

December 14, 2010

**KILMARNOCK PLANNING COMMISSION
Tuesday December 14, 2010
Town Hall
Kilmarnock, VA**

Regular Meeting Minutes

1. Call to Order

Vice-Chair Ludwig called the regular meeting to order at 7:00 pm with the following members present:

Jane Ludwig, Vice-Chair
Steve Bonner
Lindsay Gardner

Denis Bouslough
Dave Reedy

Members Absent:

Claudia Williamson, Chair
John Smith, Council Liaison

Staff Present:

Marshall Sebra, Zoning Administrator/Planning Director
Paul C. Stamm, Jr., Town Attorney
Joan N. Kent, Transcriber

2. Recognition of Guests:

Vice-Chair Ludwig welcomed Kilmarnock residents, business owners and guests.

3. Acceptance of the Agenda

ACTION: Commission Member Reedy made a motion to accept the December 14, 2010 Planning Commission meeting agenda as presented, seconded by Commission Member Gardner; and carried unanimously.

4. Public Forum

Vice-Chair Ludwig opened the public forum by inviting members of the audience to voice their concerns or ideas in regards to planning issues. Each speaker was limited to 3 minutes.

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There were no participants in the public forum.

5. Minutes: Approve, Correct or Amend the Minutes for the November 9, 2010 Planning Commission Meeting.

ACTION: Commission Member Bonner made a motion to approve the minutes for the November 9, 2010 Planning Commission meeting as presented, seconded by Commission Member Reedy; and carried unanimously.

6. Public Hearings:

There were no public hearings held.

7. Commissioner Comments

There were no comments made by Commission Members.

8. Old/ Unfinished Business

There was no discussion under Old/Unfinished Business.

9. New Business

A. Time Change for Kilmarnock Planning Commission Meetings

Zoning Administrator/Planning Director Sebra asked Commission Members if they would like to continue having their monthly meetings at 7:00 pm or if they would like to have them earlier in the evening.

Commission Member Bonner stated that 6:00 pm would be fine with him.

Town Attorney Stamm was in agreement with Mr. Bonner but only if there were no public hearings scheduled.

Commission Member Reedy commented that the meetings could start at 6:00 pm with the public hearings scheduled as the last order of business at 7:00 pm.

Reporter Audrey Thomasson spoke from the audience and asked what if there was no other business except for a public hearing.

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Commission Member Gardner commented that she personally did not think that the general public would find it difficult to attend the meetings or public hearings if they were held at 6:00 pm.

Commission Member Bonner suggested that the Planning Commission try holding the monthly meetings at 6 pm for six months and see how things went.

It was the general consensus of Planning Commission Members to hold monthly meetings at 6 pm instead of 7 pm.

ACTION: Commission Member Reedy made a motion to change the time of the Kilmarnock Planning Commission meetings to 6 pm, seconded by Commission Member Bouslough; and carried unanimously.

B. Comprehensive Plan

Zoning Administrator/ Planning Director Sebra stated that last month he asked Planning Commission Members to start thinking of some ideas in initiating the process of the Comprehensive Plan update. Mr. Sebra advised that he came up with a time line which he included in each Commission Member's packet. Mr. Sebra said that in regards to forming an advisory committee, he sent out emails, advertised on the Town's website, and advertised in the Rappahannock Record for participants but only received two replies, one of which was from an individual in Fredericksburg VA. Mr. Sebra noted that so far there did not appear to be very many local people interested. Mr. Sebra stated that he would wait to see if anyone else came forward and if not, he would leave it up to the Planning Commission whether or not to keep the scheduled advisory committee meetings dates. Mr. Sebra said if the Planning Commission wanted to meet the extra day until the revision of the Comprehensive Plan was completed than they could. Mr. Sebra stated that he did not expect a lot of controversy from the public that would delay the process and therefore he thought that a draft copy of the revised plan could be ready to forward to Council for approval by April. Mr. Sebra advised that the current Comprehensive Plan was in PDF format which could not be edited but noted that he had converted it to Word format so he could make the necessary updates. Mr. Sebra stated that Chapters 1 and 2 of the Comprehensive Plan dealt with facts which would be provided by the Census Bureau at the end of the year so the Planning Commission needed to focus on Chapters 3 through 5. Mr. Sebra said that Chapter 3 dealt with Land Use, Chapter 4 dealt with Public Service and Utilities, and Chapter 5 dealt with Preservation and Resources. Mr. Sebra referred Commission Members to a number of bullets of information included in their packets which he said required verification as being in the Comprehensive Plan. Mr. Sebra stated that he was going to continue updating Chapter's 1 and 2. Mr.

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Sebra asked Commission Members what changes they felt should be made to the Comprehensive Plan.

Commission Member Bouslough brought up the subject of Mr. Cockrell's letter, which he stated had an influence on Council to the point where they rejected Mr. Nunnally's rezoning request and felt that the Planning Commission needed to address the Irvington Road gateway and any potential commercial development along that route.

Commission Member Bonner commented that he thought that ordeal was personal.

Town Attorney Stamm commented wrong person, wrong place, and wrong time.

Commission Member Bonner replied wrong Councilmember.

Commission Member Bouslough asked if further development along that gateway was going to be seen as a problem.

Vice-Chair Ludwig asked where else it could go.

Mr. Bouslough replied that he felt Main Street was the main corridor.

