

**AMHERST COUNTY
PLANNING COMMISSION MEETING
THURSDAY, FEBRUARY 7, 2013
MINUTES**

VIRGINIA

A public meeting for the Amherst County Planning Commission was held on Thursday, February 7, 2013, in the Board of Supervisors Room located in the Administration Building at 153 Washington Street, Amherst, VA.

MEMBERS PRESENT: Donald Hedrick, Chairman
Mitch Heishman, Vice-Chairman
Leslie Irvin
Beverly Jones
George Brine
Derin Foor

MEMBERS ABSENT: Donald Kidd, Board of Supervisors Liaison

STAFF PRESENT: Jeremy Bryant, Director of Planning/Zoning
Austin Mitchell, Assistant Zoning Administrator/Planner
Stacey Stinnett, Administrative Assistant

Agenda

1. Call to Order
2. Approval of Agenda
3. Citizens Comments
4. Special Exception – Public Hearing
 - A. #2012-21 Eugene Welch
 - B. #2013-02 Anthony Pippin
 - C. #2013-03 Harris Tire Company, Inc.
5. Midland Trail
6. Comprehensive Plan
7. Hunt Clubs 2013-01 (Ordinance, No. 2013-000) First Reading
8. Old/New Business
9. Approval of minutes for December 06, 2012
10. Adjournment

1. CALL TO ORDER

The meeting was called to order at 7:00 PM.

2. APPROVAL OF AGENDA

The agenda was approved as submitted.

Planning Commission Action:

Motion: Heishman Motion to approve the agenda.

Second: Jones

The motion carried by a 6-0 vote

3. CITIZENS COMMENTS

There were none.

4. SPECIAL EXCEPTION – PUBLIC HEARING

(Open hyperlinks below to review documents)

A. # 2012-21 Eugene Welch

(Open Hyperlink to review documents)

Request by Eugene C. Welch for a special exception in the M-1 Industrial District. The purpose of the special exception is to allow a mechanical/body and fender facility for automobiles and heavy equipment. Towing will be a secondary use. The property is located at 167 Kings Road and further identified as tax map number 155-A-92.

Mr. Bryant presented the Staff report and concluded his comments by stating that Staff recommends the following conditions:

- 1) Drainfield: The applicant shall provide a written letter from the Department of Health to the Amherst County Planning Department confirming that the change in use will not require modifications to the drainfield.
- 2) Paving or Surface Treating: In accordance with Section 602.02, the parking area shall be surface treated or paved to eliminate dust.
- 3) Parking: All vehicles shall be parked in a designated parking area that is 9'x18' in size. The parking lot shall have an aisle width of at least twenty-two (22) feet.

- 4) Lighting: All proposed lighting shall be glare-shielded and directed so as to prevent illumination across the property line. No light shall be installed that the zoning administrator finds will adversely affect traffic on Kings or Dillard Rd or any neighboring property.
- 5) Outdoor Storage: No miscellaneous items shall be stored outside the building other than vehicles that are waiting repair.
- 6) Outdoor Motor Vehicles: Vehicles that are waiting repair shall not be visible from Kings or Dillard Rd. A maximum of thirty (30) vehicles waiting repair may be stored outside. All provisions in Chapter 9 of the county Code must be met.
- 7) Entrances: The ingress/egress point to Kings Rd shall be approved by the Virginia Department of Transportation prior to initiation of the proposed uses.

Mr. Hedrick opened the public hearing.

Mr. Welch, the applicant, spoke in favor of the request.

No one spoke in opposition; therefore, Mr. Hedrick closed the public hearing.

The Planning Commission questioned the area needed to be paved for parking, hours of operation and the area that would be fenced.

Planning Commission Action:

Motion: Irvin

Make a motion that special exception request # 2012-21 Eugene Welch be approved with staff recommendations and amend staff condition # 3 to include that the parking lot located outside the growth boundary does not need to be paved.

