

**Town of Ashland  
Planning Commission Minutes  
Town Hall Council Chambers  
July 11, 2012 – 7:00 p.m.**

A regular meeting of the Planning Commission of the Town of Ashland, Virginia, was held on July 11, 2012, at 7:00 pm in the Town of Ashland Council Chambers, located at 101 Thompson Street, Ashland, Virginia, those present were:

**Present:** Robert Brown, Chairperson  
Alan Abbott, Vice-Chair  
Felix Stevens

**Absent:** Lou Ann Jewell  
Bob Flanagan

**Others present:** Nora Amos, Director  
Planning and Community Development  
Bryant Phillips, Senior Planner  
George Spagna, Council Liaison  
Andrea Erard, Town Attorney  
Nancy Offersen, Secretary

**CALL TO ORDER:**

**ROLL CALL:**

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

**DETERMINATION OF A QUORUM:**

Mr. Brown stated that a quorum was present.

**APPROVAL OF AGENDA:**

Mr. Brown asked if there were any changes to be made to the Agenda; there were none.

**CITIZEN INPUT**

Mr. Brown opened the floor for public comment.

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

**PRESENTATION OF MINUTES:**

**A. April 24, 2012, minutes**

A motion was made by Mr. Brown to approve the minutes as amended.

**ROLL CALL:**

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

With all Ayes, the motion passed.

**PUBLIC HEARINGS:**

- A. ORD2012-07** – is an ordinance to amend The Code of the Town of Ashland Chapter 21 “Zoning,” Article XVI “Planned Developments,” Division 4 “Planned Shopping Center District PSC,” Sec. 21-173. “Use Regulations,” to add paragraph (u) to permit convenience stores with fuel sales with a conditional use permit and paragraph (v) to permit fuel sales as an accessory use to a grocery store with a conditional use. The use as proposed in paragraph (v) would also permit an additional monument sign per Sec. 21-211(b), not to exceed thirty (30) square feet in area and eight (8) feet in height.

Mr. Phillips reviewed the Ordinance amendment as presented in the Planning Commission packet.

Mr. Phillips stated that what initiated this text amendment request was that Martins Grocery Store would like to open a fuel center in the Ashland Hanover Shopping Center; currently fuel sales are not a permitted use in the Planned Shopping Center Zoning District.

Mr. Phillips stated that it was the opinion of staff that a retail fuel center would be an appropriate use for a planned shopping center as well as convenient stores.

Mr. Phillips stated that at the June 13, 2012, Planning Commission meeting the Planning Commission recommended a deferral of this request to allow further consideration and evaluation of this ordinance.

Mr. Phillips stated that in conclusion, it was the opinion of staff that fuel sales are an appropriate use for the Planned Shopping Center District as retail fuel sales are becoming more common within commercial shopping centers.

Mr. Phillips stated that some of the Planning Commission members had concerns regarding allowing additional signs; the Planned Shopping Center District requires a minimum of five (5) acres to be built on. Mr. Phillips stated that it was staff’s opinion

that this size requirement would allow adequate space for signs to be spaced out and not be cluttered together.

Mr. Phillips stated that requiring the Conditional Use Permit would allow staff, the Planning Commission, and the Town Council the ability to include conditions that would ensure:

- Such uses coincide with the character of the area;
- Landscaping, lighting, and traffic concerns are addressed;
- Use would have limited impacts on surrounding uses; and,
- Potential sign concerns are addressed

Mr. Phillips stated that staff does recommend approval of this request as amended.

Mr. Stevens asked for clarification of the difference between a convenience store and a grocery store.

Mr. Phillips stated that the definition of a convenience store is: a small retail establishment primarily selling groceries and providing a limited variety of goods or merchandise to the general public for personal or household use.

Mr. Phillips stated that the definition of a grocery store is currently not defined in the ordinance, but one of the future zoning ordinance tasks is to go through the ordinance and ensure that every use is defined and every definition is appropriate and up to date.

Mr. Stevens asked if the ordinance amendment could be changed to not include convenience stores.

Mr. Phillips stated that it could.

Mr. Stevens asked if removing the ability to include a convenience store in the ordinance would allow for a convenience store since there is no definition of a grocery store.

