

**REGULAR MEETING OF  
LURAY PLANNING COMMISSION  
April 11, 2018**

The Luray Planning Commission met on Wednesday, April 11, 2018 at 7:00 p.m. in regular session. The meeting was held in the Luray Town Council Chambers at 45 East Main Street, Luray, Virginia at which time there were present the following:

Commissioners Present:

Ronald Good, Chairman  
Bill Huffman  
Grace Nowak  
Gail Kyle  
Tracie Dickson

Absent:

John Shaffer  
Brian Sours

Others Present:

Steve Burke, Town Manager  
Bryan Chrisman, Assistant Town Manager  
Brooke Newman, Planning & Zoning Assistant  
Jim Fargo

The meeting was called to order by Chairman, Ronald Good, at 7:00 p.m. and everyone joined in the Pledge of Allegiance to the flag.

**APPROVAL OF MINUTES:**

**Motion:** Commissioner Tracie Dickson made the motion to accept the minutes with noted corrections from the March 14, 2018 regular Planning Commission; seconded by Commissioner Gail Kyle.

**YEA:** Chairman Ronald Good, Commissioners Bill Huffman, Grace Nowak, Gail Kyle, Tracie Dickson

**Approved 6-0**

**CITIZEN COMMENTS**

**PUBLIC HEARINGS**

- A. RZ18-1 – Rezone M1 Parcel to B1

Chairman Good: The first item is the public hearing to consider rezoning from M1 to business, a property on North Broad Street. As we have in our advertisement in the paper, this is connected to our second public hearing on the special use permit. We will consider these one at a time, rezoning will happen first and then we will consider the special use permit second. The planning commission considers these matters and then makes the recommendation to the town council. The town council will hold public

hearings next month at their meeting for a final decision. Noted in the ad is a property to be rezoned is approximately 0.188 acres in area. It will be used as a child care facility. We will now open the public hearing for the rezoning.

Michelle Walters: I am located at 58 North Broad Street in Luray. I have given you folders with character references, parent letters and also a schedule that I try to keep at the day care I currently have. I wanted to give you an assurance that I am not going to run a baby-sitting service. I am offering day care. I also do learning activities with these children. I have a plan in place to implement for this to be successful. I have been doing this for over 20 years. I am going through the steps. I already went through the state and I am going through the licensing process to become state license. If all of this goes through, I will be the third provider in the county to provide services to children and it's very needed. There was a concern when I put the application in as far as drop off for the children because we are next to the road. Bob Harrison owns the lot that we currently park our vehicles in and he has given written permission for us to use that lot for our drop off. Also, there was a concern about the fence in the back yard. There is a brand-new fence up. The whole back yard is secured at this time. That was done a few weeks ago. I am also CPR and first aid certified. And I am a nationally certified EMT currently running with the Stanley Rescue Squad. I have provided day care before for the Department of Social Services to foster care children. Just a note, children that are in the foster care system here in page county are being reverted to Shenandoah County because the day care facilities for the foster care parents that work outside the home have to be a state licensed home for day care. So, by me being state certified, this will provide more opportunities for foster parents here in the community, to keep the children here and not revert them to another county. If this does not go through, I will have to seek work outside of home and will not be able to continue day care. It's not only vital to me but to my parents that do work out of the community. I have had some of these kids since birth. The parents have provided letters to you. In February, I attended a state training. I did not include a copy of that. I do have my certification here with the state department of social services for the phase two. The only thing left is in your ball park. The hold up now will be not being able to become state certified until the zoning permit is signed for the fact that they will not let me get my business license or become certified until the zoning permit is signed.

Bill Huffman: How many kids are you watching now?

Michelle Walters: I have four now, but when I become sate certified I will be allowed to have twelve. And I also have an assistant lined up to come in and help me. She is also CPR and First Aid certified.

Bill Huffman: And the drop off will be right beside your house?

Michelle Walters: Yes, if you are looking at my house from Broad St, there is a huge gravel parking lot where they are currently parking and the parents walk them in to the house.

Grace Nowak: My main concern was the fencing. You said the whole back yard?

Michelle Walters: The whole back yard is completely fenced in. When you come out the back-play room, you go out onto a deck and the whole yard is fenced in. It has been mulched and leveled out.

Grace Nowak: I admire you for becoming certified and being able to provide care for the foster children who are being sent out of the county.

Michell Walters: There are only two certified child care providers. One is Mable Frye, who is completely full. And Donna Pettit in Stanley who does not accept new burns. Anything under two years old, she does not provide care for. If you are keeping more than four kids anywhere in the state of Virginia, it's not allowed, you have to be state licensed.

Chairman Good called Brandon Walters for the Public Hearing on Rezoning.

Brandon Walters: I wanted to come and support what my mother is doing. She gives nothing but care and love to any children that has ever been at the house. This is her passion, to help and serve other people. My mom is a wonderful care provider and she has taken all the precautions and my father and I have helped her along the way with preparing the back yard. She really wants to do this to help out the children in our community and the parents that need to work but don't have a certified day care provider. I hope that you will take that in.