Second: Foor

The motion carried by a 6-0 vote

B. # 2013-02 Anthony Pippin

(Open hyperlink to review documents)

Request by Anthony W. Pippin II, for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow a tire shop that will provide tire installation and service and retail sales of automotive parts. The property is located at 3609 South Amherst Highway and is further identified as tax map number 138B-A-20.

Mr. Bryant presented the Staff report and concluded his comments by stating that Staff recommends the following conditions:

- 1) Parking: All vehicles shall be parked in a designated parking area that is 9'x18' in size. The parking lot shall have an aisle width of at least twenty-two (22) feet.
- 2) Lighting: All proposed lightning shall be glare-shielded and directed so as to prevent illumination across the property line. No light shall be installed that the zoning administrator finds will adversely affect traffic on Route 29 Business, Coolwell Road or any neighboring property.
- 3) Outdoor Storage: No miscellaneous items shall be stored outside the building other than vehicles that are waiting repair.
- 4) Hours of Operation: 8 AM – 5:30 PM Monday-Friday
8 AM – 12:30 PM Saturday
- 5) Entrances: The applicant will be responsible to ensure that the existing entrances are in compliance with the Virginia Department of Transportation (VDOT) minimum standards for commercial entrances. Only one (1) ingress/egress entrance is allowed to be used per road frontage or as recommended by VDOT.

Mr. Bryant stated that he had received an email and an individual had been in the office with concerns pertaining to noise, and outside appearance of business such as the stacking of tires and removal of trees to the rear part of the property that adjoins a residence.

Mr. Hedrick opened the public hearing.

Mr. Anthony Pippin, applicant, spoke in favor of the request. Mr. Pippin stated that vehicles would be pulled under the canopy while being worked on and he would be willing to enclose the canopy with a roll up garage type door. Mr. Pippin stated that he has a thirty (30) foot trailer that carries the tires to the landfill. Mr. Pippin stated that he would be selling new and used tires and balancing and changing tires, however, no tires alignments would be done because they did not have the proper equipment. All tires and tools would be brought inside at closing time.

No one spoke in opposition; therefore, Mr. Hedrick closed the public hearing.

Mr. Hedrick asked the applicant if the following would be needed: dumpsters, rows of trees in the rear lot since adjoining property was a residence, and an approval from the Health Department.

Chairman Hedrick allowed Nancy Schmidt, realtor and representing applicant, to speak. Ms. Schmidt stated that this was a business district and the lot was served with County water. Ms. Schmidt and the applicant are aware of the location of the septic system, which is located in the back of building and that there would be no parking or driving on the top of the septic system.

Mr. Irvin stated that he felt this type of business was not suitable for this building and questioned if all state regulations were being met by the applicant in order for them to conduct a tire repair business.

Planning Commission Action:

Motion: Jones

Make a motion that special exception request # 2013-002 Anthony Pippin be approved with staff recommendations and also included to the conditions that Health Department must review that the septic tank is sufficient and that it will not be located under parking.

Second: Foor

The motion carried by a 5-1 vote (Irvin)

C. # 2013-03 Harris Tire Company

(Open hyperlink to review documents)

Request by Harris Tire Co. Inc., for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow a tire shop that provides oil changes, tire sales and installation, custom wheels, brake work, alignments and front end service. The property is located at 4588 South Amherst Highway and is further identified as tax map number 155B-A-3.

Mr. Bryant presented the Staff report and concluded his comments by stating that Staff recommends the following conditions:

- 1) Parking: All vehicles shall be parked in a designated parking area that is 9'x18' in size. The parking lot shall have an aisle width of at least twenty-two (22) feet.
- 2) Lighting: All proposed lighting shall be glare-shielded and directed so as to prevent illumination across the property line. No light shall be installed that the zoning administrator finds will adversely affect on Route 29 Business or any neighboring property.
- 3) Outdoor Storage: No miscellaneous items shall be stored outside the building other than vehicles that are waiting repair.
- 4) Hours of Operation – 8 AM – 5:30 PM Monday – Friday
8AM – 12:30 PM Saturday
- 5) Entrances: The applicant will be responsible to ensure that the existing entrance (Larger entrance) is in compliance with the Virginia Department of Transportation minimum standards for commercial entrances. Only one (1) ingress/egress entrance is allowed to be used.

