

**PLANNING COMMISSION MEETING  
THURSDAY, JANUARY 06, 2011  
MINUTES**

**VIRGINIA**

A public meeting of the Amherst County Planning Commission was held on Thursday, January 07, 2011 in the Board of Supervisors Room located in the Administration Building at 153 Washington Street, Amherst VA

**MEMBERS PRESENT:** Donald Hedrick, Chairman  
Beverly Jones  
Leslie Irvin  
Derin Foor  
George Brine, Jr.  
Donald Kidd, Board Liaison

**MEMBERS ABSENT:** Mitch Heishman, Vice-chairman

**STAFF PRESENT:** Jeremy Bryant, Director of Planning/Zoning  
Matthew Rowe, Planner/Assistant Zoning Administrator

**CALL TO ORDER**

Chairman Hedrick called the meeting to order with a quorum present to conduct business.

**APPROVAL OF AGENDA**

An Amended Agenda was presented to the Commissioners with a new item #3 added. This was to consider the Planning Commission Meeting Schedule for the year 2011.

**MOTION**

Jones – I move to approve the amended agenda with the addition of Item #3.  
Foor – Seconded.  
AYES – Unanimous.

**PLANNING COMMISSION MEETING SCHEDULE – 2011**

Bryant – The first meeting of the year, the Commission needs to adopt the current year meeting schedule. The meetings are held on the first and third Thursdays of each month at 7:00 PM.

**MOTION**

Foor – Move to adopt the meeting schedule for 2011. The Planning Commission will meet in 2011 on the first and third Thursday of each month at 7:00 PM.  
Irvin – Seconded.

AYES – Unanimous.

**IN RE: ZONING CASE #2010-25 – SPECIAL EXCEPTION FOR CEMETERY BY NEW JERUSALEM BAPTIST CHURCH**

#2010-25      Request by New Jerusalem Baptist Church for a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow a cemetery for the church. The proposed cemetery will be located on 2.013 acres and proposed 1,361 cemetery lots. The parcel is located on Sandidges Road (SR 610) and further identified as tax map number 50-A-6A.

Mr. Bryant gave a condensed staff report as this case had been tabled from the public hearing on November 18, 2010. Mr. Bryant pointed out that the public hearing was held in November, therefore the Planning Commission could motion for approval or denial. Mr. Thomas C. Brooks, Sr. has worked hard and spent a considerable amount of time working with VDOT on the traffic speed study review and analysis. You have the VDOT study in front of you and an e-mail from Clayton Thomas at VDOT.

There were no questions by the Planning Commissioners.

**MOTION**

Jones – Due to public necessity, convenience, general welfare and good zoning practice I move to approve the request #2010-25 to include the condition that a commercial entrance permit shall be obtained from the Virginia Department of Transportation (VDOT) prior to approval of a zoning permit.

Irvin – Seconded.

AYES – Unanimous.

**SITE PLAN REVIEW**

**NEW JERUSALEM BAPTIST CHURCH**

Mr. Rowe gave the staff report with the recommendation for approval of the site plan with the following conditions:

- 1) An approved Special Exception Permit must be obtained for the cemetery use;
- 2) The given entrance onto Sandidges Road (SR 610) must be approved by VDOT and the applicant/property owner must obtain a VDOT Land Use Permit for the entrance;
- 3) Per Section 602.02(1), the proposed access way/travel land and parking areas must be surface treated; and
- 4) If the project's land disturbance exceeds 10,000 square feet, then an Erosion and Sediment Control Plan must be submitted that meets all requirements listed in the Virginia Erosion and Sediment Control Handbook (VESCH), Third Edition, 1992.

Hedrick – How do you determine if the land disturbance exceeds the 10,000 square feet?

Rowe – We do not have the authority to determine if it exceeds the 10,000 square feet limit. It is up to the surveyor/engineer to give us that information.

Hedrick – When does that come to you?

Rowe – When the actual roadway/entrance improvements are going to be made.

There were no questions by the Planning Commissioners.

#### MOTION

Irvin – Due to public necessity, convenience, general welfare and good zoning practice, I move to approve the site plan for New Jerusalem Baptist Church Cemetery.

Jones – Seconded.

AYES – Unanimous.

#### GREIF, INC. – TRUCK & FREIGHT FACILITY

Mr. Bryant noted that an e-mail had been received from Greif requesting that the site plan be tabled at this time.

#### URBAN DEVELOPMENT AREAS

Mr. Bryant gave an update stating that after studying the Old Town Madison Heights area and the Tyler Property areas, it is the recommendation of the Renaissance Planning Group to concentrate on the Tyler Property. Old Town Madison Heights has some undeveloped land but has steep slopes, hilly terrain, and not very accessible to route 29. Mr. Bryant passed around an aerial photo of the Tyler Property. The Tyler Property is comprised of 239 acres, has exceptional access to Route 29 Business, has public water, public sewer, is on the bus line, near schools, etc.

The next step is that the Renaissance Planning Group will look at Comprehensive Plan amendments. At this point, there are two options:

- 1) Writing an entirely new chapter in the Comp Plan; and
- 2) Intertwine the information throughout the Comprehensive Plan.

