



**AMHERST COUNTY
PLANNING COMMISSION
MEETING**



MINUTES

June 20, 2024

Administrative Office Complex
153 Washington Street
Public Meeting Room
Meeting Convened - 7:00 PM

1. Call to Order

MEMBERS PRESENT: Derin Foor (Chair), Beverly Jones (Vice Chair), Jim Thompson, Michael Bryant, Michael Martineau and Andrew Proctor (EDA Liason Non-Voting Member).

MEMBERS ABSENT: Catherine Gamble and David Pugh (Board of Supervisors Liaison Non-Voting Member)

STAFF PRESENT: Tyler Creasy (Director of Community Development), Sarah Nichols (Assistant Zoning Administrator) and Stacey Stinnett (Administrative Assistant)

Chair Foor called the meeting to order at 7:00 pm.

2. Invocation & Pledge of Allegiance

Mr. Thompson led the invocation and then led the Pledge of Allegiance.

3. Approval of Agenda

The agenda was approved as submitted.

Planning Commission Recommendation:

Motion to approve the agenda.

Motion made by: Martineau

Second: Jones

Motion carried by a 5-0 vote.

4. Citizens Comments

There were none.

5. Public Hearing

A. 2024-287 Silas E. McDaniel

Request by Silas McDaniel for a rezoning of approximately 2.468 acres from the R-2, General Residential District to the B-2, General Commercial District. The purpose of the rezoning is to allow for a towing business and storage lot. The property is identified as tax map number 83-A-23A.

Mr. Creasy presented the staff report.

Chair Foor opened the public hearing.

No one spoke in favor or in opposition of the request.

Chair Foor closed the public hearing.

Planning Commission Recommendation:

Motion: Motion to recommend approval of conditional rezoning for 2024-287 Silas McDaniel.

Motion made by: Martineau

Second: Jones

Motion carried by a 5-0 vote.

B. 2024-288 Silas E. McDaniel

Request by Silas McDaniel for a special exception in the B-2, General Commercial District. The purpose of the special exception is to allow for a towing business and storage lot. The property is identified as tax map number 83-A-23A.

Mr. Creasy presented the staff report and gave the staff's recommended conditions as follows:

1. Location of Towed Vehicles: All towed vehicles shall be kept within the enclosed, opaque fence.
2. Access: The applicant shall meet all requirements set forth by the Director of Amherst County Fire and EMS as it has to do with access to the property.
3. Entrance: The property shall meet all requirements as prescribed by the Virginia Department of Transportation.
4. Maximum Stay for Towed Vehicles: No towed vehicle shall be permitted to stay on the property for longer than 30 days.
5. Lighting: If outdoor lighting is proposed, it shall be glare-shielded and directed in a manner to not cross property lines.

6. Fencing: The area storing towed vehicles shall be screened from all adjoining properties and rights-of-way(s) with an opaque fence.

Chair Foor opened the public hearing.

No one spoke in favor or in opposition of the request.

Chair Foor closed the public hearing.

Planning Commission Recommendation:

Motion: Motion to recommend approval for special exception request 2024-288 Silas McDaniel with staff recommended conditions.

Motion made by: Jones

Second: Bryant

Motion carried by a 5-0 vote.

C. 2024-225 Norman Walton, Perkins & Orrison Inc.

Request by Norm Walton, PE (Perkins and Orrison, Inc.) for a conditional rezoning of approximately 1.008 acres from the B-2, General Commercial District to the Mixed-Use / Traditional Neighborhood District. The purpose of the rezoning is to allow for multi-family dwellings and open space. The property is located at 4673 S. Amherst Highway and is further identified as tax map number 156-1-4.

Mr. Creasy presented the staff report and proffer. Mr. Creasy stated that the applicant agreed to the proffer that the development of this parcel will comply with the Madison Heights Town Center Master Plan dated 6/12/2024. Mr. Creasy recommended the Commission to table the request until more information regarding the signal justification and revised master plan update is reviewed and approved by the Virginia Department of Transportation.

Chair Foor opened the public hearing.

The owner, Sam Patel, spoke in favor and stated that he will abide by VDOT and that he has enough room on this parcel to make adjustments according to VDOT's traffic design. Mr. Patel stated that he was under deadlines and tabling this request would only delay his project.

Mr. Patel answered the Planning Commission's questions.

There being no further speakers, Chair Foor closed the public hearing.

Mr. Bryant stated that he did not see the significance in tabling this rezoning request because

of VDOT's approval.

Planning Commission Recommendation:

Motion: Motion to recommend approval of conditional rezoning for 2024-225 Norman Walton, Perkins & Orrison Inc. with the one proffer.

Motion made by: Bryant

Second: Thompson

Motion carried by a 5-0 vote.

D. 2024-226 Norman Walton, Perkins & Orrison Inc.

Request by Norm Walton, PE (Perkins and Orrison, Inc.) for an amendment to the proffers and master development plan associated with conditional rezoning(s) 2022-204 and 2022-283. The property is identified as Tax Map Number(s) 156-1-4, 156-A-3, 156-A-2, 156-A-5, 156-1-9, 156-1-A, 156-1-2,3,4A,5, and C.

Mr. Creasy presented the staff report and gave the staff's recommendation to table the request until more information regarding the signal justification and revised master plan update is reviewed and approved by the Virginia Department of Transportation.