Mr. Hedrick opened the public hearing.

Mr. Eric Hughes, President and applicant for Harris Tire, spoke in favor of the request. Mr. Hughes stated that the company has a contract with Beasley's Disposal Services and that the tires could be removed on a daily basis. The disposable tires would remain in a 30x10 enclosed trailer on the lot and removed daily.

Mr. Keyes, past owner of Eddie's Tires (business that was located on this same property years ago) spoke in favor of the request.

No one spoke in opposition; therefore, Mr. Hedrick closed the public hearing.

Planning Commission Action:

Motion: Irvin Make a motion that special exception request # 2013-03 Harris Tire Company be approved with staff recommendations with the additional condition that the trash disposal will be screened.

Second: Brine

The motion carried by a 6-0 vote

5. MIDLAND TRAIL

(Open hyperlink to review documents)

Mr. Mitchell, Assistant Zoning Administrator/Planner, gave a brief summary of the Midland Trail and presented the Planning Commission with a memorandum on costs that the Planning Commission requested at last meeting. Mr. Mitchell stated that this is not mandatory; however, it could be a potential source in attracting tourism within the area. Mr. Mitchell also stated that funding could be available to the Midland Trail Association through grants. Tourism entity such as the Chamber of Commerce would normally join the association not the locality itself.

The Planning Commission discussed signage within the area that would be designed as a scenic byway.

Planning Commission Action:

Motion: Jones Motion to move forward to the County Attorney to put in the form of a resolution.

Second: Heishman

The motion carried by a 6-0 vote

6. COMPREHENSIVE PLAN

Mr. Bryant stated that there had been no further policy changes since the last time the Comprehensive Plan had been discussed at the Planning Commission Meeting. Below is a schedule for the final steps of the Comprehensive Plan update that is intended to help guide the remaining steps of this process.

- I. February 14 – Planning Commission provide staff with final comments
- II. February 28 & March 7 – News Advertisement in Amherst New Era Progress informing citizens of an informational session with staff to explain proposed changes.
- III. March 12 – Staff provide an overview of Comprehensive Plan updates to citizens. at Amherst County Administration Building.
- IV. March 21 – Update the Planning Commission of feedback staff received from citizens.
- V. April 2 – Board of Supervisors review.
- VI. May 21 – Joint Planning Commission and Board of Supervisors public hearing to consider the updated Comprehensive Plan.

7. HUNT CLUBS 2013-01 (ORDINANCE, NO. 2013-000) FIRST READING

(Open hyperlink to review documents)

Mr. Bryant presented the Hunt Club Ordinance to the Planning Commission.

There was discussion amongst the Planning Commission.

Planning Commission Action:

Motion: Irvin

Motion to change grammar in section 302.22.1 to read:
"Club, hunt. Buildings, facilities, and property owned or leased and operated by a business or club for the purpose of hunter education, hunting, and /or harvesting game. The club may offer overnight accommodation. Such clubs shall not be operated primarily for a profit." And in section 702.02 number twenty (20) only include "Club, hunt" strike the rest of sentence.

Second: Heishman

The motion carried by a 6-0 vote

8. OLD/NEW BUSINESS

The monthly report for January 2013 was reviewed by the Planning Commission.

9. APPROVAL OF MINUTES FOR DECEMBER 06, 2012

Planning Commission Action:

Motion: Foor Motion to approve the Minutes for December 6, 2012 with modified changes.

Second: Brine

The motion carried by a 6-0 vote

10. ADJOURNMENT

There being no more business to discuss the meeting was adjourned at 8:21 p.m.

Planning Commission Recommendation:

Motion: Irvin Motion to adjourn.

Second: Heishman

The motion carried by a 6-0 vote.

A handwritten signature in cursive script, appearing to read "D. Hedrick", is written over a horizontal line.

Chairman

/ss/3.25.13