Foor – Does the County own the land?

Bryant – No.

Foor – What if the owners say no?

Bryant – In 1999 one of the Tyler family submitted a future site plan showing a development for the property.

Hedrick – If the Tylers won't sell, where does that leave the County in all this?

Bryant – That's a good question.

Rowe – For purposes of the Urban Development Area, we are to come up with a spatial area. We are to come up with the framework and have a foundation in place for higher density.

Bryant – The consultants are to help us come up with changes to be put in place in the zoning ordinance.

Kidd – So, we are just meeting the state requirements.

Hedrick – Would you stop at the 149 acres or continue for all of the acreage?

Bryant – We recognize there are more acres there but we will stop at the twenty-year growth projection of 149 acres.

Rowe – That also gives us room to grow if the state changes the amount to be used for Urban Development Areas.

Irvin – Aren't there two good sized tracts below this property? Are they part of this Tyler property? It would be nice if a Wynhurst type development could be done there.

Bryant – Yes, there are several tracts.

Hedrick – What is the next step?

Bryant – I will present the Comprehensive Plan changes back to the Planning Commission.

Hedrick – Do we need to take any action tonight?

Bryant – No, I just want to keep the Planning Commission up-to-date.

### **SLIDING SCALE/CLUSTER SUBDIVISIONS**

Mr. Bryant passed out the updated zoning ordinance changes to the A-1 Agricultural District.

Bryant – Look at this, give us any comments/questions you may have. We are going to send this out to surveyors and engineers for their comments and questions. We have gained only 589 persons from 2000-2009 (projections). I am projecting an approximate 2% growth from the year 2000 to 2010. We will get the final Census numbers in March or April, but our growth has slowed. This may change whether or not we are required to follow all of the clustering mandates. The Draft Sliding Scale table has not changed. Clustering is still in the A-1 zoning district but not in the R-1, R-2, and R-3 Residential Districts. So, review this document some more and let us know if you have any questions/comments.

Kidd – I am glad to hear that this was taken out of the residential districts.

Hedrick – Did you say the county attorney said we still needed it in the residential districts?

Bryant – That was before the Census data was received.

Hedrick – So, we still have the two options – three-acre and ten-acre options. Do you plan to go to the surveyors and engineers with those two options?

Bryant – Yes.

Irvin – Can you legally go to the public without knowing the Census information?

Bryant – We will know before then. We don't anticipate going to the public before June and we shall know the final numbers then.

### **UPDATED PRIORITY LIST**

Mr. Bryant passed out the updated list and went over each item.

Mr. Bryant gave an update on the Dam Inundation Zone stating that Mr. Rowe will have a draft ordinance ready by August, 2011. The City of Lynchburg has completed its study of the Lynchburg Reservoir and has turned it over to the County. Dan French is almost complete on

his study of the Harris Creek/Graham Creek area. Mill Creek, Thrashers and Stonehouse still need to be done. Each dam's study will cost approximately \$25,000.00 per structure per dam.  
Rowe – The goal is to have the framework ready.

Hedrick – But the mapping won't be complete until all the dams have been studied?

Rowe – Correct.

Hedrick – Will you have some rules/restrictions as in the 100-year flood plain?

Rowe – That will fall on the Planning Commission and Board of Supervisors. There are two approaches: 1) Hands off, and  
2) If a developer comes in and builds in the Dam Inundation Zone, the developer is responsible for 50% of the upkeep of the dam.

Rowe – I will also continue to research any grant opportunities to help with the studies.

Hedrick – We need to put the Noise Ordinance on the Priority List. Is the county attorney working on this?

Kidd – I don't know where/if she is at this point.

Hedrick – Mr. Bryant, see that the county attorney gets a copy of the draft noise ordinance on the Appomattox noise ordinance.

### **OLD/NEW BUSINESS**

Kidd – One of the things the Board of Supervisors is thinking about is adding a service road at the Amelon Commerce Center and have developers put water and sewer down to the bypass. Also, there are some things going on with the Route 210 Connector.

### **MONTHLY REPORT**

The November and December monthly reports were given to the Commissioners with the annual totals for 2010.

### **APPROVAL OF MINUTES**

11/04/10

Hedrick – Correct "t" to "to" in the description of Case #2010A-05 on page 2.

### **MOTION**

Jones – Move to approve with the correction.

Foor – Seconded.

AYES – Jones, Foor, Hedrick, Brine.

ABSTAIN – Irvin (absent).

11/18/10

MOTION

Foor – Move to approve.

Brine – Seconded.

AYES – Unanimous.

12/02/10

MOTION

Irvin – Move to approve.

Jones – Seconded.

AYES – Unanimous.

**IN RE: ADJOURNMENT**

MOTION

Jones – I move to adjourn.

Foor – Seconded.

AYES – Unanimous.

There being no further business to discuss, the meeting was adjourned.

A handwritten signature in cursive script, appearing to read "J. L. Hedrick", is written above a horizontal line.

CHAIRMAN

/sa/011011