

**Town of Ashland
Planning Commission Minutes
Town Hall Council Chambers
September 12, 2012 – 7:00 p.m.**

A regular meeting of the Planning Commission of the Town of Ashland, Virginia, was held on September 12, 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
Lou Ann Jewell
Felix Stevens
Bob Flanagan

Absent: None.

Others present: Nora Amos, Director
Planning and Community Development
Joshua Farrar, Deputy Town Manager/Finance Director
George Spagna, Council Liaison
Andrea Erard, Town Attorney
Mike Davis, Director of Public Works
Lois Smith, Town Clerk

CALL TO ORDER:

Mr. Brown called the meeting to order at 7:00 p.m.

ROLL CALL:

Ms. Jewell Here
Mr. Flanagan Here
Mr. Abbott Here
Mr. Stevens Here
Mr. Brown Here

All members were present.

DETERMINATION OF A QUORUM:

Mr. Brown stated that there was a quorum.

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. May 9, 2012, minutes

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

ROLL CALL:

Mr. Abbott Aye
Mr. Stevens Aye
Ms. Jewell Aye
Mr. Flanagan Aye
Mr. Brown Aye

With all Ayes, the motion passed.

PRESENTATION:

A. Land Use and Town Finances – Joshua Farrar

Mr. Farrar stated that a number of months back, he and Ms. Amos had a discussion regarding the Comprehensive Plan and finances and decided it would be a good idea to provide information to the Town Council, the Planning Commission and the Economic Development Authority. .

Mr. Farrar provided background information stating that the decisions that are made between the Planning Commission and the Town Council have a significant effect on the Town's Finances and fiscal sustainability.

Mr. Farrar stated that the decisions that the Planning Commission make and the recommendations that are made to the Town Council have significant impact on the revenue of the Town.

Mr. Farrar stated that for the Fiscal Year 2013, the General Fund Budget is \$7,856,586.

Mr. Farrar stated that for the Fiscal Year 2013, the Capital Projects Fund Budget is \$2,914,779.

Mr. Farrar stated that the estimated General Fund Reserve is \$3,802,110, which is 48.4 percent of the General Fund expenditures.

Mr. Farrar stated that the Town has paid off all of its debt and will be using part of the reserves to fund Capital Projects.

Mr. Farrar provided a Power Point Presentation on Fiscal Sustainability, which included:

- Broadening the Bases
- Budget History
- Revenue Make-up
- Revenue Sources
- Local Revenue
- Other Local Taxes
- One Quarter of the Town's Revenue comes from Meals Tax
- Revenue Generated by areas of the Town.

Mr. Farrar stated that revenues have leveled out; however, expenditures have gone up.

Mr. Farrar stated that 81 percent of the Town's local revenue comes from business activity, 15 percent is from residents, and the balance is from the General Fund transfer.

Mr. Farrar stated that the areas around the interstate are the highest return of revenue per acre per business (Cracker Barrel, McDonald's, Holiday Inn, etc.).

Mr. Farrar stated that the average value of a home within the Town is approximately \$176,000, which means that they would pay about \$159.00 in Town Real Estate Taxes. Also, assuming they own two (2) \$15,000 vehicles they would pay approximately \$280.00 in Personal Property Taxes.

Mr. Farrar stated that the amount of taxes that Town residents pay does not cover the cost of services, such as police, parks, roads, drainage, etc, and that the taxes from the business community is a significant contributor to the Town's revenue.

Mr. Farrar reviewed the various areas of the Town and how they generate revenue.

Mr. Brown asked if the Planning Commission could get a copy of the Mr. Farrar's presentation.

Mr. Farrar stated that he could send a copy electronically to the Planning Commission.

Mr. Stevens asked what the relationship was with Hanover County in regards to the commercial traffic on Interstate 95 knowing that the potential for North Lake and the outlet malls, hotels, and restaurants; it may bring more people into the area but it may also take traffic away from our main source of revenue.

Mr. Farrar stated that it was his opinion that in the planning process there is a need to identify potential threats and there is potential threat with the North Lake area.

Mr. Farrar stated that the Town is already seeing a loss of hotel revenue.

Mr. Farrar stated that it was his opinion that the Town does very well with the transient travelers that need to get off and on roadways quickly for food, gas, and a nights rest and moving on.

