

June 11, 2012

**KILMARNOCK PLANNING COMMISSION
Monday June 11, 2012
Town Hall
Kilmarnock, VA**

Regular Meeting Minutes

1. Call to Order

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

Jane Ludwig, Chair	Lindsay Gardner
Dave Reedy, Vice-Chair	Joan Gravatt
Steve Bonner	

Members Absent:
Travis Abbott

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

Seated in the Audience:
Town Manager Saunders
Councilmember Nunn
Councilmember Umphlett

2. Recognition of Guests:

Chair Ludwig welcomed Kilmarnock residents, business owners and guests.

3. Acceptance of the Agenda

ACTION: Commission Member Reedy made a motion to accept the June 11, 2012 Planning Commission meeting agenda as presented, seconded by Commission Member Gravatt; and carried

unanimously.

4. Public Forum:

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.

There were no participants in the Public Forum.

5. Minutes: Approve, Correct or Amend the Minutes for the January 9, 2012 Planning Commission Meeting.

ACTION: Commission Member Reedy made a motion to approve the minutes for the January 9, 2012 Planning Commission meeting as presented, seconded by Commission Member Gardner, and carried unanimously.

6. Commissioner Comments

There were no Commissioner Comments.

7. Old/Unfinished Business

There was no discussion under Old/Unfinished Business.

8. Public Hearing:

The purpose of the hearing was to gain public input on the proposed text amendments to the Technology Zone Ordinance, Ch. 43, Sec. 43-4, Boundaries. The proposed boundary would encompass parcels located east and adjacent to the existing Technology Zone, and immediately north of Grace Hill Development off of Harris Road; more specifically tax map numbers 28-155A, 28-138, and 28-138A.

A. Description of the Proposed Text Amendment

Zoning Administrator/Planning Director Sebra reported that the public hearing had been properly advertised as required by law. Mr. Sebra reminded the Planning Commission that previously they had recommended to Council to rezone approximately 60 acres adjacent to Technology Park and owned by the Town to M-1. Mr. Sebra said that the last official act to have those parcels declared as part of the Technology Zone was to change the text in the ordinance regarding boundaries. Mr. Sebra advised that a staff report, along with the current Technology Zone Ordinance, and the proposed amendments was

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included in each Commission Member's packet. Mr. Sebra read the current language of the existing ordinance and then the proposed language which was "The Technology Zone shall be all that certain land bounded by Harris Road to the West, DMV Drive to the North, headwaters of Dyer Creek to the East, completed by following along Town land and parcels adjacent Technology Park Drive to Harris Road as displayed on an April 2012 map prepared by the Town of Kilmarnock." Mr. Sebra referred Planning Commission Members to a copy of that map which he had included in their packet. Mr. Sebra advised that the amendment would allow any business that moved onto one of those lots to have the same benefits as those currently existing in Technology Park.

- B. Chair Ludwig opened the public hearing.
- C. Chair Ludwig asked for public comments.
- D. Chair Ludwig closed the public hearing.
- E. Chair Ludwig asked for additional Staff Comments.

There were none

E. Chair Ludwig asked Planning Commission Members for discussion and/or action.

ACTION: Commission Member Gravatt made a motion to recommend to Council to adopt the proposed text amendment to the Technology Zone Ordinance as presented, seconded by Commission Member Gardner; and carried unanimously.

9. New Business:

A. EPA Green Infrastructure Grant

Zoning Administrator/ Planning Director Sebra stated that he had submitted a letter of interest to the EPA for green infrastructure funding. Mr. Sebra said that if awarded the grant, he felt the Town could use the funding on the planning phases of Technology Park. Mr. Sebra advised that he had heard that there were an overwhelming amount of letters of interest submitted to the EPA and he was still waiting to hear back from them.

B. NFWF Storm Water Assessment Grant

Zoning Administrator/ Planning Director Sebra stated that this grant was from the National Fish and Wildlife Foundation who were in partnership with

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the Center for Watershed Protection in Maryland. Mr. Sebra advised that this grant was for technical assistance and a way for localities to submit an application in hopes of receiving technical assistance from a list of their contractors. Mr. Sebra advised that one of which would be the Center for Watershed Protection who would come to the Town and analyze the existing storm water management and run off in order to provide a good assessment and plan for the future. Mr. Sebra stated that the downtown was very old and dated back to times when there were no storm water regulations. Mr. Sebra said that as redevelopment came, the Town could make necessary adjustments required by law. Mr. Sebra advised that there were some state regulations coming their way but he wasn't really sure of what they were other than they were related to storm water run-off. Mr. Sebra finalized by saying that it was a small grant in the sum of \$40,000.