Mr. Phillips stated that it would; however, in the future staff would have to be certain to clearly define a grocery store so that it is clear what constitutes a grocery store.

Mr. Brown opened the public hearing and asked if there was anyone that would like to come forward and speak for or against the ordinance amendment.

Ms. Jennifer Mullen of Williams Mullen, representing Giant Food Stores.

Ms. Mullen stated that with her was Joe Falcone representing Martins Food Stores and Scott Chapman representing Vanasse Hangen Brustlin, Inc.

Ms. Mullen stated that they are in favor of the ordinance amendment and that she would be happy to answer any questions that the Planning Commission may have.

Mr. Brown asked Ms. Mullen how the applicant felt about the Planning Commission's desire to not have a convenient store as a part of the ordinance.

Ms. Mullen stated that it did not matter to them; they are interested in a fuel center accessory to a grocery store.

Mr. Tom Hoffman, co-owner of the office building in the Ashland Hanover Shopping Center.

Mr. Hoffman stated that they have spent half of a million dollars remodeling their office building and they understand the tie to gas and groceries; however, the problem that they have seems to have been addressed because Mr. Phillips was able to have the applicant re-route the tankers off of the property.

Mr. Hoffman stated that the gas trucks are a major issue because they have doctor's offices in their office building and their patients tend to be older patients. With the fuel truck being approximately 60 feet long and 10 feet wide, and with three deliveries a week, they would like it to be codified that the tankers cannot simply drive through the parking lot. Mr. Hoffman requests that the drivers use a designated route to minimize any potential vehicular or pedestrian accidents.

Mr. Hoffman stated that Mr. Phillips did a great job of working with the public feedback and the design of this addition into the shopping center which all ties in very well.

Mr. Hoffman stated that another concern is the island of landscaping near their office building; they would like to ensure that it is 111 feet because that is the size of the canopy and would like to reduce the impact on their property as well as having the plantings in the planter to be very tall and an evergreen variety such as a Nellie Stevens or an arborvitae specimen to fill in the space year round.

There was discussion regarding working with the landscape architects on the types of evergreen screening that would be agreeable to all parties.

Mr. Brown stated that the species of tree becomes really important; you want it big enough so that one cannot see. An Arborvitae might be 15 feet tall and the canopy might be 30 feet tall, therefore a taller tree might be more desirable. Mr. Brown stated that the engineers have landscape architects and Mr. Brown suggested that that be worked on with the landscape architects.

Mr. Brown stated that there is a Conditional Use Permit request, which will get into the details of the plan as well as a Rezoning request that will be coming up following the vote on this ordinance amendment; therefore, there may be further discussion in the next motion.

There being no further comment from the public, the public hearing was closed.

Mr. Abbott stated that he was in agreement with Mr. Stevens, stating that he does not see a need to have a convenience store in the ordinance and asked staff why they felt that it should be there.

Mr. Phillips stated that it was the original language that was requested by Martins and it was staff's opinion that a convenience store with a gas station could potentially be an appropriate use for a Planned Shopping Center.

Mr. Abbott asked if the convenience store was to be left in the ordinance, then what could potentially be constructed.

Ms. Amos stated that a WaWa, a Sheetz, or a 7-11 with a gas station could be constructed within a planned shopping center.

Ms. Amos stated that there is always the opportunity that if someone was interested in having a convenience store with fuel sales in a planned shopping center in the Town, then they would still have to amend the Planned Shopping Center Zoning

A motion was made by Mr. Abbott to recommend approval to the Town Council, Ordinance 2012-07 with the amendment that convenience stores be removed from the ordinance.

**ROLL CALL:**

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

With all Ayes, the motion passed.

- A. CUP12-0507 Giant Food Stores, LLC** – a request for a Conditional Use Permit in accordance with Sec. 21-173(u) of the Town Code to allow for retail fuel sales on the property identified as GPIN 7880-01-7978. This property is currently zoned PSC (Planned Shopping Center) District, and is the Ashland Hanover Shopping Center located at the northeast corner of the intersection of England Street and Washington Highway. The Comprehensive Plan designates this property as appropriate for the interstate commercial uses.
- B. REZ12-0507 Giant Food Stores, LLC** – an amendment request for a previously approved master plan (REZ10-0908) to allow for a retail fuel center on the property identified as GPIN 7880-01-7978, consisting of +/- 19.01 acres. The property is currently zoned PSC (Planned Shopping Center) District, and is the Ashland Hanover Shopping Center located at the northeast corner of the intersection of England Street and Washington Highway. The Comprehensive Plan designates this property as appropriate for interstate commercial uses.

