

November 9, 2015

**KILMARNOCK PLANNING COMMISSION  
Monday November 9, 2015  
Town Hall  
Kilmarnock, VA**

**Regular Meeting Minutes**

**1. Call to Order**

Chair Towner called the regular meeting to order at 6:00 pm with the following members present:

Ann Towner, Chair  
Albert Nunn  
John Raymond

Les Spivey  
Neill Schultz

Absent:

Chris Allen, Council Liaison  
Poppy Cockrell

Staff Present:

Marshall Sebra, Zoning Administrator/Planning Director  
Joan Kent, Minutes Clerk

**2. Recognition of Guests:**

Chair Towner welcomed Kilmarnock residents, business owners, and guests. Ms. Gardner recognized the two newest members of the Planning Commission, John Raymond and Les Spivey.

**3. Acceptance of the Agenda**

**ACTION: Commission Member Spivey made a motion to approve the November 9, 2015 Planning Commission Meeting Agenda as presented, seconded by Commission Member Nunn; and carried unanimously.**

**4. Minutes: Approve, Correct or Amend the Minutes for the September 14, 2015 Planning Commission Meeting.**

**ACTION: Commission Member Schultz made a motion to**

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**approve the minutes for the September 14, 2015 Kilmarnock Planning Commission Meeting as presented, seconded by Commission Member Spivey; and carried unanimously.**

## **5. Public Forum:**

Chair Towner 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.

There were no comments.

## **6. Commissioner Comments**

There were no comments.

## **7. Old/Unfinished Business**

There was continued discussion regarding a request to create regulations pertaining to temporary structures, e.g. food trailers in the Steptoe's Overlay District:

Zoning Administrator/Planning Director Sebra advised Commission Members that the content in their packets regarding this issue was not much different from what they were provided with at their last meeting. The only exception was that information from the City of Charlottesville had been added. Mr. Sebra gave a brief overview to the new Commission Members to bring them up to date and answered any questions that they had.

Commission Member Spivey stated that the permanent businesses had to pay more for upkeep and if multiple food trucks showed up on Main Street, it could prove detrimental. Mr. Spivey also shared a childhood story regarding an ice cream truck in his neighborhood that put a store out of business.

Mr. Sebra advised that the state through legislation was now requiring VDOT to permit food vendors on public streets due to their popularity. However, localities could protect themselves with an ordinance in place. Mr. Sebra stated that he had not received any applications from new vendors nor had he had any requests in a long time.

Commission Member Nunn supplied applicable information from the City of Alexandria, noting that it took them eight months to get their ordinance into place. Mr. Nunn suggested a fair and balanced approach.

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Chair Towner thought a conditional use permit was a bit much for a food truck who only intended to be open for a few hours. She felt that the definition "Itinerant Vendor" should be extended to include time limit, location, parking, and distance from restaurants.

Commission Member Schultz commented that he thought they should proceed by keeping things simple at this point because he didn't see many businesses showing up to complain nor did he see any new food vendors attempting to infiltrate the Town. Mr. Shultz suggested that as things progressed time and distance regulations could be put into place.

Commission Member Nunn wanted everyone to keep separate in their minds the difference between the commercial zones and the Steptoe's' Overlay District which needed to be preserved.

Chair Towner felt that Commission Members should read over the information on Charlottesville and Alexandria that was provided and allow the new members to have time to catch up on this issue.

It was the general consensus of the Kilmarnock Planning Commission to table the issue until next month's meeting.

## **8. Public Hearing**

There were no public hearings held.

## **9. New Business**

Zoning Log Report

A copy of the report was included in each Commission Member's packet.

## **10. Adjournment**

**ACTION: Commission Member Spivey made a motion to adjourn, seconded by Commission Member Schultz; and carried unanimously.**

Meeting adjourned at 7:00 PM

Prepared by:

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Joan N. Kent

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Ann Towner, Chair