Mr. Bryant stated that certain sections of the Property Owner Association (POA) document that he felt were repetitive.

Mr. Creasy replied that he would work with Mr. Patel on cleaning the document up.

Chair Foor opened the public hearing.

The owner, Sam Patel, spoke in favor of the request and stated that this master plan may change because issues may arise that weren't anticipated.

There being no further speakers, Chair Foor closed the public hearing.

Planning Commission Recommendation:

Motion: Motion to recommend approval of the amendment to the proffers and master development plan associated with conditional rezoning(s) 2022-204 and 2022-283.

Motion made by: Thompson

Second: Bryant

Motion carried by a 5-0 vote.

E. 2024-292 Norman Walton , Perkins & Orrison Inc.

Request by Norm Walton, PE (Perkins and Orrison, Inc.) for a special exception in the Mixed-Use / Traditional Neighborhood District. The purpose of the special exception is to allow for

four multi-family dwelling units (apartments), open space, and a clubhouse with a pool. The property is identified as 4673 S. Amherst Highway (a portion of) and is further identified as Tax Map Number(s) 156-1-4 (a portion of), 156-1-5, 156-1-4A (a portion of), 156-1-A (a portion of), 156-A-5 (a portion of), and 156-1-C.

Mr. Creasy presented the staff report and gave the staff's recommended conditions:

1. Master Plan: That the apartment buildings and complex are built generally in accordance with the Master Plan dated 6/12/2024 and comply with all approved proffers from the Conditional Rezoning Amendment (2024-304).
2. Regulations: All other local, state and federal regulations shall apply.

Chair Foor opened the public hearing.

The owner, Sam Patel, spoke in favor of the request and answered the Planning Commission's questions.

There being no further speakers, Chair Foor closed the public hearing.

Planning Commission Recommendation:

Motion: Motion to recommend approval of 2024-292 Norman Walton, Perkins & Orrison Inc. with staff recommended conditions.

Motion made by: Martineau

Second: Bryant

Motion carried by a 5-0 vote.

6. Introduction - Juwuan Wright

Mr. Creasy introduced Juwuan Wright, a University of Virginia graduate with a Bachelor's in Science Architecture. Mr. Wright gave a brief description of his background and shared many of his interests and goals for Amherst County.

Ms. Jones invited Mr. Wright to attend one of the Route 29 Business Beautification Committee Meetings, stating that with his education as an architect and a native of Amherst County, the committee would greatly value his input.

7. Subdivision Plat Approval

A. Fox Hall Estates: Lots 1 - 13

In accordance with Section 1207.03 of the Amherst County Zoning Ordinance, a subdivision exceeding 10 new lots has been submitted for approval by the Planning Commission in Amherst County, VA, located at tax map parcel 96-A-33. The parcel, on which the subdivision

will be built, currently comprises 83.095 acres.

Mrs. Nichols presented the staff report and gave the staff's recommendations as follows:

1. All subdivision requirements of Appendix A of the Amherst County Zoning and Subdivision Ordinance shall be met.
2. All requirements for the Virginia Department of Transportation shall be met.
3. All requirements of the Virginia Department of Health shall be met.
4. All requirements of the Amherst County Service Authority shall be met.

8. Potential Code Changes

A. Confined Livestock Facility

The County's Agricultural Committee recently approached staff regarding the requirements for confined livestock facilities. After a review of other localities within the state, staff believe a code change is necessary.

Mr. Creasy gave a brief review and recommended that the Commission direct staff to advertise the code change for a public hearing at their July meeting.

The Planning Commission discussed setbacks from confined livestock facilities to residential properties.

Planning Commission Recommendation:

Motion: Motion to amend the code change allowing a setback of 600 feet from confined livestock facilities to residential zoning districts and 1000 feet from town limits.

Motion made by: Foor

Second: Bryant

Motion carried by a 5-0 vote.

B. Rules of Procedure; Planning Commission

Mr. Creasy briefly discussed the potential code change to the Commission's rules and procedures regarding a tie vote for motions and resolutions. The current code indicates that a tie vote is defeated. The proposed change provides the next steps for when a tie vote happens. Mr. Creasy recommended the Commission to direct staff to advertise the proposed code change for a public hearing at their July meeting.

There was a consensus among the Planning Commission to allow staff to advertise the Rules of Procedure code change for a public hearing in July.

9. Site Plan Updates

A. Site Plan Review

Mrs. Nichols updated the Planning Commission on the current siteplans.

10. Old/New Business

Mrs. Gamble asked for an update regarding the property across from 84 Lumber with the rocks.

11. Approval of Minutes for May 16, 2024

A. May 16, 2024 Meeting Minutes

The May 16, 2024, meeting minutes could not be approved because a quorum was not present. The minutes will be added to the agenda for review at the next meeting in July.

12. Adjournment

There being no further business to discuss, the meeting was adjourned at 8:25 pm.

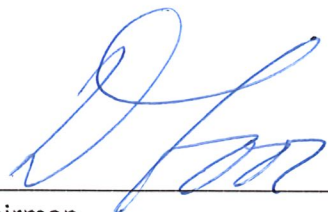
Planning Commission Recommendation:

Motion: Motion to adjourn.

Motion made by: Thompson

Second: Bryant

Motion carried by a 5-0 vote.


Chairman