Mr. Phillips stated that he has combined his presentation for the Conditional Use Permit request and the Rezoning request; however, a separate public hearing would be required for each item.

Mr. Phillips reviewed the Conditional Use Permit request and the Rezoning request as presented in the Planning Commission packet.

Mr. Phillips stated that the Applicant is proposing to install a monument style freestanding sign per Sec. 21-208(e) of the Town Code; not to exceed 30 square feet in area and eight (8) feet in height.

Mr. Phillips stated that the Rezoning request is to amend a previously approved master plan for the Ashland Hanover Shopping Center to allow for retail fuel sales on the property.

Mr. Phillips provided previous rezoning cases to amend the master plan for the Ashland Hanover Shopping Center as follows:

- REZ10-0908 – amended the master plan to allow for the sale and display of seasonal goods in the shopping center parking lot for the Ace Hardware Store.
- REZ06-0203 – amended the master plan to allow for Starbuck’s.
- CUP06-0203 – allowed for the shopping center to be in excess of 200,000 square feet.

Mr. Phillips stated that the approval of this Conditional Use Permit and the Rezoning requests is contingent upon the approval of Ordinance 2012-07, which was just approved by the Planning Commission, and the Conditional Use Permit and Rezoning requests would be approved in conjunction with each other.

Mr. Phillips stated that the Comprehensive Plan does designate this as appropriate in this particular district.

Mr. Phillips stated that it was staff’s opinion that the proposed fuel center appears to meet the intent of the Comprehensive Plan by continuing to provide retail services for both residents and travelers to Ashland.

Mr. Phillips stated that the existing proffers and conditions would still apply to the subject property; however, these proffers and conditions, which are from the Starbucks case should have little to no impact to the fuel center. Mr. Phillips added that no proffers have been submitted with this particular rezoning request to amend the master plan.

Mr. Phillips stated that staff recommends the following conditions:

- 1.) The retail fuel center shall be developed in substantial conformity with the amended master plan, revised July 3, 2012, and the submitted layout plan titled “Preliminary Conceptual Site Plan,” Sheet H3.
- 2.) The kiosk and canopy shall be constructed in substantial conformity with the submitted elevations, and in accordance with the Ashland Town Code.
- 3.) The additional monument type freestanding sign shall be for fuel price display only.
- 4.) The Applicant shall participate as necessary in the recordation of the Conditional Use Permit on the Hanover County Circuit Court.

Mr. Phillips stated that this request was different than what was presented at the June 13, 2012, Planning Commission meeting because the Applicant was working on finalizing the plan of development for the fuel center and the Applicant has submitted

a proposed layout plan as well as an amended master plan for the shopping center and fuel center.

Mr. Phillips stated the layout plan shows the proposed fuel center that would include the following:

- 1.) Eight (8) fuel pumps on a total of four (4) islands so each island would have a fuel pump on each side of it, under a canopy that is just over 3,100 square feet in area as well as a kiosk that is approximately 217 square feet in size and
- 2.) Two (2) underground storage tanks, one (1) that is 30,000 gallons and the other that is 10,000 gallons.
- 3.) Six (6) new landscape islands that will be provided with new landscaping and will also serve as an aide in the directing the flow of traffic through the fuel center area in the shopping center.
  - a. One of the islands is a large landscape island between the fuel center and the adjacent property to help provide screening and a buffer between the two (2) uses.
  - b. The large landscape island that is currently to the north of the proposed fuel center location is proposed to be removed and striped as parking.
- 4.) 70 parking spaces will be eliminated, and six (6) new parking spaces would be established as a part of the removal of the large landscape island; the new Parking Ordinance requires 695 parking spaces for this shopping center and the new layout plan will provide 970 parking spaces.

