

Town of Ashland



Town of Ashland Planning Commission Work Session Minutes March 14, 2012, – 6:30 p.m.

The Planning Commission of the Town of Ashland, Virginia held a work session on Wednesday, March 14, 2012, in the Town of Ashland Council Chambers located at 101 Thompson Street, Ashland, Virginia.

Present: Bob Brown, Chairman
Alan Abbott, Vice-Chair
Felix Stevens, III
Bob Flanagan

Absent: Lou Ann Jewell

Others Present: Nora Amos, Director,
Planning and Community Development
Bryant Phillips, Senior Planner
Dr. Spagna, Council Liaison
Nancy Offersen, Administrative Assistant

CALL TO ORDER:

Mr. Brown opened the Planning Commission work session at 6:30 p.m.

The Planning Commission reviewed the items for the Planning Commission meeting scheduled for 7:00 p.m.

ADJOURNMENT:

There being no other items, the work session was adjourned at 7:00 p.m.

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Town of Ashland
Planning Commission
Minutes
March 14, 2012 –7:00 p.m.

A regular meeting of the Planning Commission of the Town of Ashland, Virginia was held on Wednesday, March 14, 2012, at 7:00 p.m. in the Town of Ashland Council Chambers, located at 101 Thompson Street, Ashland, Virginia.

Present: Robert Brown, Chair
Alan Abbott, Vice-Chair
Felix Stevens, III
Bob Flanagan

Absent: Lou Ann Jewell

Others Present: Nora Amos, Director,
Planning and Community Development
Andrea Erard, Town Attorney
Dr. George Spagna, Council Liaison
Nancy Offersen, Administrative Assistant

CALL TO ORDER:

Mr. Brown called the meeting of the Planning Commission of Ashland, Virginia to order at 7:00 p.m.

ROLL CALL:

Mr. Flanagan	Here
Mr. Abbott	Here
Mr. Stevens	Here
Mr. Brown	Here

DETERMINATION OF QUORUM:

Mr. Brown stated that a quorum was present.

APPROVAL OF AGENDA:

Mr. Brown stated that there was an amendment to the agenda to move the presentation of BNH Enterprises, LLC to be presented after the approval of the minutes.

It was the consensus of the Planning Commission to approve the amendment to the agenda.

CITIZEN INPUT:

Mr. Brown opened the floor for public comment.

There being none, Mr. Brown closed that portion of the meeting.

PRESENTATION OF MINUTES:

None.

NEW BUSINESS:

A. BNH Enterprises, LLC – Mac McManus

Mac McManus, owner and operator of Mac's Service Center and Macon Fuels as Sonoco Gas Station located at 308 England Street, Ashland, Virginia 23005.

Mr. McManus stated that he wanted to provide an explanation of what his plans were for the Conditional Use Permit that he had submitted.

Mr. McManus stated that the Conditional Use Permit is for BNH Auto, which is an independent dealer based on the guidelines of Virginia.

Mr. McManus stated that he is not seeking to open up a car dealership in the middle of the Town of Ashland, because he does not have the space for it; this would be in name only.

Mr. McManus stated that they are trying to seek ways to enhance their auto repair business, which is expanding into the hybrid field with a lot of their customers coming from Baltimore, Springfield, and Woodbridge, as well as the local residents.

Mr. McManus stated that when they have a vehicle in their shop for service; from time to time there is a need to get a part in for repairs that may require the vehicle to be held overnight.

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Mr. McManus stated that his shop has a free shuttle to transport customers; it was his thought that it would be more beneficial if they had loaner cars to provide to customers at no cost while their vehicle is in the shop for repairs.

Mr. McManus stated that they have explored several options with the most feasible option being to purchase a hybrid car at auction; they cannot go to an auction unless they become a Virginia dealer.

Mr. McManus stated that they plan to have no more than five (5) vehicles on the lot; he does not anticipate having as many vehicles as the dealerships located on Route 1 because of the volume of vehicles that he is servicing at this present time.

Mr. McManus stated that it is their goal to enhance the auto mobile repair business and not to have a bunch of for sale signs out or string pennants around the parking lot.

Ms. Amos asked for confirmation if Mr. McManus is not expecting more than five (5) or so vehicles at a time.

Mr. McManus confirmed stating that they are simply seeking a special use permit to allow them to have five (5) vehicles on the lot, adding that he would not exceed that limit.

Mr. Brown asked for clarification asking if the Applicant is looking to purchase the vehicles but not to sell them.

Mr. McManus stated that they are working with church programs to find vehicles for single parents and unwed mothers; and, they are finding the vehicles at auctions and repairing them to sell to the church or an individual.