C. Capital Improvement Budget

Zoning Administrator/Planning Director Sebra advised that he had placed a copy of the Capital Improvement Budget in each Commission Member's packet last month but since no meeting was held he placed it in this month's packet as well.

Commission Member Bonner wanted to know what roll the Planning Commission played in the CIP.

Town Manager Saunders spoke from the audience saying that Mr. Bonner's question was probably directed more toward him than Mr. Sebra.

Commission Member Bonner replied that it was really not and that he was just asking because he didn't want to break the by-laws. Mr. Bonner said that according to which, the Planning Commission was supposed to be involved in the CIP but had not been for the last two years.

Town Manager Saunders stated that the code said that the Planning Commission "may" be in involved but did not say that they had to. Mr. Saunders said that in their advisory role to Council their purpose was for land development activities and not infrastructure, maintenance, and that sort of thing. Mr. Saunders stated that as far as Technology Park was concerned right now, none of that was going on. Mr. Saunders finalized by saying that not involving the Planning Commission in the CIP this year had been his call and no one else's.

Commission Member Gardner asked if other pertinent Committees had provided input in the CIP.

Mr. Saunders advised that the way it worked was that most of the input came from the operating departments run by Council Committees who all had their chance to say their piece about it. Mr. Saunders said that by large it

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was a manager's proposed budget put together by the Town Manager and his staff, and then reviewed by the Admin/Finance Committee. Mr. Saunders said afterward it went through two readings which were advertised in the newspaper and presented in public hearing. Mr. Saunders stated that the Town had a public work session for anyone who wanted to participate in the CIP and noted that only four people came. Mr. Saunders said that there were ample opportunities through public meetings along the way for anyone who wished to give their input regarding the CIP to have done so. Mr. Saunders reiterated that he purposely did not come to Planning Commission Members this time around.

Commission Member Bonner advised that the newspaper had stated that there was \$500,000 going into reserves but it was actually \$810,000.

D. Zoning Log Report

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

Zoning Administrator/Planning Director Sebra advised that there was not too much to report other than ACE Hardware would be moving into the vacant Eubanks building. Mr. Sebra advised that Mr. Horn had some problems with the square footage required by Ace Hardware but had worked it out and the store was coming together quickly. Mr. Sebra advised that the bowling alley had reopened under the name of River Lanes and seemed to be doing well.

Commission Member Gravatt asked Mr. Sebra if he knew what happened to the lions that were at the entrance of the bowling alley.

Mr. Sebra replied that he did not even know that they were gone and added that maybe they were sold.

E. Mary Ball Road Project.

Zoning Administrator/Planning Director Sebra stated that the Town was coming close to the end of the project with only a couple more homes left to be rehabilitated. Mr. Sebra said that all water/sewer infrastructure had been completed which resulted in thirty five homes being hooked up to sewer and twenty six to water. Mr. Sebra said that they had a few more homes left and then they would be looking into some street lights for the area.

Commission Member Bonner stated that before they adjourned he would like to mention that Chair Ludwig's term would expire in September of this year. Mr. Bonner said that since the Planning Commission was not meeting often, he would like to recommend to Council that she be reappointed to serve a fifth term.

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Zoning Administrator/Planning Director Sebra advised that the Planning Commission would definitely meet for that when the time came.

Commission Member Bonner advised that they had done Lindsay Gardner's ahead of time and he would like to do the same for Chair Ludwig.

Mr. Sebra said that he thought it would be wise just to meet at a later date before September.

Commission Member Reedy said that they would have to make a recommendation by the August meeting because Chair Ludwig's term would end in September.

Commission Member Bonner said that he wanted to go ahead and make the recommendation to Council in case they do not meet before September.

Mr. Sebra recalled that they did do this with Commission Member Gardner and Gravatt.

Commission Member Bonner stated that a vacancy would be different but with re-appointments, they usually just made a recommendation to Council.

Councilmember Nunn spoke from the audience and advised Mr. Bonner that the Planning Commission only made recommendations to Council but the final decision was Council's.

Commission Member Bonner replied "excuse me". Mr. Bonner reiterated that they were recommending to Council who they would like to see reappointed. Mr. Bonner said that they were the chickens and Council was the roosters.

Chair Ludwig stated for the record that she would like to be considered for re-appointment.

ACTION: Commission Member Bonner made a motion to recommend to Council that Jane Ludwig be reappointed to serve on the Kilmarnock Planning Commission when her current term expires in September 2012, seconded by Commission Member Reedy; and carried unanimously.

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10. Adjournment

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

Meeting adjourned at 6:27 PM

Prepared by:

Joan N. Kent

Jane Ludwig, Chair