Mr. Phillips stated that some of the concerns expressed by the Planning Commission at the June 13, 2012, meeting are as follows:

- 1.) Vehicle traffic flow through the shopping center and adjacent bank building property which has recently been discussed earlier in this meeting.
- 2.) Ingress and egress into the shopping center.
- 3.) Potential additional pedestrian traffic as a result of the fuel center through the shopping center.
- 4.) The increased traffic volume Martin's would expect to see from the fuel center addition.

Mr. Phillips stated that in conclusion, it was staff's opinion that both of the requests for a Conditional Use Permit and the Rezoning meet the intent of the Comprehensive Plan and Zoning Ordinance as the proposed use is consistent with the interstate commercial land use category and the PSC (Planned Shopping Center) District; as well as additional retail services within the Route 1 and Route 54 for both the residents and travelers in the Town of Ashland.

Mr. Phillips stated that the conditions proposed by staff should help alleviate or minimize any potential adverse impacts on the shopping center and adjacent properties.

Mr. Phillips stated that staff recommends approval of both the Conditional Use Permit and the Rezoning request as presented this evening.

Mr. Brown opened the public hearing and asked if there was anyone from the public that would like to come forward to speak for or against the cases presented.

Ms. Jennifer Mullen with Williams Mullen representing Martin's.

Ms. Mullen stated that this proposed project represents approximately a \$1.5 million investment in the store, and that Martin's views this as another department of the store and is seeking to add another service for its customers.

Ms. Mullen stated that they anticipate that the traffic will be captured from the grocery store and that the location is situated optimal to the traffic flow and would minimize any conflicts within the existing shopping center.

Ms. Mullen stated that their proposed landscaping creates a travel way, which currently does not exist within the shopping center, which would take the traffic to the existing drive aisle to the four-way stop to get to the access road to use one of the exits for leaving the shopping center.

Ms. Mullen stated that it was their opinion that the increased landscaping adds value to the existing shopping center and aids in providing additional green space and shade in addition to the travel way.

Ms. Mullen stated that the fuel canopy would be able to hold up to 16 vehicles; therefore, they do not feel that there would be a stacking issue at this shopping center location.

Ms. Mullen stated that the traffic engineers expect the traffic increase to be approximately 35 additional vehicles during the a.m. peak hours and approximately 45 additional vehicles during the p.m. peak hours which represents a daily average increase of approximately eight (8) percent for the shopping center.

Ms. Mullen stated that Martin's typically sees with the addition of a fuel center that their store sales increase based on their existing customers and have seen in other stores with the fuel center added, an increase of approximately two (2) to twelve (12) percent on average.

Ms. Mullen stated that they appreciated all of Mr. Huffman's comments regarding the Martin's Fuel Project and that it was their opinion that the Applicant can accommodate all of his requests that were previously stated.

Mr. Mullen stated that the contracts with the fuel trucks will be provided the site plan layout for the delivery system.

Ms. Mullen stated that with regards to the specifics on the landscaping, they would like to continue to work with their landscape architect and the Town staff to determine the specific types of trees as it is the goal to have a tree that lives within a landscape island and will survive and grow to reach the height and shade that is in the best interest of everyone.

Mr. Tom Hoffman, co-owner of the office building in the Ashland Hanover Shopping Center.

Mr. Hoffman stated that he would like to have it clarified that the trees and shrubs are evergreen that would maintain their leaves year round as a condition.

Ms. Amos stated that staff had discussed this and explained that the Town Ordinance calls for parking lot deciduous type shade trees not an evergreen buffer. Ms. Amos stated that the evergreen trees do not meet the intent of creating shade on the large open parking lot; therefore, the Planning Commission would need to have a thorough discussion on the types of trees that they desire.

Mr. Hoffman stated that the term 'tree' is not the term that should be used because and it was his opinion that without the term 'evergreens,' screening does not exist.

Mr. Hoffman asked how far the canopy is proposed to be from the property line because he does not see where it is noted anywhere on the plans and no one has mentioned the distance.

Ms. Mullen stated that it is approximately 60 feet from the property line to the kiosk and approximately 70 feet from the property line to the canopy.

