

**A REGULAR MEETING OF  
THE TOWN COUNCIL  
OF THE TOWN OF LURAY, PAGE COUNTY, VIRGINIA**

**MONDAY, JANUARY 9, 2017**

The Luray Town Council met in regular session on Monday, January 9, 2017 at 7:00 p.m. in the Luray Town Council Chambers located at 45 East Main Street, Luray, Virginia at which time there were present the following:

**Presiding:** Mayor Barry Presgraves

**Council Present:** Ronald Vickers  
Jerry Dofflemyer  
Jerry Schiro  
Leroy Lancaster  
Joseph Sours

**Council Absent:** Leah Pence

**Also Present:**  
Charlie Hoke, Town Manager  
Bryan Chrisman, Assistant Town Manager  
Danielle Babb, Deputy Clerk Treasurer  
Chief Carl "Bow" Cook, Luray Police Department  
Christopher Stoneberger, Luray Police Department  
Nancy Shifflett, Luray Downtown Initiative  
Meredith Dees, Luray Downtown Initiative  
Gina Hilliard, Luray Page County Chamber of Commerce  
Erik Fox, Vacation of Right of Way  
Grace Nowak, Luray Planning Commission  
Timmy Williams, Citizen Comment  
Pam Wightman, Citizen Comment  
Steven Cave, Citizen Comment

A quorum being present, Mayor Barry Presgraves declared the Council to be in session for the transaction of business. All present stood for a moment of silence. Councilman Dofflemyer led everyone in reciting the United States Pledge of Allegiance.

**CONSENT AGENDA**

**Motion:** Councilman Schiro motioned to approve the Consent Agenda, motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours.  
**Approved 5-0**

***Consent Agenda***

- (A) Minutes of the Regular Council Meeting –12-12-2016
- (B) Financial Report- Month Ending 12-31-2016
- (C) Accounts payable checks totaling \$ 82,258.06

## **CITIZEN COMMENT**

Pam Wightman-509 Sixth St.

Ms. Wightman spoke regarding the vacation of alleyway next to Sixth Street in regards to the proposed triplex unit. Ms. Wightman said that while she has only been in Luray for a few years, her family searched for the right home to purchase and is very upset about the possibility of a triplex unit near their home. She expressed concerns about the existing traffic on Sixth Street and can't imagine adding more traffic to an already busy and narrow street. Ms. Wightman said that she is not opposed to the concept of improvement but is opposed to a triplex unit.

## **PUBLIC HEARING**

### **Amendment to Zoning Ordinance, Area Regulations in R-4**

Town Manager, Charlie Hoke, presented the public hearing for reduction in lot size for regulations in R-4. Code Section 404.3 currently states that "For a two-family dwelling arranged side-by-side (duplex), each until shall be assigned 4,000 square feet on the lot". The proposal would assign 3,500 square feet per lot for a total of 7,000 square feet. The "Boom Field" is the R-4 district and is a high density area with lot sizes designed for single family and multifamily dwellings. The advantage to reducing the minimum lot size would be a reduction in requests to vacate alleyways. Mr. Hoke explained that the Board of Zoning Appeals met on September 29, 2016 and did not approve the reduction in lot size. He furthered that the Luray Planning Commission met initially on November 16<sup>th</sup>, 2016 and tabled the issue; but, on December 14<sup>th</sup>, 2016 recommended by a 6-0 vote that each unit be assigned 3,500 square feet for a total of 7,000 square feet.

Councilman Schiro questioned why the issue was brought to the Board of Zoning Appeals.

Mayor Presgraves opened the public hearing for citizen comment.

Erik Fox- 1977 Brookstone Road

Mr. Fox said that he has requested to construct a duplex on a 7,000 square foot lot but under the current zoning requirements is 1,000 square feet short of the 8,000 minimum. At that time he requested a variance, then requested an appeal before the BZA. The request was denied by the Board of Zoning Appeals. Mr. Fox maintained that there are no vacant lots in the R-4 district that meet the size requirements. Mr. Fox explained that the Board of Zoning Appeals felt the Planning Commission should consider the reduction in lot size.

Councilman Schiro stated that the purpose of the Board of Zoning Appeals is to act as an appellate body for actions of the Zoning Administrator. He furthered that the issue Mr. Fox is talking about is a Planning Commission topic and not appropriate for the BZA.

Mr. Fox continued that the lot sizes cannot meet the requirement of the zoning. Council and staff continued their discussion of the appropriate avenue for this request. Mr. Schiro emphasized that this was not a BZA matter.

Timmy Williams- 507 Sixth Street

Mr. Williams recalled that the size requirements were changed in the 1990's. Personally he feels that the requirement was set at 8,000 square feet for a reason. Mr. Williams would like to see the lot size remain as it is.

Steven Cave- 8 Rowe Drive

Mr. Cave stated that he recognizes positive and negative impacts to changing the size requirements. He stated that 6,500 square feet is too small but that 7,000 square feet is appropriate. He noted that originally he was opposed to anything less than 8,000 sq. ft. but feels this can still be a nice lot size. Mr. Cave said that in the past he has given up a duplex unit in order to make the lot sizes larger for the individual units. He said that he has no plans of building a triplex unit and therefore has no opinion on that topic. Mr. Cave concluded his discussion by recommending the reduction from 8,000 to 7,000 square feet.

Grace Nowak- Luray Planning Commission

Ms. Nowak serves on the Planning Commission and stated that the Commissioners felt the 6,500 size was too small. She added that when looking at the lots they are 50x140, which allows for the reduction to 7,000 square feet total, but says that 6,500 sq. ft. isn't workable.

With no further comments, the hearing was then closed.

