

LANCASTER COUNTY PLANNING COMMISSION

Minutes

January 17, 2008

The regularly scheduled meeting of the Lancaster County Planning Commission was called to order at 7:00 p.m. in the General District Courtroom of the Lancaster County Courthouse, Lancaster, Virginia.

Present were Vice-Chairman Don McCann, Tara Booth, Steve Sorenson, and Robert Smart.

Also present were Joan McBride, Rappahannock Record, Butch Jenkins, Board of Supervisors Representative, Matt Terry, Ann Carter, Kelly Dameron and Charles Costello.

Mr. McCann asked if there were any corrections or additions to the minutes of the November 15, 2007 regular meeting.

Mr. McCann moved to approve the November 15, 2007 minutes as submitted. Seconded by Mrs. Booth. VOTE: 4-0.

PUBLIC HEARING

APPLICATION FOR CHANGE OF ZONING DISTRICT CLASSIFICATION – JOHN B. LOWRY

Mr. McCann asked Mr. Gill to present the issue.

Mr. Gill stated that the issue was an application for change of Zoning District Classification from A-2, Agricultural, General to C-1, Commercial by John B. Lowry for 3.0 acres described as Tax Map Number 24-10B. This property is located on VSH 200 (Jessie Ball Dupont Memorial Highway), near its intersection with VSH 607 (Good Luck Road) in Lancaster, Virginia and is in Voting District 2. Staff recommends favorable consideration conditioned upon the uses presented in the applicant's proposal.

Mr. Gill stated that the ultimate intent of this rezoning was to be able to operate a sports bar/restaurant with pool tables in the building that was formerly used as Cap'n John's Antiques. Present zoning of A-2, Agricultural, General would not allow that use. The contract buyers' proposal also states that they would initially like to operate the antique store (which is an authorized non-conforming use) and/or a general store (which is a permitted use in C-1) while they renovate the building for the sports bar/restaurant. This request is considered reasonable since there is commercially zoned property directly

across the road operated as a pool and spa retail store, and there is an auto parts store and repair shop located on an adjacent A-2 parcel. The contract buyer's proposal also points out that previous uses of this property have been commercial. If the Board of Supervisors ultimately approves this rezoning request, a special exception would also be required to operate the sports/bar restaurant with pool tables in which the Board could set additional conditions such as hours of operation.

Mr. Gill stated that adjoining property owners had been notified and advertising conducted as required by law. To date there had been two requests for information from interested members of the public.

Mr. Terry stated that he represents the contract buyers, Cecil and Kelly Dameron. Mr. Terry stated that John Lowry is getting ready to retire and the Damerons would like to purchase the property to fulfill a lifelong dream. Mr. Terry stated that the property is located on Rt. 200. Across the street is Lazy Days Spa and Pool, which is zoned C-2, and D & A Auto Parts is right next door. Mr. Terry stated that he feels there is a terrific need for this sports bar in our area. This sports bar will be a high-end establishment. The perimeter will be clean, safe and well lighted. The Damerons will install security cameras inside the building as well as outside. They have talked to Sheriff Crockett about opening this establishment. The building has been there for 50 years and it is a 7,000 square foot building. There are a lot of renovations that need to be done. Mr. Terry stated this an ideal place for this use, but it can only be done in a C-1 zone. He stated for that reason, he would ask the Commission to approve this request.

Mr. Jenkins stated that this building started as a private lodge, which provided all the amenities as the current request.

Mr. McCann opened the floor for public hearing.

Mrs. Carter stated that her property is across the road from this property. She stated her concerns about a sports bar being adjacent to her residence. Mrs. Carter recalled an incident that occurred down the road in which five people were shot. She stated that she opposed this request because there would be a greater opportunity for unfortunate acts like that in this kind of business. Mrs. Carter stated that she would not be opposed to any other business.

Mrs. Dameron stated that the incident on Good Luck Road was a private party with no security. She stated that her establishment would have security cameras and security staff. Mrs. Dameron stated they would close by 1:00 a.m. on the weekends and there would be a dress code.

Mr. McCann closed the floor to public comment.

Mr. Smart stated that he liked the concept of rezoning the property because of its current use. Currently the property is zoned A-2 with commercial activity.

Mr. Smart made a motion to approve the change of Zoning District Classification from A-2, Agricultural, General to C-1, Commercial by John B. Lowry for 3.0 acres described as Tax Map Number 24-10B and forward to the Board of Supervisors recommending approval conditioned upon the uses presented in the applicant's proposal. Mrs. Booth seconded the motion. VOTE: 4-0.

CONSIDERATION ITEMS

Capital Improvement Budget – Fiscal Years 2009-2013

Mr. McCann asked Mr. Gill to present the issue.

Mr. Gill stated that the issue was consideration of the FY 2009-2013 Capital Improvement Budget as provided in response to the budget call. The only requests received were from the Lancaster County Public Schools and the County Administration. The intent would be to address any comments or concerns of the Planning Commission members and docket this for public hearing in February. Representation from the School Board and County Administration would be requested at the public hearing to address their respective requests.