Mr. Hoffman asked if these measurements will become a part of the Conditional Use Permit.

Ms. Amos confirmed.

Mr. Hoffman asked, regarding the proposed Martin's sign, must it be up against his property line, and why not located back where the canopy is located.

Mr. Brown stated the he would like the sign as far from Mr. Hoffman's property line as possible without removing vegetation.

Mr. Hoffman stated that it was his goal to try to minimize the impact on the value of his building while the Applicant is trying to achieve certain goals as well.

There being no other comments, Mr. Brown closed the public hearing.

Mr. Stevens stated that he understands that the Applicant would like to have as many islands as possible to reduce stacking and to keep the traffic flowing. Based on historical information from other stores in similar situations, are four (4) islands necessary, could the Applicant work with three (3) islands.

Ms. Mullen stated that the Applicant has looked at a three (3) island canopy; however, they have found that the four (4) island approach is the best to reduce any stacking issues within a shopping center.

Mr. Stevens asked Ms. Mullen for clarification on the peak times for the fuel center.

Ms. Mullen stated that the a.m. peak time would be from 8:00 a.m. to 10:00 a.m. and that the p.m. peak time would be 4:00 p.m. to 6:00 p.m.

Mr. Brown stated that other than the barrier between the fuel center and the office building there would be large trees; he suggested perhaps four (4) more trees such as a couple of the islands only had one (1) tree and there could be two (2) in place.

Ms. Amos stated that currently on the H-3 Document under Exhibit A the document specifies deciduous trees and evergreen shrubs, and if the Planning Commission would like to be more specific with regards to the landscaping, then they could.

Mr. Brown stated that he would like to add "*large deciduous trees and tall landscape screen that obstructs the view of the fuel center from the offices.*"

Ms. Amos asked for clarification asking if Mr. Brown wanted the trees to be three (3) inches in caliper upon planting.

Mr. Brown stated that when they are planted, the ultimate goal would be large and shady; one does not start out with large trees and the Town Code refers to that.

Mr. Brown asked that a condition could be put into place that this could be worked out.

Ms. Amos stated that staff could have most of the landscaping details worked out by the next Town Council meeting.

Mr. Brown stated that he would like to add that *“no trees or shrubs be removed from along Route 1.”*

Mr. Abbott asked if Martin’s decided to make the fuel center larger or if they decided to be open for 24 hours would they have to come back before the Planning Commission.

Mr. Phillips stated that they would have to come back before the Planning Commission to increase in size, but not to change their hours of operation unless the hours of operation were stated as a condition.

Ms. Mullen stated that Martin’s intends to have the fuel station open during the same hours as the store, which is 6:00 a.m. to midnight.

Mr. Abbott asked about the hours that the signs would be lit.

Ms. Mullen stated that Martin’s will have the fuel signs turned off when they are not open; however, they do have security lighting within the canopy itself which would need to remain lit.

Mr. Abbott asked to make a condition that the fuel pricing signs be turned off during the hours that the store is closed.

There being no further comments, the public hearing was closed.

Ms. Erard read a proposed condition as follows:

- 1.) The Applicant shall be required to plant and maintain an appropriate species of shade or evergreen trees with evergreen shrubs in between the trees between the canopy and the adjacent office building. The trees and shrubs shall be planted the

length of the island so as to provide a natural buffer that obstructs the view between the office building and the fuel center.

There was discussion on the definition of “*obstruct*”.

Ms. Erard stated that the obstruction would be from the ground floor because the third floor is more than 21 feet tall.

Mr. Brown stated that staff stated that they were going to put in the condition that staff and the Applicant were going to work this out.

Ms. Amos stated that she does not feel that that condition will need to be in place at this time.

Ms. Amos stated before the Town Council makes their final decision, staff, and the parties involved in the project and Mr. Hoffmann would be invited to continue to work on the appropriate landscape and tree species.

Ms. Erard read the wording of the three proposed conditional use conditions as follows:

- 1.) When the fuel center is closed, the fuel center shall not be illuminated except for security lighting.
- 2.) The Applicant shall be required to ensure that all fuel trucks shall follow the route shown on the preliminary conceptual site plan sheet H-3.
- 3.) The Applicant shall locate the monument style sign as far from the property line as possible without having to remove vegetation in the general location shown on the plat entitled “Rezoning Plan Ashland Hanover Shopping Center Exhibit A.”

