

**AMHERST COUNTY
PLANNING COMMISSION MEETING
THURSDAY MARCH 21, 2019
MINUTES**

VIRGINIA

A public meeting for the Amherst County Planning Commission was held on Thursday, March 21, 2019, in the Public Meeting Room located in the Administration Building at 153 Washington Street, Amherst, VA.

MEMBERS PRESENT: Derin Foor, Chairman
Beverly Jones, Vice Chair
Michael Martineau
Leslie Gamble
Jim Thompson
Michael Bryant
Calvin Kennon, EDA Liaison (non-voting)

MEMBERS ABSENT: David Pugh, Board of Supervisors Liaison (non-voting)

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

STAFF ABSENT: Dylan Bishop, Assistant Zoning Administrator/Planner

Agenda

1. Call to Order
2. Approval of Agenda
3. Citizens Comments
4. Public Hearing - Special Exception
 - A. #2019-033 – J. David McCormack (Phelps Rd Apt Units)
 - B. #2019-081 – Maple Spring Farm B&B LLC
5. Site Plan Review
 - A. #2019-037 Jeff Carter (car wash)
6. Ordinance
 - A. BZA Ordinance
7. Recommendation on Youth Participation (see reference #12 on Planning Commission Charter)
8. Annual Report Review for 2018

9. Old/New Business

A. April 4th Route 29 Community Mtg Madison Heights Library

B. BZA Ruritan Club meeting date moved to April 11, 2019

10. Approval of Minutes for January 17, 2019 Meeting

11. Adjournment

1. CALL TO ORDER

Chairman Foor called the meeting to order at 7:00 p.m.

2. APPROVAL OF AMENDED AGENDA

The agenda was amended by moving the February 21, 2019 meeting minutes to the next Planning Commission meeting on April 18, 2019.

Planning Commission Action:

Motion: Martineau Motion to approve the agenda.

Second: M. Bryant

The motion carried by a 6-0 vote

3. CITIZENS COMMENTS

There were none.

4. PUBLIC HEARING – SPECIAL EXCEPTION

A. 2019-033 J. David McCormack (Phelps Rd Apt Units)

Request by J. David McCormack for special exception use in the R-3 Multi-Family Residential District. The purpose of the special exception is to increase the density to forty (40) multi-family residential units at 123 Phelps Road (former Seminole Elementary School). Currently, the maximum density allowed is twenty-nine (29) units for a by-right use. The Amherst County Comprehensive Plan Future Land Use designation is High Density Residential. The tax map number is 155D-A-44.

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

1. Exterior Lighting. All exterior lighting should be installed to prevent glare on adjacent properties and streets. Exterior lighting should be sufficient to illuminate and internal parking areas, sidewalks, doorways, stair wells and steps. (Comprehensive Plan, page 155)
2. Bus Shelter. A bus shelter should be considered on-site as recommended by the Greater Lynchburg Transit Company and approved by the Virginia Department of Transportation and Amherst County. Greater Lynchburg Transit Company shall be notified prior to the Certificate of Occupancy.
3. Public Utilities. All buildings should remain on public water and public sewer and shall be in compliance with the regulations specified by the Amherst County Service Authority. (Comprehensive Plan, page 51, pg 111)
4. Transportation. The applicant should meet all applicable regulations in accordance with the Virginia Department of Transportation. (Comprehensive Plan, page 86)
5. Trash Disposal. If a dumpster is located on the parcel it shall be screened with solid wood fence from all residential districts. The dumpster should be screened with solid wood fence or solid material that is opaque. (Zoning Ordinance, Sec. 1601)
6. Sign. If a sign is erected, it should meet the requirements of the Amherst County Zoning Ordinance. Additionally, the sign shall not be internally lit. (Comprehensive Plan, page 122)
7. Landscaping. In addition to plantings that will be required as part of the site plan, all plantings should be designated in ways not to develop any hidden areas and shrubbery against the building should be of low to medium growth as approved by the Amherst County Sheriff's Department. (Comprehensive Plan, page 122)
8. Easement. An easement from High Street to the parking lot is needed across property owned by Amherst County (TM# 155D-A-44).
9. Site Plan Approval. The owner shall seek site plan approval from the Planning Commission.

The Planning Commission had a brief discussion regarding the GLTC bus shelter and the easement access through the County property to get to the parking lot.

Chairman Foor opened the public hearing.

Lynn Waters, resides at 122 Phelps Road in Madison Heights, Virginia spoke in opposition to the request. Her main concern was with parking. Mrs. Waters stated that currently her and her husband have to park on the street because they do not have a driveway and she didn't want

parking on the streets to be used for the apartment units.

Juanita Harlow, resides at 132 Phelps Road in Madison Heights, Virginia spoke in opposition to the request. Mrs. Harlow's concern were decreasing property value of her home, widening of the street making her front yard smaller, safety within the neighborhood and parking.

There being no further comments, Chairman Foor closed the public hearing.

Mr. J. Bryant stated that the County would not have any say in widening the street, that would be up to the Virginia Department of Transportation if that would be a requirement.

Mr. Thompson asked if they could impose a condition that stated that residents and their guests living in the Phelps Road Apartments could not park along the side of the road. Mr. J. Bryant stated that he would have to research this information with Virginia Department of Transportation.

Chairman Foor felt the County should not put a condition on the applicant for a bus shelter to be installed but instead have the applicant just consult with the Greater Lynchburg Transit Company about a bus shelter.

