

**AMHERST COUNTY
PLANNING COMMISSION MEETING
THURSDAY, SEPTEMBER 20, 2012
MINUTES**

VIRGINIA

A public meeting for the Amherst County Planning Commission was held on Thursday, September 20, 2012, in the Board of Supervisors Room located in the Administration Building at 153 Washington Street, Amherst, VA.

MEMBERS PRESENT: Donald Hedrick, Chairman
Donald Kidd, Board of Supervisors Liaison
Derin Foor
George Brine
Leslie Irvin
Beverly Jones
Mitch Heishman, Vice-Chairman

STAFF PRESENT: Jeremy Bryant, Director of Planning/Zoning
Stacey Stinnett, Administrative Assistant

Agenda

1. Call to Order
2. Approval of Agenda
3. Citizens Comments
4. Special Exception
 - A. #2012-16 Wright Brothers Properties
 - B. #2012-19 Khalil Alami
5. Old/New Business
6. Approval of Minutes for August 16, 2012
7. 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. PUBLIC HEARING – SPECIAL EXCEPTION

- A. #2012-16 Wright Brothers Properties –
Request by Ronnie Wright for a special exception in the B-2 General Commercial district. The purpose of the special exception is to allow a used automobile sales lot and an automotive repair garage. The parcel is located on 2079 South Amherst Highway and is further identified as tax map number 124-A-62.

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

1. Drainfield: The applicant shall consult with the Department of health to ensure that the drainfield serving the parcel of land will not be affected by the proposed increases in vehicles. The applicant shall provide a written letter from the Department of Health to the Amherst County Planning Department confirming that the vehicles will not affect 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 isle width of at least twenty-two (22) feet.
4. Trash Disposal: If an outdoor trash facility is added, a wooden privacy fence shall be erected around the dumpster and shall be placed in the rear yard. The fence shall be a wooden slat fence that is a minimum of six (6) feet in total height.
5. Lighting: Lighting facilities shall be so arranged that light is reflected away from adjacent properties and streets.
6. Sight Distance: The placement of all automobiles for sale shall be located in an area that does not affect any vehicular sight distance.

7. Outdoor storage: No miscellaneous items shall be stored outside the building other than vehicles that are for sale and/or awaiting repair.
8. Operative Motor Vehicles: All vehicles for sale must be in operating condition. Vehicles that are waiting repair shall be stored in a fenced in area that is fully screened from Route 29 Business. A maximum of twenty (20) vehicles awaiting repair may be stored outside. One hundred and twenty (120) days is the maximum time any vehicles that are not for sale can be on the parcel.
9. Hours of Operation:
 - i. Monday – Saturday 7M-7PM
 - ii. Closed on Sunday
10. Entrances: Prior to the issuance of a zoning permit, the applicant shall contact the Virginia Department of Transportation to determine if the existing entrances will require review and to determine if they are adequate.

The Planning Commission requested a revised site plan showing indication of the number and amount of customer parking, sales parking and auto parking and what areas were to be surface treated or gravel. Mr. Kidd was concerned about the well house in the rear of the building. Mr. Hedrick stated that there should be a time frame for completion of surface treating. Mr. Bryant stated that the landscaping requirement would be the current ordinance that is in effect. Mr. Bryant stated that at this time there is no sign.

Mr. Hedrick opened the public hearing.

There being no further speakers, Mr. Hedrick closed the public hearing.

Mr. Bryant stated that this request needed to be tabled until the requested information could be gotten from the applicant since the applicant was not present. Mr. Bryant said he could try and get this by the October 4, 2012 meeting, no later than the October 18th Planning Commission meeting.

Planning Commission Recommendation:

Motion: Irvin Make a motion that the special exception request #2012-16 Wright Brothers be tabled until October 4, 2012 or if necessary the October 18, 2012 Planning Commission.

Second: Brine
The motion carried by a 6-0 vote

- B. #2012-18 Khalil K. Alami –
Request by Khalil K. Alami for a special exception in the B-2 General Commercial District. The purpose of the special exception is to permit the construction of a self-service mini-storage building. The parcel is located on U.S. Route 29, north of the Town of Amherst and is further identified as tax map number 82-A-12A.

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

1. Lighting: All proposed outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line. No light shall be installed that will adversely affect traffic on U.S. Route 29 or any neighboring property.
2. Entrance: One (1) ingress/egress point to U.S. Route 29 will be allowed. Applicant shall receive entrance from the Virginia Department of Transportation regarding the proposed entrance, prior to the approval of a zoning permit.

The Planning Commission concerns were having an entrance at the dangerous intersection and stated that information needs to be gathered from Virginia Department of Transportation.

Mr. Hedrick was concerned that the land disturbance amount was extremely close to the maximum 10,000 square feet necessary for an erosion and sediment control bond and was concerned where the drainage would go. Mr. Bryant replied that due to the way the land laid that it slopes away from Route 29. Most drainage would be sheetflow draining away from Route 29.

Mr. Hedrick opened the public hearing.

Mr. Khalil Alami, applicant, spoke in favor of the request. Mr. Alami stated that the most traffic this could possibly generate in one day is one (1) person. Mr. Alami confirmed that there would be no water or sewer on the property. Mr. Alami stated that the entrance would be adjacent to Route 29. Mr. Alami stated that there would be thirty (30) units. Mr. Alami also stated that he had been in touch with VDOT and they told him that he would need to hire a survey to do the work and then they (VDOT) would come out and approve the work.

Mr. Bryant suggested that Mr. Alami's surveyor do more research on the site plan which consists of the topography and how the site drains as well as the entrance and have this request tabled to the next Planning Commission meeting.

Anne Woodruff, resident at 135 Sundown Drive, spoke in opposition to the request. Ms. Woodruff was concerned for any zoning changes that this could cause her property. Ms. Woodruff also stated that the drainage was very poor and that the road floods.

There being no further speakers, Mr. Hedrick closed the public hearing.

The Planning Commission had discussion regarding drainage and private road excess.

Planning Commission Recommendation:

Motion: Heishman Make a motion that the special exception request #2012-18 Kim Alami be tabled until further information is received pertaining to the survey/siteplan regarding drainage issues and entrance.

Second: Foor
The motion carried by a 6-0 vote

5. OLD/NEW BUSINESS

There was discussion regarding the positive outcome of the joint meeting of Old Town Madison Heights Zoning District (RMU-1).

There was discussion regarding the proposed Noise Ordinance that is being considered by the Board of Supervisors. Mr. Irvin discussed a complaint that he received regarding a previously approved special exception (Avance).

Mr. Heishman recommended that a checklist needed to be made for subdivision reviews that would help use the Planning Commission, County Attorney and Staff's time more efficient as well as help the applicant. Mr. Heishman requested that the County Attorney draft a checklist of what has to be in an adequate, "Home Owners Association and a Road Maintenance Agreement". Mr. Heishman stated that this would save time for the County and applicant and would make for a much easier process. Mr. Bryant replied that he would speak with the County Attorney about drafting a checklist and would provide further information at the next Planning Commission meeting.

6. APPROVAL OF MINUTES FOR AUGUST 16, 2012

There was one (1) change made to the minutes.

Planning Commission Recommendation:

Motion: Irvin Motion to approve the minutes for August 16 with the one (1) change.

Second: Brine

The motion carried by a 6-0 vote

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 8:29 p.m.

Planning Commission Recommendation:

Motion: Foor

Motion to adjourn.

Second: Jones

The motion carried by a 6-0 vote

/ss/10.24.12

Chairman

DJ Hedrick