Mr. Brown asked for a condition to be added regarding additional trees.

Ms. Amos stated that where it states large trees it could be amended to read “*large deciduous trees*” on the plan of development, and that Mr. Brown could be invited to attend the landscape meeting if he would like.

Ms. Mullen stated that she would prefer to remove the condition regarding the location of the monument style sign.

A motion was made by Mr. Abbott to recommend approval to the Town Council, CUP12-0507 with the four (4) conditions outlined in the staff report as well as the two (2) additional conditions as follows:

- 1.) The retail fuel center shall be developed in substantial conformity with the amended master plan, revised July 3, 2012, and the submitted layout plan titled "Preliminary Conceptual Site Plan," Sheet H3.
- 2.) The kiosk and canopy shall be constructed in substantial conformity with the submitted elevations, and in accordance with the Ashland Town Code.
- 3.) The additional monument type freestanding sign shall be for fuel price display only.
- 4.) The Applicant shall participate as necessary in the recordation of the Conditional Use Permit on the Hanover County Circuit Court.
- 5.) When the fuel center is closed, the fuel center shall not be illuminated except for security lighting.
- 6.) The Applicant shall be required to ensure that all fuel trucks shall follow the route shown on the preliminary conceptual site plan sheet H-3.

**ROLL CALL:**

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

With all Ayes, the motion passed.

Mr. Brown stated that the next item to vote on is the REZ12-05 07, and reminded the Planning Commission that Mr. Phillips has already made the presentation for this request during the time that the joint Rezoning/Conditional Use Permit presentation was done.

Mr. Brown opened the public hearing for REZ12-0507 and asked if there was anyone that would like to speak for or against this request.

Mr. Brown asked Mr. Phillips to discuss the reason for a rezoning request.

Mr. Phillips stated that any time a property is zoned Planned Shopping Center (PSC) District, a master plan is required to be approved as a part of that rezoning request; anytime someone desires to change that master plan, it requires a public hearing for a rezoning request to rezone the master plan for whatever changes are proposed.

Mr. Brown asked if there was anyone from the audience that would like to come forward.

There being none, the public hearing was closed.

A motion was made by Mr. Stevens to recommend approval to the Town Council, REZ12-0507 as recommended in the staff report.

**ROLL CALL:**

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

With all Ayes, the motion passed.

**D. ORD2012-10** is an ordinance to amend The Code of the Town of Ashland, Chapter 21 “Zoning,” Article XXV “/supplemental Regulations,” Sec. 21-266. “General Lighting Standards.” The purpose of this ordinance is to amend the general lighting standards by adding requirements for compliance with lighting standards, establishing a list of prohibited lighting applications that are exempt from the ordinance, adding outdoor lighting plans and alterations to previously outdoor lighting applications, establishing a list of lighting applications that are exempt from the ordinance, adding regulations for outdoor lighting plans and alteration to previously approved outdoor lighting plans, and establishing criteria and conditions for administrative exceptions to outdoor lighting requirements.

Mr. Phillips reviewed the Ordinance amendment as presented in the Planning Commission packet.

Mr. Phillips stated that the proposed amendments are intended to address outdoor lighting issues that staff has had no ability to address with the current outdoor lighting ordinance.

Mr. Phillips stated that everything that staff is proposing is intended to be in addition to what currently exists within Sec. 21-266.

Mr. Phillips stated that a Nit is a unit of measurement of laminates, which is candelas per square meter for a surface and it was his opinion that it is similar to foot candles.

Dr. Spagna stated that there is a conversion factor that can be used but foot candles are not longer the official unit of lighting.

Mr. Stevens asked if staff could demonstrate an example of the various lighting measurements.

Mr. Phillips stated that he tried to find examples for this presentation and was unable to locate them; however, the applicant would have to provide documentation that stated that the lighting of a sign would not exceed these two measures as stated in the ordinance.

Dr. Spagna stated that a Nit is measured at the sign light surface, where a foot candle is measured at an arbitrary distance and the idea is to limit the brightness of the sign rather than worry about exactly where one would do a measurement.