Mr. McManus stated that although he would be selling vehicles, the primary goal would be to use them as loaner vehicles; if they happen to have one in possession that would help a church or single mom and they could sell the vehicle.

Mr. McManus stated that they are not trying to open up a 'buy here; pay here' or a little car lot. Their goal is to try to grow the repair shop.

Mr. McManus stated that they are running a shuttle service and have been running the shuttle 20 times a day to outlying communities.

Mr. McManus stated that he previously had a business and offered this type of service and has since sold that business and moved to Ashland.

Ms. Amos stated that if the Planning Commission has any questions regarding Mr. McManus' Application, please send them to her and staff will get clarification for the public hearing that will be held at the next meeting.

Mr. Stevens asked the Applicant, based on his experience, how often he would turn a vehicle over.

Mr. McManus stated that it would just be a supply in demand; he does not feel that he would be turning that many over, and he does not have a set number at this time.

B. Arts and Culture Overlay District Ordinance

Ms. Amos stated that this will not be discussed at tonight's meeting.

Public Hearings:

A. ORD2012-04 is an ordinance to amend The Code of the Town of Ashland, Chapter 21 "Zoning," Article XX "Signs."

Mr. Phillips reviewed the Ordinance amendment as presented in the Planning Commissioners packets.

Mr. Phillips stated that the purpose of this ordinance amendment is to:

- Establish a more positive purpose
- Add definitions related to signs
- Amend the list of prohibited signs
- Establish electronic sign and changeable message sign regulations
- Revise the type, number allowed, area, and height of signs permitted in each zoning district.
- Address the fluctuation and changing of lighted signs

Mr. Phillips stated that the proposed amendments were created with the help of a sign committee that staff has met with on different occasions regarding concerns of the current sign ordinance.

Mr. Phillips stated that signage in the historic downtown area needs to be addressed; therefore, it is staff's recommendation to defer the request to allow more time to evaluate this issue.

Ms. Amos stated that in the discussions that staff had with the sign committee, they were unclear on how signs should be regulated and what those parameters would be.

Mr. Brown opened the public hearing and asked if there was anyone who would like to speak for or against the ordinance amendment being presented.

Mr. Steve Trivett – 209 N.Snead Street, Ashland, Virginia.

Mr. Trivett stated that he is running for the Town Council and would like to do things right. He has looked at the Town Code regarding campaign signs and discovered that it does not state if it is one (1) sided or two (2) sided, but in residential areas they are not

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supposed to be put up before 30 days prior to the election day and he wanted to be certain that he follows that ruling.

Mr. Trivett stated that he would like to get clarification on the maximum area and if it is on one side, or the total area on both sides.

Ms. Amos stated that it is both sides, so even if it is displayed on both sides, it is measured on just the one side.

Mr. Brown asked what the square footage is.

Mr. Trivett stated that it was his understanding that it is four (4) square feet, and for a corner lot it can be up to a four (4) by eight (8) which would be 32 square feet.

Mr. Trivett stated that with regards to the distance off of a property line, the distance is 10 feet and it was his opinion that most everyone violates that because most people put the signs close to the road so that they can be seen easier. Also the signs need to be removed seven (7) days after the election according to the rules.

Mr. Trivett stated that he will comply as best he can with the Sign Ordinance and will encourage other people to do the same thing.

Ms. Amos stated that the way that the ordinance is currently written, there is not as much detail as the proposed ordinance.

There being no further comment, Mr. Brown closed the public hearing.

Ms. Amos stated that the sign committee had a lengthy discussion regarding the Historic Downtown Area and their desire to not have internally lit signs in most of the downtown area, but they did not feel comfortable determining where to allow and not allow internally lit signs.

Ms. Amos stated that with regards to the other signage, the sign committee felt comfortable in allowing all other recommended types of signs in the Historic District.

Mr. Brown provided a slide show of various types of signs in the Town of Ashland and other localities; the purpose of showing this presentation is that there are some sign types that he would recommend be permitted downtown that are not listed anywhere.

There was discussion on how the current buildings are measured for signage.

Mr. Abbot stated that with regards to hanging signs, perhaps describing the envelope rather than the square footage would be the better way to word this in the ordinance.

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Ms. Amos stated with regards to projecting signs, when staff was reviewing the Code, they felt that the way it currently reads “*no more than one third of the building height at its lowest point;*” that is being removed.

Mr. Brown stated that his reason for this presentation is to figure how to engrain in our Zoning Code the aspiration for high quality items, and provoke our artful community into using their imagination when they make their signs.

Mr. Stevens asked Mr. Brown what his definition of ‘high quality’ is; construction or appearance.

Mr. Brown stated that it would be what it looks like.

Mr. Stevens stated that quality differs from person to person.