Planning Commission Recommendation:

Motion: Jones Motion to approve special exception 2019-033 J. David McCormack with staff conditions and the amendment to condition number two (2) that Greater Lynchburg Transportation shelter shall be notified prior to the Certificate of Occupancy.

Second: M. Bryant

Motion carried by a 6-0 vote.

B. 2019-081 – Maple Spring Farm B&B LLC

Request by Maple Spring Farm B&B LLC., for a special exception in the A-1 Agricultural Residential District. The purpose of the special exception is to allow for a short-term tourist rental of a dwelling. The property is located at 683 Maple Run Road and further identified as tax map number 40-A-37.

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

1. Lighting: All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.

2. Sewerage Facilities: The applicant shall follow all regulations prescribed by the Virginia Department of Health.
3. Short Term Tourist Rental: The applicant shall meet all requirements of Section 916 which regulates short-term tourist rental of dwellings.

Susanna Trefsgar, applicant, spoke gave a brief summary of the history of the property and how she is trying to preserve the historic features of her unique property.

Chairman Foor opened the public hearing.

No one spoke in in favor or in opposition to the request. Therefore, Chairman Foor closed the public hearing.

Planning Commission Recommendation:

Motion: M. Bryant Motion to approve special exception 2019-081 Maple Spring Farm B&B, LLC. with staff conditions.

Second: Gamble

Motion carried by a 6-0 vote.

5. SITE PLAN REVIEW

A. 2019-037 Jeff Carter (car wash)

In accordance with Section 1103 of the Amherst County Zoning Ordinance, a major site plan has been submitted by Carter Engineering Consultants, Inc. for new construction of a car wash in Madison Heights, located at tax map parcels 148-A-46B and 46D. The parcels on which the car wash will be located currently comprises 1.02 acres. Copies of the plan were reviewed by the Development Review Committee on February 27, 2019. The following sections summarize staff and agency comments with respect to the major elements of the plan.

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

1. Amherst County Service Authority approval of the site plan.
2. Virginia Department of Transportation approval of the site plan.
3. Approval of the Erosion and Sediment Control Plan.
4. Department of Environmental Quality approval of the Stormwater Management Plan (if applicable).

Planning Commission Recommendation:

Motion: Thompson Motion to approve site plan #2019-037 for Jeff Carter with staff recommendations.

Second: Gamble

Motion carried by a 6-0 vote.

6. ORDINANCE

A. BZA Ordinance, No. 2019-0002

Amending § sections 1402.02, 1402.03, 1402.04 and 1402.06 of Article XIV of Appendix A – Zonings and Subdivisions to the Code of the County of Amherst to address changes to the Board of Zoning Appeals.

Adding § 1005.1 and 1005.2 of Appendix A – Zoning and Subdivisions, Article X – Administration, to the Code of the County of Amherst to implement the Zoning Administrator Variances and Interpretations.

Mr. J. Bryant briefly discussed the changes made to the ordinance.

Planning Commission Recommendation:

Motion: Jones Motion to approve Ordinance 2019-0002 to move to a public hearing at the next Planning Commission meeting on April 18, 2019.

Second: M. Bryant

Motion carried by a 6-0 vote.

7. RECOMMENDATION ON YOUTH PARTICIPATION (REFERENCE #12 ON PLANNING COMMISSION CHARTER)

Mr. J. Bryant referenced #12 on the Planning Commission Charter:

It is the intention on the Planning Commission to not only develop the citizenship and political involvement of the youth of the County, but to also obtain their input in as many areas of County leadership as possible. The Planning Commission Chairman is responsible to recruit and involve youth to fulfill their charter. While youth may be recruited from anywhere in the County, the Superintendent of Schools serves as a resource to identify interested and capable youth who are willing to serve. The minimum requirement for youth to participate is that they must be residents of the County and between the ages of 16 and 21 years of age (i.e., 16 to 20

years old).

The Planning Commission and Staff will start to review interested candidates for the position.

8. ANNUAL REPORT FOR 2018

Mr. J. presented the 2018 Annual Report stating that it would be put on the website and he recognized growth within the area according to the number of zoning permits.

9. OLD/NEW BUSINESS

Mr. J. Bryant invited the Planning Commission to attend the Route 29 Business Corridor Beautification Committee Community Meeting which will be held on April 4, 2019 at 6:00 pm at the Madison Heights Public Library. Mr. J. Bryant also gave a brief update on their progress which consisted of ordering banners, planting trees and liter.

Mr. J. Bryant informed the Planning Commission the Elon Ruritan Club is amending their application and requesting a 27-foot variance instead of a 23-foot variance.

Planning Commission Recommendation:

Motion: Jones Motion to recommend approval of Board of Zoning Appeals request #2019-059 Elon Ruritan Club with the change from a 23-foot variance to a 27-foot variance.

Second: M. Bryant

Motion carried by a 5-0 vote. (Thompson abstained)

10. APPROVAL OF MINUTES FOR JANUARY 17, 2019

Planning Commission Recommendation:

Motion: Gamble Motion to approve the January 17, 2019 meeting minutes as submitted.

Second: M. Bryant

Motion carried by a 4-0 vote. (Martineau and Jones abstained)

11. ADJOURNMENT

There being no more business to discuss, the meeting was adjourned 8:16 pm

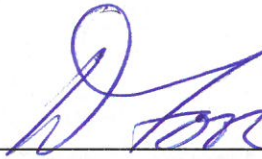
Planning Commission Recommendation:

Motion: Bryant Motion to adjourn.

Second: Martineau

Motion carried by a 5-0 vote.

/ss/4.10.19



Chairman