Mr. Smart stated that he knows that the school buildings are getting older and there are a lot of necessary repairs needed. He stated that the amounts of the requests seemed fairly large.

Mr. McCann stated that at the next meeting there would be representatives from the School Board to address these concerns.

Mr. Jenkins expressed his belief that the Planning Commission should question and scrutinize these requests more thoroughly before putting them to public hearing and sending them to the Board of Supervisors.

Mr. Costello suggested putting the Capital Improvement Budget on the County's web site.

By consensus, the Planning Commission continued the consideration of the Capital Improvement Budget to the February 21, 2008 meeting and requested that representatives from the School Board and County Administration be present to answer questions.

DISCUSSION ITEMS

1. Workforce Housing Workshop

Mr. Gill stated that the Workforce Housing Workshop facilitated by Virginia Tech's Community Viability Specialist Jonah Fogel and Northumberland/Lancaster Extension Agent Matt Lewis had been rescheduled for Saturday, March 1, 2008 from 9:30 a.m. to 12:00 p.m. at the Lancaster Middle School in Kilmarnock. The date was moved due to conflicts scheduling speakers on the previous date, which fell on the weekend between Valentine's Day and President's Day. The workshop will be entitled "High Quality Housing for Working Families". The Planning Commissions and Town Councils from Kilmarnock, White Stone, and Irvington, as well as the Planning Commissions and Boards of Supervisors from adjoining counties have been invited. Mr. Gill stated that the list of speakers were unconfirmed, but included an understudy of Virginia Tech's renowned professor Dr. Jesse Richardson, the Director of Housing from Virginia Beach and an award winning architect who had designed many homes that could be classified as workforce housing.

2. Workforce Housing Ordinance

Mr. Gill stated that the issue was to continue the discussion on developing a zoning district that, like the old R-2, would allow town home or other medium density development outside the Waterfront Residential Overlay, with the intent and purpose of encouraging and accommodating workforce housing.

Mr. Gill stated that at the last Planning Commission meeting, it was requested that he talk with the Town of Kilmarnock to determine their direction with respect to workforce housing given the town's proximity to the County's Planned Growth Area. He stated that Kilmarnock allows multi-family dwellings in their R-2 and Planned Unit Development Districts and provided copies of each. For comparison, copies of Westmoreland County's Residential Urban and Planned Residential Development Districts were also provided. Neither of those included specific provisions for workforce housing such as inclusionary zoning. They simply permit much greater densities, which allows for affordable housing without actually saying it.

Mr. Gill stated that the Planning Commission's interpretation of the directive from the Board of Supervisors was that our new R-2 District should include those specific provisions. Therefore, literature entitled "Affordable Housing Strategies, which details applicable inclusionary zoning examples that could be incorporated into a multi-family residential district ordinance was also provided.

Mr. Gill stated that the intent of this discussion was to decide if any of the provided ordinances should be used as a "strawman" and to identify the inclusionary zoning strategies appropriate for Lancaster County.

Mr. McCann stated that inclusionary zoning would be a key to how we might go about creating this ordinance.

Mr. Smart stated that he liked the idea of cooperating with the incorporated towns and developing a zoning district to deal with the issue of affordable housing. He felt that

our new ordinance should be similar to Kilmarnock's since the town borders our Primary Growth Area. Mr. Smart liked the idea of developers providing affordable housing because people take pride in owning their own home.

Mrs. Booth stated that she knows a local contractor who has spoken to a few Board members about his interest in providing affordable housing. Mrs. Booth stated that the contractor might be willing to come talk to the Commission about his experiences building affordable housing.

Mr. McCann stated his concerns about the density that would be created by affordable housing and that it should occur near the Primary Growth Area. Mr. McCann stated that tonight we should establish areas where this growth would occur.

Mr. Jenkins stated that near the village overlays is where affordable housing should be established and that he does not feel that inclusionary zoning would be the right option.

Mr. McCann stated that research has documented that inclusionary zoning is a good approach.

Mr. Gill stated that if we do not consider inclusionary zoning in a new R-2 district, it is likely we will continue to have a very limited supply of workforce housing available in the future just as the old R-2 provided.

Mr. McCann stated that maybe after the Workforce Housing Workshop in March, we might have a better understanding on what direction we should be going.

Other Business

Mr. Gill stated that Mr. McCann had provided an Internet link to a conference in Washington, D.C. February 7-9 entitled "Seventh Annual New Partners for Smart Growth". Mr. McCann has attended these in the past and felt it would be an excellent learning experience for Planning Commission members. Mr. Gill stated that there were some limited funds available in the Planning Commission's budget to help defray the cost of attending this conference. He stated that any member who was interested in attending should let him know as soon as possible.

ADJOURNMENT

The January 17, 2008 regular meeting of the Lancaster County Planning Commission was adjourned at 8:45 p.m.