced area. Mr. Moore answered that there is an illustration on the first page of the introduction that was included in the informational packet that shows the fenced area. Mr. Hines inquired if there were any State guidelines for this use. Mr. Moore stated that the applicant has all the requirements and the conditions for the use will be provided at the public hearing. The Town's Zoning Ordinance requires a special use permit for the operation of a daycare center within the Highway Business (B-2) District. Section 66-40(e)(6) of the Zoning Ordinance provides standards to be met for a commercial day care center use, however, appendix (a) "minimum lot size: One half (0.5) acre, lots in B-1 are exempt" is subject to a request for an Exception to the Community Design and Standards: Article IV, Sec. 66-40 (a) "minimum lot size of one half (0.5) acre". The subject parcel is 0.468 acre, which is 0.032 acre less than the required minimum area. Mr. Moore stated that at the public hearing for the SUP, Staff will be requesting an exception.

Mr. Moore stated that parking shall be provided; B-1 districts are exempt but the applicant meets the parking requirements for B-2. Outdoor recreation areas shall be safely separated from all parking, loading, and service areas. Fencing requirements state a fence a minimum of 4' in height shall completely enclose the outdoor recreation area so that children are safely contained; the applicant will provide this. Mr. Moore stated that the applicant meets the Community Design and Development Standards except for the minimum lot size. Mr. Hines inquired if the outdoor play area will be in the rear where the shed currently is located and asked about the dumpster. Mr. Moore reported that the shed will be removed. The dumpster is owned by the post office and Mr. Moore reported that the applicant feels the post office will share the dumpster with her, but this will be a condition. Mr. Moore stated that he didn't include this information as it is in the site plan requirements; some conditions include restriping the parking as it is faded, a sidewalk into the building, and landscaping requirements. The applicant stated that she was allowed up to 23 children between the ages of 6 weeks and 5 years. Mr. Hines inquired into the hours of operation. Mr. Moore stated that they will be Monday-Friday, 7:00 AM to 5:00 PM with 5-6 employees; this information was in the Staff Report included in the information packet. Additional findings will be provided by Staff at the public hearing with recommended conditions provided, should the Planning Commission and Council determine, after public input, that approval of this request is appropriate.

Commissioner Burner MOVED, seconded by Commissioner Miller to SET a Joint Public Hearing on May 1, 2023 at 7:00 PM for Special Use Permit SU-23-01.

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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: None

Ms. Miller inquired about the Council’s decision for Mt. Jackson Solar. Mr. Showalter reported that the applicant has requested an appeal of the decision finding the Substantial Accord Determination not in accord with the Comprehensive Plan. The applicant agreed to a 30-day deferral on the SUP, so they will be heard at the April 11, 2023 Council Meeting. Mr. Showalter reported that this will be one of the main agenda items.

Zoning Administrator Report: The report was included in the Planning Commission information packet and was not discussed at the meeting.

Board Member’s Items: Ms. Burner inquired into the activity on the corner of Lonas and Wunder Street; if there is a house being built there. Mr. Moore stated that they are remodeling it to make it a single family house for rent; it is 1,000 sq. ft. Ms. Miller stated that it was a woodworking shop at one time and asked if they were making it another house. Mr. Moore stated that the owners bought the property and split the lot, so the house is separate from the former accessory structure. Ms. Miller inquired into the other two lots. Mr. Moore answered that the lot to the south, currently vacant, the owner has stated will remain vacant, but should this not become the case, the owners would have to meet all the requirements to build a single family house.

Chairman Ambrose inquired into the letter from Energix that was included in the information packet. Mr. Showalter stated that the letter is from Dominika Sink. They have voluntarily made plans to install pollinator plantings along Turkey Knob Road where the existing solar farm is located. The reasons are in the letter – to enhance biodiversity and support native and local pollinator species and they are looking forward to an enhanced viewshed along this stretch of road. Mr. Showalter stated that the letter was addressed to the Planning Commission members, among others, so that is why it was included. Chairman Ambrose inquired if these plantings would be inside or outside the fence. Mr. Moore stated that he believed it would be outside the fence; a 20’ wide strip. Mr. Showalter stated this would provide more of a meadow-look than what is existing. Chairman Ambrose stated that he understands that they are still working on the erosion issues. Mr. Showalter answered that they are not finished and also that the planted trees along Georgetown Road are looking better. Mr. Moore reported that he knows erosion is an issue and he addressed this with Ms. Sink, who stated that they have not received their ok from DEQ so the sediment basins will remain for a while longer. They will not need to be permanent. Ms. Miller inquired when the next phase of solar would begin. Mr. Showalter stated that they have not submitted a site plan yet.

Commissioner Miller made a motion, seconded by Commissioner Burner, to adjourn the meeting at 7:28 PM.

Submitted by: Barbara M. Riggelman, Town Clerk