Mr. Phillips stated that these proposed amendments should address many of the outdoor lighting issues that staff has faced in the past and would provide staff the authority to regulate lighting issues such as the review of outdoor lighting outside of standard site plan review and should also clear up outdoor lighting issues with the establishment of a list of prohibited and exempt lighting types and methods. Staff is recommending approval of these proposed ordinance amendments as presented.

Mr. Abbott asked if flashing light type signs were no longer going to be permitted and would they have 15 years to discontinue using them.

Mr. Phillips stated that if they are inside a building then this ordinance would not apply as this only applies to outdoor lighting.

Mr. Abbott asked if staff could research the possibility of addressing that area further.

Mr. Abbott asked for clarification on outdoor dynamic display type lighting.

Mr. Phillips stated that it could be a message type board but the lights could not be flashing, the lettering could change every eight (8) seconds.

Mr. Brown opened the public hearing and asked if there was anyone in the audience that would like to come forward to speak for or against the Ordinance amendment.

Cameron Wood – Resident and Real Estate Broker.

Mr. Wood asked how this would impact existing residential and new residential exterior lighting within the Town limits, shopping centers, approved site plans and lighting plans.

Ms. Amos stated that the current lighting would be grandfathered for 15 years (also known as the Sunset Clause) after adoption of the new ordinance. Staff had a long

discussion regarding this issue and it was her opinion that the Planning Commission will continue the discussion and would most likely continue this public hearing.

Ms. Amos stated that most of the lighting in shopping centers is in compliance.

There being no further comments, the public hearing was closed.

A motion was made to defer Ordinance Amendment ORD2012-10 until August 8, 2012, Planning Commission meeting.

**ROLL CALL:**

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

With all Ayes, the motion passed.

**ACTION ITEMS:**

**A. Virginia Transportation Park Subdivision**

Mr. Phillips presented the subdivision request as presented in the Planning Commission packet.

Mr. Phillips stated that one thing that was not shown on the plats that is required by the Town Code is two (2) foot interval contours; however, the plats have addressed all other comments by staff and Hanover County Department of Utilities and it satisfies all of the other requirements of Subdivision and Zoning Ordinances. Therefore staff is recommending approval of this plat dated June 4, 2012, contingent upon the submission of a revised preliminary plat prior to the Town Council meeting that includes the required contours.

A motion was made by Mr. Brown to approve the Preliminary Subdivision Plat for Virginia Transportation Park dated June 4, 2012, contingent upon the submission of a revised preliminary plat prior to the Town Council meeting that included the required contours.

**ROLL CALL:**

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

With all Ayes, the motion passed.

**REPORT OF COMMITTEES:**

**A. Town Council – George Spagna**

Dr. Spagna stated that reports of the Town Council actions were in the Planning Commission packets and reviewed them for the Planning Commission.

Dr. Spagna brought the Planning Commission up to date on the repairs of the railroad crossings.

**B. Ashland Main Street Association – Nora Amos**

Ms. Amos stated that the Ashland Main Street Association has changed their board meetings to the fourth (4) Tuesday of each month and that their meetings will begin at 5:30 p.m. and that anyone may get information regarding the Ashland Main Street Association from their website.

Ms. Amos stated that the Town of Ashland's new website has gone live and invited everyone to visit the website.

Ms. Amos stated that the Ashland Main Street Association has advertised to hire a part-time Executive Director, and anyone who is interested in that type of work may contact Tom Wulf.

**C. Economic Development Authority of Ashland, Virginia – Nora Amos**

Ms. Amos stated that the Economic Development Authority will be receiving a presentation on Marketing Plans as they are continuing their discussion of whether to work towards a marketing strategy or to complete a strategic plan.

Ms. Amos stated that the Market Ashland Partnership Group has come together with the Town to create a Customer Card, and will be seen around at various businesses in the near future.

**UNFINISHED BUSINESS**

**None.**

**NEW BUSINESS**

**None.**

**UPCOMING ITEMS**

**None.**

**ADJOURNMENT:**

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:40 p.m.

The next scheduled meeting of the Planning Commission is September 12, 2012.