Councilman Schiro discussed the division of the lots prior to the enacting of the zoning ordinance. Mr. Hoke agreed that some of these lots were divided prior to the adoption of the zoning ordinance. Mr. Schiro said that some lots may be grandfathered in and legal counsel should be consulted. Mr. Schiro clarified that the reduction in lot size is only applicable to the construction of duplexes and that the triplex request is a separate issue.

Councilman Lancaster maintained that the alleyways were meant for access to the rear of these properties. He emphasized that the town should have never started vacating them.

Mr. Erik Fox addressed the alleyways and said that the town still maintains the utility easements. He said that he feels the vacation of right of way is mostly a maintenance issue.

**Motion:** Councilman Schiro motioned to approve the reduction in area regulations in the R-4 district from 8,000 square feet to 7,000 square feet as presented, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

**Special Use Permit- Triplex in R-4**

Mr. Hoke presented information on the request from Mr. Erik Fox, Plan Quest LLC, for a special use permit to construct a triplex on a roughly 10,500 square foot parcel of land in the R-4 district.

Mayor Presgraves opened the public hearing for citizen comment.

Erik Fox- 1977 Brookstone Road

Mr. Erik Fox said that the Planning Commission approved this by a 5-1 vote. He noted that the main concerns were about increasing traffic. Mr. Fox said that he believes the traffic problems are due to the ball field and traffic signs could help. Mr. Fox said that he can put a duplex on this parcel by-right. However, his plans are for a 60ft. wide Triplex unit and noted that the neighboring property owner is not opposed to the construction. Mr. Fox said he is aware of the petition opposing the vacation of alleyway. Mr. Fox provided council members with a handout detailing survey statistics regarding daily trip totals to and from such units.

Timmy Williams- 507 Sixth Street

Mr. Williams stated that everyone on this street is opposed to the Triplex units. He said that no one has opposed a duplex unit and recognized that Mr. Fox builds nice homes. He said there is no question about the quality of his homes but feels the parcel is too tight for a third unit and this simply isn't the place for the triplex.

Pam Wightman-509 Sixth St.

Ms. Wightman said that while she has good neighbors who respect each other passing on the street, she cannot imagine adding more vehicles and traffic to this area.

Mr. Fox said that while he appreciates the comments, he is still required to meet certain setbacks.

Mayor Presgraves closed the public hearing with no further comments.

Councilman Dofflemyer clarified that the petition document came about after the Planning Commission's approval. Councilman Schiro said that he cannot ignore so many people being opposed to the request. Council and staff discussed the dead end street and if all property owners were notified of the request. Mr. Williams said that only his aunt received a letter. Staff said that the requirement is for letters to be sent to owners who touch the property. Ms. Wightman said that she did not receive a letter and the property is directly across from her. Councilman Schiro stressed that the parcels under consideration should be publicly posted with a sign.

**Motion:** Councilman Schiro motioned to deny the Special Use Permit Request for a Triplex unit in an R-4 as presented, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved Motion to Deny 5-0**

**TOWN AFFILIATED BOARDS AND COMMISSIONS**

**LURAY DOWNTOWN INITIATIVE**

**Nancy Shifflett/ Meredith Dees, Luray Downtown Initiative**

Ms. Shifflett thanked Council for their support over the past year. She especially thanked Councilman Vickers for serving on the LDI board and welcomed new member Councilman Sours. Ms. Shifflett said that at the last board meeting, Ms. Meredith Dees was appointed as the new Program Director for LDI. Ms. Shifflett said that she will be a great asset to Luray Downtown Initiative.

Ms. Dees welcomed Councilman Sours to the board and thanked Mr. Vickers for his service. She added that her door is always open and that she looks forward to working with the Council in 2017.

**LURAY PAGE COUNTY CHAMBER**

**Gina Hilliard, Chamber Director**

Ms. Gina Hilliard provided a power point presentation detailing the Chamber of Commerce and its member benefits. Ms. Hilliard explained that the Chamber is governed by the thirteen member board of directors. The Chamber also has a Marketing Committee and Tourism Council. The Chamber has nine ambassadors, three

volunteers, as well as its full time and part time staff members. Ms. Hilliard discussed Chamber outreach including the FAM tours. The Chamber offers various business networking opportunities, yearly signature events, community events, and has added several new events. Member events and member benefits include; media leads, website listing, grand openings/ re-openings, and many more. Ms. Hilliard discussed advertising opportunities for members, both print and web format.

Ms. Hilliard noted upcoming events for the Chamber with the Networking Breakfast this Thursday. There will also be a Sip and Create event next Thursday.

### **UPDATES AND DISCUSSION ITEMS**

Mr. Hoke said that Ms. Levinson had to cancel her presentation due to health issues and will postpone until next month's meeting.

### **ITEMS FOR COUNCIL ACTION**

#### **2017 COUNCIL AND HOLIDAY SCHEDULE**

Town Manager, Charlie Hoke, requested Council's approval of the 2017 Meeting and Holiday Schedule. There were no changes from previous years.

**Motion:** Councilman Dofflemyer motioned to approve the 2017 Council Meeting and Holiday Schedule, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

#### **APPOINTMENTS TO LURAY BOARDS AND COMMISSIONS**

Town Manager, Charlie Hoke, stated that Mayor Presgraves had indicated he has an appointment to the Luray Planning Commission.

**Motion:** Mayor Presgraves reappointed Grace Nowak to the Luray Planning Commission, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

### **ADJOURN**

With no further business, the meeting was adjourned at 8:25pm.

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Barry Presgraves  
Mayor

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Danielle Babb  
Deputy Clerk-Treasurer