Chairman Good called Ed Walters for the Public Hearing on Rezoning.

Ed Walters: My wife is a wonderful day care provider. If you can give us a hand and help us out to get this done, we would greatly appreciate it. You will not be let down, we intend to do what we say we are going to do.

Chairman Good Called Roberta Bowman for the Public Hearing on Rezoning.

Roberta Bowman: I live next door to Michelle Walters. She has been caring for my kids since day one and they love her dearly. She does a great job at babysitting not only being a day care provider but a great friend. She is always there when I need her, whether it's at midnight or whatever my hours. She accommodates me. We would all appreciate it if you would make this happen. I really need her.

Chairman Good: The property is currently zoned M1 and is a house, not a factory, office or industrial property. It has been there for a long time. We will consider the rezoning, the comments and letters. Are there any other questions regarding the rezoning?

Joe Bowman: When you consider rezoning do the opinions of the neighbor's matter? How is that factored in the decision?

Chairman Good: We welcome them. There is usually notices in the paper and there are also notices sent to the adjoining property owners. And there is a sign in the yard to notify the community members. It is important to get the notice out. Sometimes it could be that the adjoining property owners don't agree. And we want to hear that too.

Chairman Good Closed the Public Hearing for Rezoning.

Chairman Good: Are there any other comments from the planning commission or the town manager?

Steve Burke: No sir, the staff has provided a suggested motion for planning commission to consider.

Chairman Good: Discussion from the commission members?

Again, we are considering two things that are connected and we will do them one by one. First question is, should this property be rezoned from M1 (Manufacturing) to B1 (Business)? It is close to the business district. Any discussion?

Grace Nowak: It sounds like it is a very needed facility. Especially if children are being sent to Shenandoah County.

Chairman Good: We are ready for a motion on the rezoning.

**Motion:** Commissioner Grace Nowak made the motion commission to recommend approval of the rezoning request for Michelle Walters for 58 North Broad Street, M1 Limited Industrial to B1 General Business. Seconded by Commissioner Tracie Dickson.

**YEA:** Chairman Ronald Good, Commissioners Grace Nowak, Gail Kyle, Tracie Dickson and Bill Huffman  
**Approved 5-0**

B. SUP18-2 – Special Use Permit to operate a Child Care Facility in B1

Chairman Good: Now we have the Special Use Permit consideration to operate a child care facility on this property rezoned B1.

Chairman Good opened the public hearing. With no further comments the public hearing was closed. Is there any additional discussion from the staff or commission members? With no further discussion, we are ready for a motion.

**Motion:** Commissioner Gail Kyle made the motion commission to recommend approval of the special use permit for Michelle Walters at 58 North Broad Street, to operate a child care facility in the B1 General Business District. Seconded by Commissioner Bill Huffman.

**YEA:** Chairman Ronald Good, Commissioners Grace Nowak, Gail Kyle, Tracie Dickson and Bill Huffman  
**Approved 5-0**

C. SUP18-3 – Special Use Permit, Bridge Project

Chairman Good: The bridge project special use permit has been advertised in the newspaper for two weeks. The applicant is Luray.

Chairman Good opened the public hearing.

Steve Burke: The town is seeking a special use permit to comply with our town code regarding replacement of the bridge within a flood plain district. The town would offer that the town has worked through the federal environmental permitting process to obtain a categorical exclusion from the national environmental policy act requirements. Which means, that we will comply with all of the necessary requirements specific to the environmental consideration which involves the flood plain with this improvement. There is minimal impact to the flood plain because all we are doing is replacing the bridge. We request that the planning commission consider a recommendation in favor of this special use permit.

Chairman Good closed the public hearing.

Any questions or discussion?

There being no further discussion, we are ready for a motion.

**Motion:** Commissioner Bill Huffman made the motion commission to recommend approval of the special use permit for the construction and replacement of the West Main Street Bridge over the Hawksbill. Seconded by Commissioner Grace Nowak.

**YEA:** Chairman Ronald Good, Commissioners Grace Nowak, Gail Kyle, Tracie Dickson and Bill Huffman  
**Approved 5-0**

#### **ACTION ITEM**

##### D. FY 2019 Capital Improvement Program

Steve Burke: The Virginia Code requires the planning commissions to provide a recommendation of support for the capital improvements that are included in the upcoming fiscal year 2019 budget. We have provided for you a copy of the projects that are currently proposed to be funded in that budget. All of the first three projects are included in the comprehensive plan as projects that the town should pursue. The Luray Meadows is not specifically included in the comp plan but there is recommendation for additional housing stock. So as such, staff would request the planning commission provide a favorable recommendation to the town council regarding the capital projects that are included in the 2019 budget.

Chairman Good: Are there any questions or discussion?

Grace Nowak: The one at Memorial Drive, we talked about that before and it was going to be not the whole thing. Can you go over that quickly?

