

**MINUTES
JOINT MEETING OF LURAY TOWN COUNCIL
& LURAY PLANNING COMMISSION
MAY 25, 2006**

A joint meeting of the Luray Town Council and the Luray Planning Commission was held on May 25, 2006 at 7:00 p.m. The meeting was held in the Luray Town Council Chambers at 45 East Main Street, Luray, Virginia.

Presiding: Councilman William Menefee
Mayor Ralph H. Dean was absent

Council Present: Nancy Shifflett
Barry Presgraves
Leroy Lancaster
Earl "Rock" Racer
Gerald Snyder

Commissioners Present: Clifton Campbell
Peyton Baughan
Bob Borgie
Terry Dodson
Sam McNeely
Tom Potts
Judy Suddith

Also Present: Jerry Schiro, Town Manager
Rick Black, Assistant Town Manager
Mary Broyles, Clerk-Treasurer
Ligon Webb, Town Planner
Jason Spitler, Town Attorney

The meeting was called to order by Councilman William Menefee with everyone reciting the Pledge to the Flag.

Councilman Menefee stated that the purpose of this meeting is a Public Hearing pertaining to a request to rezone property from B-1 (Business to PND (Planned Neighborhood Development)). The subject property is described on Page County Tax Map 42A8-A-1,2 & 3 and is owned by Baker Development Partnership, LLC.

CONSIDERATION OF MINUTES

Minutes of the April 26, 2006 joint Meeting were submitted for review. **Motion:** Councilman Presgraves motioned to approve the minutes as presented; motion seconded by Councilwoman Shifflet with the following vote: YEA: Council Members Shifflett, Menefee, Lancaster, Presgraves, Snyder, and Racer. **Approved 6-0.**

Councilman Menefee welcomed Randy Arrington the new editor of the Page News & Courier. After which the meeting was turned over to the Planning Commission.

Ligon Webb stated he would like to go over the protocol for the meeting for everyone's information. He stated that this is a Joint Hearing of the Planning Commission and Town Council. Therefore the Planning Commission may choose to make a recommendation and this would be forwarded to the Town Council where they would then have the option to approve or deny the recommendation as well.

Mr. Webb stated that the applicant had brought in revised proffers. He said this was more of a housecleaning issue to clean up lot numbers that had changed with previous revisions.

Mr. Mark Reed, Attorney for Baker Development, reviewed the changes to the Master Plan. He stated that the density and the number of units had been reduced. The open spaces will be 15.36 acres which is an increase of 2.96 over the old plan. The PND density has been reduced from 5.78 units to 5.2 units per acres. He also stated the Developer will put in bump outs which are curbs that break up the streets. There will be 37 single family houses which is a decrease of 3 houses, 138 villas which is a decrease of 12 from the old plan and 181 townhouse units which is a decrease of 3. Mr. Reed stated that since the last plan was presented, there has been a land use compatibility study by Delta Airport Consultants. The study recommends there be a buffer of 620 feet between the proposed residential site and the airport runway center line. This week the Airport Commission has been advised by the FFA that they have looked at the land use compatibility study and if the study is followed and there is a 620 feet buffer, this will satisfy their requirements for future funding. In the Developer's agreement, Baker Development agrees that they will not sell, transfer or construct any buildings upon the open spaces of 23 and 24 and they will not construct anything on lots 16-21, 23, 24 and partial lot 60 for a period of 18 months from the date of approval of the master plan. The Town or their agent could purchase these lots during this period for fair market value. Mr. Reed summarized in depth other issues within the master plan.

Commissioner Borgie asked if it was common for the locality to participate in obtaining easements and helping the development with the storm water issues. Mr. Reed stated that the idea is that it would be easier for the Town to communicate with VDOT on the water issues and the easement would be needed from the Town and County who own the property.

Town Attorney Jason Spitler stated that after reviewing the Developer's agreement he had questions pertaining to Paragraph 12, the first and last sentences which pertain to the lots that can be purchased and switched out. Mr. Reed stated that the language can be changed if Mr. Spitler thinks it is necessary but these lots will be open spaces.

The meeting was opened for citizen comments.

The following citizens spoke on behalf of Baker Development asking the Planning Commission and Council to approve the Master Plan.

Donnie Price, Shawn Fittry, Mark Benhoff, Benjamin Vile, Alan Williams, R. B. Drumheller, John Tucker, Joe Foltz,

Mr. Powell Markowitz stated that he wanted to thank Baker Development and Mark Reed for their consideration in protecting the airport. He said that he had worked with Mr. Reed and they had reached a general consensus concerning the airport issues. Mr. Markowitz stated that the airport needs to own the 520 ft. and he has applied to the Department of Aviation for an 80/20 grant to purchase the land.

Mr. Baughan asked Mr. Markowitz if the 18 month period allowed enough time for the grant to be process and approved. Mr. Markowitz stated the grant application was being sent in immediately but he could not say definitely that this could be accomplished in 18 months.

Mr. Ronald Shenk stated that he was an adjoining landowner and he did have storm water issues which the developer has stated will be corrected. He asked if anyone has given any thought to the limited access of 211 and the land being used for a subdivision instead of businesses. He said subdivisions can be tucked away but businesses can only be accommodated in areas such as this.

The following citizens asked the Planning Commission and Council to not rush into approving the Master Plan.

Barbara Coulter, Natalie Zuckerman and Nancy Waldo.

Mr. Dudley Price stated his questions had been answered during Mr. Reed's presentation.

Mr. Rick Black read letters of support for the Master Plan. The letters were submitted by Thomas R. Rosazza, President of the Pioneer Bank and Dr. Randall Thomas of the Page County Public Schools.

The Planning Commission Member each gave a brief statement concerning their views of the Master Plan.

Mr. Campbell asked if there was a motion to send this to the Town Council. Mr. Dodson motioned to send this to Council for approval of the Master Plan with the revised proffers as presented; motion seconded by Ms. Suddith with the following vote: YEA: Commission Members: Potts, Baughan, Dodson, McNeely, Campbell, and Suddith. NAY: Commission Member Borgie. **Approved 6-1.**

The Planning Commission adjourned their meeting.

Councilman Menefee asked if there were any additional comments. Mr. Dudley Price asked what the time line was on the storm water management. Mr. Pat Racey stated that this could be months and the process would have to be approved by the Council.

Danny Presgraves stated that Baker Development has worked to address any problem that has been associated with the PND. He asked that this Master Plan be approved.

Councilman Presgraves stated that lot of hard work and long hours have gone into the planning of the PND over the last year.

Councilman Presgraves motioned to approve the recommendation of the Planning Commission which was to approve the Master Plan as presented; motion seconded by Councilwoman Shifflet with the following vote: YEA: Council Members Shifflett, Menefee, Lancaster, Presgraves, Snyder, and Racer. **Approved 6-0.**

With no further business the meeting was adjourned.

Mary Broyles
Clerk-Treasurer

William Menefee
President of Council