Town Attorney Stamm advised that the Irvington Road gateway already had commercial properties coming from both directions and noted that it might not be in his lifetime but eventually they would meet.

Commission Member Bonner commented that if Mr. Nunnally had pursued a different outcome, then his request would probably have been approved. Mr. Bonner said that he didn't know that for sure but he felt pretty good about it.

Vice-Chair Ludwig said that it should have been approved but unfortunately one person sometimes can sway more heavily on others than one person should. Mrs. Ludwig said that she would like to see Council revise their decision but she did not think that they would.

Town Attorney Stamm advised that the Comprehensive Plan was a guide for Council and folks to try to follow. Mr. Stamm said that sometimes it happened and sometimes it didn't.

Vice-Chair Ludwig asked why it would not be followed unless someone wanted to put in something offensive.

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Commission Member Bonner commented that there was absolutely no reason not to grant the rezoning request and noted that the people who were present to absorb it for themselves would know that but not those persons who only read about it in the newspaper.

Town Attorney Stamm advised Planning Commission Members that what they needed to consider during the revision process was if there were any areas they were looking at to go commercial or residential or if there were any other districts like Steptoe's that needed to be added.

Zoning Administrator/Planning Director Sebra mentioned the property that the Town acquired in 2007 near Technology Park which was primarily residential. Mr. Sebra advised that the future use of that land needed to be put into the Comprehensive Plan. Therefore a decision needed to be made as to whether or not it was to be used to extend the industrial park or how it would best be used. Mr. Sebra stated that there were some areas that needed to be designated for future land use as well.

Vice-Chair Ludwig asked if the designation given to a certain area could affect the ability to obtain grants for it. Mrs. Ludwig said that she knew that the Town could obtain matching grants for the historical district but if part of it was designated commercial would they be able to access funding.

Town Attorney Stamm replied that they were in those categories due to their historical nature.

Mr. Sebra replied that the Town did not have a historical district.

Mrs. Ludwig advised that she was just speaking in terms of designation.

Mr. Sebra asked if she was referring to the Enterprise Zone and stated that the Enterprise Zone gave incentives to certain types of businesses that could take advantage of grant money. Mr. Sebra advised that the Comprehensive Plan should pave the way as far as the future of the Town.

Town Attorney Stamm joked that in years past, a cattle prod had to be used to get Planning Commission Members jumped started in the Comprehensive Plan revision process. Mr. Stamm suggested that that each Commission Member take a chapter or a section and bring back some changes that they wanted or didn't want to see made. Mr. Stamm said that they had to get that spark and get going.

Commission Member Bonner asked Zoning Administrator/Planning Director Sebra why he couldn't go through the chapters and narrate what he felt

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needed to be revised and then present his recommendations to the Planning Commission to be discussed.

Mr. Sebra replied that he was covering Chapters 1 and 2.

Town Attorney Stamm said that in the past, each Commission Member took a section or a chapter and brought back ideas to be discussed by all.

Mr. Sebra stated that Chapters 1 and 2 were the hardest because they consisted of data, charts, and compiling information from the Census Bureau. Mr. Sebra said that he lost a lot of information he had stored when his computer crashed.

Town Attorney Stamm suggested that Commission Members be divided into teams and assigned a chapter of the Comprehensive Plan to review.

Commission Member Bonner and Commission Member Gardner stated that they would take Chapter 3.

Commission Member Reedy stated that he and Chairman Williamson would take Chapter 4.

Commission Member Bouslough stated that he and Vice-Chair Ludwig would take Chapter 5.

Vice-Chair Ludwig said that she would get her husband to help her and Mr. Bouslough.

Zoning Administrator/Planning Director Sebra said that for those persons who took Chapter 4, they should keep in mind that VDOT had a 30 year plan which included some pretty important things for Kilmarnock, however he commented that whether or not they went through with any of it was another story. Mr. Sebra said that the James B. Jones Memorial Highway bypass was created through the Comprehensive Plan.

Commission Member Bonner remembered that it created a lot of controversy.

Town Attorney Stamm recalled that Kilmarnock didn't have a lot of choice in the matter because VDOT said to build a bypass or they would take away the parking spaces in Town.

Mr. Sebra said that he would supply each of the focus groups with the materials that they needed along the way. Mr. Sebra noted that his main goal for tonight was to get the revision process organized. Mr. Sebra stated that

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he could have taken the project by the reins and presented the Planning Commission with a rough draft in a few months but he felt that this needed to be a group effort instead of the opinion of one. Mr. Sebra said that he would forward a copy of the Comprehensive Plan to each Commission Member in word format so they could manipulate changes they wanted to make.

Commission Member Gardner asked Mr. Sebra if he still intended to have the scheduled meetings for the Advisory Committee since there was very little public interest or could the Planning Commission discuss the revision during the regular monthly meetings.

Mr. Sebra stated that for now he was going to keep those dates and give the public a chance but said that if it looked like no one else was interested than he would drop them.

C. Zoning Log Report

Zoning Administrator/ Planning Director Sebra advised that the Zoning Log Report was included in each Commission Member's packet.

10. Adjournment

Action: Commission Member Reedy made the motion to adjourn, seconded by Commission Member Gardner; and carried unanimously.

Meeting adjourned at 7:40 PM

Prepared by:

Joan N. Kent

Jane Ludwig, Vice-Chair