

**REGULAR MEETING OF  
LURAY PLANNING COMMISSION  
November 10, 2015**

The Luray Planning Commission met on Tuesday, November 10, 2015 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  
Grace Nowak  
Mark Malone  
Tracie Dickson  
John Shaffer  
Brian Sours

Absent:

William Fisher

Others Present:

Charlie Hoke, Town Manager  
Ligon Webb, Town Planner

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:**

Commissioner Norwak made the motion to accept the minutes as corrected from the October 14, 2015 regular Planning Commission meeting and seconded by Commissioner \_Sours \_\_: YEA: Commissioners Good, Nowak, Malone, Dickson, Shaffer and Sours. **Approved 6-0**

**Public Hearing: Rezoning – April & Chris Judd**

Town Planner Ligon Webb stated that the applicants, April and Chris Judd, are requesting to rezone an R-1 (Low-Density Residential) zoned parcel to B-1 (General Business). The subject parcel adjoins an additional parcel which is also owned by the applicants. The property requested to be rezoned is roughly two acres in area, and is the proposed base of operations for a landscaping business; which would be owned/operated by the applicants.

Mr. Webb stated we received a call from an adjacent land owner and he asked if his taxes would go up if this is approved and he told him no.

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If approved, the applicants intend to utilize the parcel that is the subject of this rezoning request as the base of operations for their landscaping business. Through the submitted proffer statement, the applicants have voluntarily limited the by-right uses of the property exclusively to “building and building supply”. If approved, the submitted proffers would “run with the land” and transfer with the title of the property. The submitted proffers limit access to the property to a right-of-way located in the rear of the property and limit the total of employees to no more than eight.

Mr. Judd signed the proffer letter but there are a few small revisions. Mr. Webb stated one revision was made to the first paragraph as follows: In addition, we voluntarily limit signage exclusively to a single wall mounted sign attached to the building and cannot exceed the liable size but believe it is 36 square feet on a building. The site would not be open to the general public or used for any form of retail sales.

Mr. Webb stated because the Town’s zoning ordinance does not specifically list “landscaping and landscaping supply”, as a use permitted by-right or by special use permit, it has been interpreted the by-right use “Lumber and Building Supply” to be a similar like use to “landscaping and landscaping supply”.

The rezoning would just be for the two acres that has been cut out.

Commissioner Good opened the public hearing for comments. Hearing none, the public hearing was closed.

A motion was made by Commissioner Shaffer to send this rezoning request to Council for approval and seconded by Commissioner Nowak. The vote was as follows: YEA: Commissioners Good, Malone, Sours, Nowak, Dickson and Shaffer. **APPROVED: 6-0**

**Public Hearing: Ordinance Amendment (Triplex Ordinance)**

Commissioner Good stated this is public hearing for amendment to the zoning ordinance to allow triplexes in R 4. This has been advertised in the newspaper.

Mr. Webb stated the first item is to add a definition to the zoning code and actually define “triplex”. “A triplex is three separate dwelling units arranged side-by-side. Triplexes shall possess an aggregate minimum lot size of 10,000 square feet, and individual units may be further divided into separate lots/parcels as deemed appropriate.” The second item is to actually put the term “triplex” as an allowable use by special use permit and be amended to include the following: (n) Triplex. We also add for our supplemental regulations (c) “Triplex units arranged side-by-side can be divided into lot sizes as deemed appropriate; provided the units are located

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on a lot with a minimum aggregate size of 10,000 square feet, and contains a firewall between individual dwelling units. A triplex unit shall possess a minimum of 75 feet of lot width at the setback line, and no individual unit/lot shall possess less than 20 feet of lot width.”

Commissioner Good officially opened the public hearing. Hearing no comments, the public hearing was closed.

A motion was made by Commissioner Sours that we accept the proposed amendments to the Town’s zoning ordinance and seconded by Commissioner Nowak. The vote was as follows: YEA: Commissioners Good, Malone, Sours, Nowak, Dickson, and Shaffer. **APPROVED: 6-0**

**Review: Pending Rezoning & Special Use Permit Applications (People Incorporated & Mick-or-Mack Building)**

Mr. Webb stated that People Incorporated is looking at a piece of property off Airport Road. Mr. Alley stated that it is going to look familiar to you from the previous project; the building mix, the unit mix is the same as we proposed on the Collins Avenue site. This particular site looks to be better for development from the infrastructure and site development point of view which is why we are still pursuing it. There was considerable amount of support and interest from DHCD and the state and they would like to see something like this in Luray. We are looking to go from the R-1 current zoning to R-5 to allow for density. It’s a little less than 2 acres larger than the Collins property. Mr. Racey stated that was annexed into the Town of Luray. There is a planned neighborhood development adjacent to that to the north. The triangular section along Airport Road was sold for the benefit of relocation of Airport Road and when the parcels were annexed into the Town of Luray they come in as R-1 even though there may have been other master plan uses that we reviewed years ago and now an opportunity to develop what would be the far southwest corner of the Town of Luray. Mr. Webb stated Airport Road is going to be relocated and this is basically what is going to be the new realignment.

Mr. Webb will be working with Brian and Pat and give you all the information they know about the site, Mr. Webb pointed out that the neighborhood here will probably be concerned; they weren’t supportive when the P&D was approved, even though it has not gone anywhere. They were not really supportive of the idea of basically similar housing going there compared to what they live in.

Commissioner Good stated if everything falls into place, this will be advertised for our December meeting.

Mr. Webb stated they want to make the Mick-or-Mack Building into eight apartments so it's special use permit. He would like to take a tour of it and see how it's laid out between now and December. It has been empty for about 10 years. Parking will need to be considered. Mr. Webb will schedule a tour for the Commissioners.

Mr. Webb stated we had a hearing on the parking ordinance last night at the Town Council meeting. Much of what we had discussed for the last several months was approved. There have been a few requests from the public to consider but again, the issue was that we really didn't get a firm grasp on the idea of potentially exempting parking downtown until last night. Everything we discussed was approved. The question came up that we adopt an ordinance that exempts downtown structures in the historic district as part of the ordinance. A statement was added saying that we have a historic survey that was done in 2003. The historic survey says that there are 70 buildings in the historic district or contributing buildings. This makes 79 buildings and 18 buildings that are considered non-contributing to the historic district. The survey is on file at the Virginia Department of Historic Resources. Mr. Webb made a statement that said if your property is a contributing or a non-contributing building in the historic district, then you are exempt from everything we just said above. It didn't get rid of what we adopted last night but basically he provided an exemption. The only issue and problem that Charlie mentioned was that if you are exempt but you still could provide some parking on your site, is there some mechanism where we could at least request that if you do have the ability to provide some parking on your site then you could provide it. I don't know how to reconcile exempting everyone. The only way to really do it is to just make it a statement that's kind of neutral that says "when possible you will provide".

Mr. Webb stated I don't see the need to take out what we put in last night but we will add a statement saying these buildings are exempt. I would also like to make a statement saying we prefer to see maximum parking if that is possible. I don't know how to make that a "shall" or "must" and you are back where you were. He will send some e-mails out and keep everyone informed.

The next meeting was set for December 9 since Commissioner Good would not be able to attend the regular scheduled meeting on December 16.

There being no further business, the meeting adjourned at 8:35 p.m.

Ligon Webb  
Town Planner

ATTEST:

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