Bryan Chrisman: Yes, it's the signalization of the intersection itself providing a stop light at Memorial Drive and West Main. There will be a restriping on a certain portion of West Main to allow for a turn lane going down into Memorial Drive as you are heading west and then from the east, there will be a right, straight through. There will be entrance improvements there, a smoother area to transition. The drainage will be taken care of on both sides of Memorial Drive down to where the ditch is where it crosses under the road before it gets to the rescue squad. Also, the pedestrian improvements, a cross walk across main street from the side of the road where there is currently another day care facility across to Memorial Drive. That will be the extent of the first part of the improvement.

Gail Kyle: How is this going to impact the house right behind the car wash?

Bryan Chrisman: No impact. We will be widening the road within the right-of-way but there will be no impact on them. We might put an asphalt wedge to help transition them into their drive-way from the roadway but repaving that section is part of the project.

Tracie Dickson: With the car wash there at the traffic signal, any changes needed to access that?

Bryan Chrisman: No. When the car wash was built and the second entrance was constructed, actually that entrance is within 10 feet of the intersection of Memorial Drive and W Main Street. If that was built under today's design criteria for a commercial business, that connecting entrance would not be allowed

to be built that close to that road intersection. It is an existing condition and it has been discussed with the owner.

Tracie Dickson: So, the light will be set for traffic coming out of Memorial Drive? If there is no traffic coming out of Memorial the light will remain green?

Bryan Chrisman: That is correct. There will be an override function on it, but it will be timed primarily for Main Street because that is where the volume of the daily trips occurs. But when triggered by traffic on Memorial Drive, that trigger will override the timing on West Main Street and cause the light to change. There will be an advanced warning signal capable, so that rescue squad units that are approaching that signal from any of the three directions will be able to override that signal timing and it goes in to emergency flash mode and then they are able to enter or exit Memorial Drive depending on which way they are coming.

Chairman Good: Any questions or comments?

**Motion:** Commissioner Grace Nowak made the motion commission to recommend approval of the FY 2019 Capital Improvement Program. Seconded by Commissioner Tracie Dickson.

**YEA:** Chairman Ronald Good, Commissioners Grace Nowak, Gail Kyle, Tracie Dickson and Bill Huffman

**Approved 5-0**

## **COMPREHENSIVE PLAN 2018**

Chairman Good: I recommend we move discussion of the Comprehensive Plan to next month's meeting so we have time to review the material.

Brooke Newman: I have handed out added material on the comprehensive plan to be discussed at next month's meeting. Material being the survey responses from students, businesses, community members and the online survey. The Shenandoah National Park Tool Kit packet has also included for discussion and I will email you the parks previous night sky evaluation. Also, a reminder that Josh will be assisting us in our parcel enhancements and improvements data.

Gail Kyle: These things are important if we are going to move where we actually want to as far as growth. And a retirement community is important to this area. I think if we are talking about future capital improvements, it has to be considered more than it has been in the past. What is the time line for water and sewer improvements?

Steve Burke: As far as the water plant improvements, they have recently been completed. The town is working every year to replace some of the older distribution lines. The waste water plant, recently put purchase orders in for some new pump equipment. We are working towards improvement at the plant. Bryan has plans as far as replacing the station pumps throughout the community. It's a never-ending battle to replace the sewage lines. Bryan Chrisman has had a good handle on these improvements and we continue to address them. We have been discussing including a utilities section in this comprehensive plan update so we can start putting that more to the forefront. It is a very important inclusion in the comp plan to speak towards what the community needs as far as utility improvements. Raising taxes has been mentioned. The assessed value of our utility system is in the millions of dollars. If we were to replace that, it's a high price tag so we have to prioritize what we are able to replace each year.

Bryan Chrisman: It's about 22 million. This is what our current system is evaluated at, not including the plants. With the plants we are closer to 40 million dollars.

Gail Kyle: I feel like one of the reasons that some people oppose some of the things that they oppose is because they don't have the information from the town. I'm a fan of town hall meeting so people have a chance to ask questions and they can get answers. They can feel good about that fact that it is being addressed. I wish that it would be something you would push as a town manager.

Steve Burke: Yes, absolutely. If anyone has questions they can give Bryan or I a call or stop by. We can definitely work on further outreach regarding different issues.

Gail Kyle: I think you will get a lot more support as far as some of the things the town is trying to do. I think sometimes people don't understand why things are or are not happening. I think it's important and I wish the town council would move forward on making that happen.

Steve Burke: In our budget this year, the budget the council is considering, there is funding towards road improvements, major capital projects and utility improvements. The town is moving forward.

Chairman Good: I would say we are in a lot better shape than we were years ago. At one time, we used the two springs for our water system. They were considered ground water influences by surface water. Flooding would affect the water and springs would have to be shut down.

Steve Burke: Probably 363 days out of the year, most people have whole water service. We do get occasional water breaks. The water quality is outstanding due to the upgraded facility that the town has.

**CHAIRMAN'S ANNOUNCEMENTS**

**ADJORNMENT**

There being no further business, the meeting adjourned at 8:04 p.m.

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Steve Burke  
Town Manager

ATTEST: \_\_\_\_\_  
Prepared by: Brooke Newman  
Planning & Zoning Assistant