Mr. Flanagan stated that ‘high quality’ is subjective; we all agree that we want the sign to be a nice sign but how do you put that on paper.

Mr. Brown stated that we cannot do that, but if we ensure that our sign definitions and examples are covering small scales sign compared to large signs in our Historic District it would help.

Ms. Amos stated that staff is not currently considering art as signage; the intent is for a logo for the business and a sign for the business.

Ms. Amos stated that staff is encouraging downtown public art, so it is difficult to tell them we encourage it and then say that they cannot have it.

Mr. Brown stated that the art object that is being discussed has nothing to do with the type of business it is in front of.

Ms. Amos stated that art is up to interpretation whether you like that type of art or not, but staff is currently not regulating it.

Mr. Flanagan asked if a sign is permitted to hang over a street.

Mr. Phillips read the Code as follows: “*projecting signs should not project from the building greater than 10 feet and no more than two (2) feet less than the width of the sidewalk that it projects over.*”

Ms. Amos stated that the downtown historic area will most likely be called the B1-H District.

Ms. Erard stated that the boundaries of the B1-H District need to be determined.

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Mr. Flanagan stated that Ms. Erard had a good point because he may have to take himself out of the discussion because of a conflict of interest.

There was discussion on what area is to be determined as the historic district.

Ms. Amos stated that perhaps the easiest way to provide a better visual of signage to building widths would be for staff to measure some of the buildings in Town, and then provide information on what is currently in place, and what the business is allowed to have and then send the information out to the Planning Commission prior to the next meeting.

Mr. Flanagan asked for clarification on the proposed historic area stating that it includes England Street and Thompson Street from Henry Street crossing the railroad tracks to North James Street; and then as far south as Myrtle Street.

Ms. Amos confirmed.

Ms. Amos stated that staff would like the Planning Commission to review the B-1 District and how far out it should go regarding signage regulations, which would then become the B1-H underlying Zoning District in the future

Mr. Brown stated that it was his opinion that plastic signs with the florescent bulbs in them should not be permitted in the Downtown Historic District because it speaks of a bigger scale business, less pedestrian oriented. Perhaps permitting the internally illuminated signs but making constraints in these charts so that they are smaller and then if someone were to paint the signs then they could make them larger. Mr. Brown stated that it was his opinion that plastic illuminated signs diminish the quality of the business area.

Mr. Abbott stated that in *Sec. 21-207 Purpose of article, letter:*

- “e”:
change to read ‘To ensure that the constitutionally guaranteed right to freedom of expression is protected’.
- (f): delete the word ‘*stabilization*’

Mr. Stevens suggested adding under the same section:

- (j) add ‘*and do business*’ at the end of the sentence

Mr. Abbot stated that with regards to political signs, most of that is crossed out.

Ms. Amos stated that staff is going to look into that and get back with the Commission next month.

Mr. Abbott stated that there was a three (3) person committee for the sign committee and they were Lauren Thompson, Robert Traywick and Tim Shelton and he would like to publicly thank them for their time and work.

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Mr. Stevens asked what the time limit is before a political election that one could have a sign in their yard.

Mr. Phillips stated that staff will have to research that because it was his understanding that the State Code addressed that.

Ms. Amos stated that currently the Town Ordinance states 30 days.

Mr. Stevens asked if there is there is anything to prohibit a big yellow signs.

Ms. Amos stated that she was going to ask our Town Attorney that question, but she does not think that there is. It was her opinion that it is probably a freedom of speech issue. Staff will report back regarding this matter.

Mr. Brown suggested changing the '*subdivision sign*' to a '*neighborhood sign*'.

A motion was made by Mr. Flanagan and seconded by Mr. Brown to defer action on ORD2012-04 until April 11, 2012, as recommended by staff.

ROLL CALL:

Mr. Stevens	Aye
Mr. Flanagan	Aye
Mr. Abbott	Aye
Mr. Brown	Aye

With four ayes, the motion passed.

ACTION ITEMS:

A. None.

REPORT OF COMMITTEES:

Town Council – George Spagna

Dr. Spagna stated that the Planning Commission has a report of Town Council Actions from February 7, 2012, February 21, 2012, and March 6, 2012, much of which consisted of approving things that the Planning Commission recommended to them for approval.

Dr. Spagna stated that one item that was not sent to the Town Council by the Planning Commission that was approved was the sale of a parcel of land on the corner of Hill Carter Parkway and Route 54 to the Corporation that runs Chick-fil-A with the intention that they will build a store in Ashland. This sale included the sale of a small parcel, which also has a stormwater retention pond which belongs to the Town to provide an outlet further from the intersection because the purchaser would not be able to cut

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through the median. The good news is that as a part of the sale of that small strip of land, the new purchaser will be responsible for maintaining that retention pond instead of the Town.

Mr. Stevens asked if the purchaser relayed any information regarding when they plan to begin construction.

Dr. Spagna stated that this information is in their corporate offices.

Ms. Amos stated that staff is hoping that it will begin by the end of the summer.

Dr. Spagna stated that it is a good sign of an uptick in the economy that someone would like to come to Ashland and build a new store.

Ashland Main Street Association - Nora Amos

Ms. Amos stated that the AMSA is working on the Cross Brothers 100th year celebration as well as the chalk walk that they sponsor, and both of those events will be held on May 5th of this year.

Ms. Amos stated that AMSA held the third round table at the Firehouse Theatre with the Arts Community and there were approximately 60-70 people in attendance. Ms. Amos stated that it was her opinion that it was an excellent turnout and that good discussion took place.

Ms. Amos stated that AMSA will take the information that they have gathered from the three round tables and move forward.

Ms. Amos stated that the AMSA has received a grant and have agreed to take over the Train Day event and they are working on getting additional corporate sponsors to assist in that program.

Economic Development Authority – Nora Amos

Ms. Amos stated that the EDA has received their first Revitalization Grant Application and it is currently under review.

Ms. Amos stated that the EDA is currently discussing a strategic plan and whether they will or will not be going down that road or possibly in some other direction.

UNFINISHED BUSINESS:

Ms. Amos stated that Mr. Phillips will provide the Planning Commission with the remaining Zoning Ordinance updates.

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Mr. Phillips stated that currently staff is updating the lighting ordinance and beginning the preliminary research on the residential zoning districts.

Mr. Phillips stated that with regards to the supplemental regulations, the Town Council has deferred that until the March 20, 2012, meeting.

Ms. Amos stated that regarding the residential districts, after the presentation last month Mr. Brown and she had a conversation regarding how to structure the residential districts to conform to the Comprehensive Plan by being clear in the Design Guidelines and continually referring to the Design Guidelines as we currently do to enable staff to have the adequate information to provide to the applicants that request rezoning and have a discussion about proffers and the variety that the staff would like to see in the projects.

Ms. Amos stated that she and Mr. Brown also discussed exploring amending the current PUD (Planned Unit Development) Ordinance to ensure what is current in the ordinance can assist staff in accomplishing the goals in the Comprehensive Plan.

Mr. Abbott asked for an update on the completion of the railroad crossing repairs.

Ms. Amos stated that there is no update at this time; the railroad supplies are being gathered and stored to ensure that they have everything that they need before they begin.

Mr. Abbott asked Dr. Spagna if there was an update on the Trolley Line.

Dr. Spagna stated that there was a public information session last week. When this initially came before the Town Council, what they were acting on was to transfer possession of the Trolley Line from the County to the Town. There was a presentation from some residents who live just outside the Town limits who are concerned that if they open up the Trolley Line Trail as a park, which has been in the plans since 1995, that suddenly they would lose their private walking trail into the Town and they objected to that.

Dr. Spagna stated that at the public information session they had presentations from the Town staff (Public Works, Town Engineers) to provide the history of the project and to show where it is in the County's Parks and Recreation Plan. Staff also explained what the future plans are and where the funding is coming from, which is all federal funding through the Virginia Department of Transportation and the Metropolitan Planning Organization to the Town for a specific project. The project is to create a trail, which is handicapped accessible being a surface, which is accessible for individuals in wheelchairs along with safety fencing, because along one side of the trail there is a steep drop-off. The trail is proposed to be eight (8) feet wide running along the trolley line.

Dr. Spagna stated that they are researching whether there is another option besides an asphalt trail that would meet the standards, such as a granite dust hard-packed surface;

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however, there have not been any definitive decisions, and Town Council has not decided to go forward at this time to build the trail.

Dr. Spagna stated that some of the confusion comes from the County not having in their budget or future budget at this time to build their portion of the trail. In the long term, this trail is designed to be a part of the East Coast Greenway, which when completed will run up and down the east coast.

UP COMING ITEMS:

Ms. Amos stated that she will be bringing the Arts and Culture Overlay District to the Planning Commission for informational purposes in April, which is simply an overlay district as recommended in the Comprehensive Plan to provide incentives for arts and cultural businesses and it will be going to the Town Council for their review and approval on April 30, 2012.

Ms. Amos stated that BNH Enterprises LLC Conditional Use Permit application will be coming to the Planning Commission at the April 11, 2012, meeting.

Ms. Amos stated that in January it was decided to begin the initial review of the Comprehensive Plan in April, and hopefully at the May meeting there will be a presentation on the Route 1 and Route 54 intersection project.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 8:58 p.m.