Ms. Jewell asked if revenues increase within the Town at the motels during special events such as Strawberry Faire, or football games at Randolph-Macon College.

Mr. Farrar stated that the motel revenues tend to increase more with the Richmond region events than with the local events.

Mr. Stevens asked if this information would be available to the public via the website.

Mr. Farrar stated that he would make this available to the public.

B. CIP Discussion– Joshua Farrar

Mr. Farrar stated that a majority of the projects that are in the CIP come from plans such as the Parks and Recreation Master Plan, Transportation Plan, and site studies that may have been completed.

Mr. Farrar asked the Planning Commission to review the CIP and provide their opinions regarding things to add, to remove, and priorities, and then he will provide a final draft for the Planning Commission to hold a public hearing and make a recommendation to the Town Council.

Mr. Farrar stated that Mr. Davis was present to answer any questions that the Planning Commission may have regarding details of the projects.

Mr. Davis provided some history on the residential improvement program stating that it began as a CIP item in the early 1990's. Howard Street was a higher priority than the sidewalks, and at that time the Town owned the water and sewer system and they were in need of rehabilitation as well.

Mr. Davis stated that the Town took an entire block to rehabilitate at one time; previously they would have a project fund just to replace or repair sidewalks; drainage would be its own line item, and then there was a water and sewer fund.

Mr. Davis stated that what staff is looking for from the Planning Commission, Town Council and the citizens is a new list as they are almost finished with the list of projects that began in the 1990's.

Mr. Davis stated that the Sidewalk Plan has been around since 1998 and has been updated to show all of the existing sidewalks.

Mr. Davis stated that staff approaches the Town Council every few years and recommends what the top five (5) areas are for construction.

There was discussion on the different street and sidewalk projects.

Mr. Abbott asked Mr. Davis if there has ever been discussion regarding a walkway of some sort to cross U.S. Route 1 at College or Caroline Street.

Mr. Davis stated that there has been a lot of talk, and he has had several discussions with the Virginia Department of Transportation (VDOT). Mr. Davis stated this is a very challenging project to accomplish at the ground level because of the nature of U.S. Route 1 and the traffic. This could probably be done but it would take a lot of support from VDOT; that is an area that the Town maintains, but VDOT still has a lot of influence with it being a minor arterial in the corporate limits, and VDOT has not been supportive of doing this crossover because of pedestrian safety. Because this is at a non-intersection area, even if there were lights, crosswalks, and various signage and markings, they consider this to be very dangerous to pedestrians.

Ms. Davis stated that an elevated crosswalk is an aesthetic item and a very expensive project; therefore, it is the Town's desire to get high quality pedestrian crossings at the intersection of U.S. Route 1 and U.S. Route 54.

Mr. Davis stated that there is a design that has been submitted this past month as part of an acquisition phase with pedestrian heads, safe zones, count-down pedestrian heads, so one would know how long they would have to get across that intersection.

Mr. Brown asked if it would be possible to see the drawing for the VDOT proposed plan for U.S. Route 54.

Mr. Davis stated that he would be happy to send plans to the Planning Commission.

Mr. Brown stated that there was mention in some older minutes that a centerline study was to be done for Vaughan Road.

Mr. Farrar stated that staff asked for a copy of the centerline study and it will be provided when the CIP is updated.

Mr. Davis stated that if the Planning Commission has any further questions they could e-mail them to him or he would be happy to meet with them in the Conference Room and pull out maps so that they can see things more clearly.

Mr. Farrar asked the Planning Commission to provide him with input for the CIP and he would put together a draft for the Planning Commission to review.

PUBLIC HEARINGS:

None.

ACTION ITEMS:

None.

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 stated that the Vitamin Shoppe is not under construction.

Dr. Spagna stated that the Chick-Fil-A project will be moving forward.

Dr. Spagna stated that the Tractor Supply Company will be coming before the Planning Commission in the near future.

Mr. Brown asked for clarification on what urban crescent might be.

Dr. Spagna stated that the urban crescent is an unofficial affiliation of local governments that starts in Northern Virginia and extends south along the I-95 corridor and then east along I-64 to the Tidewater area, which represents the economic engine of the State.

Dr. Spagna stated that there was a meeting that was attended by the Town Manager, the Mayor and himself several months ago where leadership of that crescent got together and stated that they received a letter from VDOT that informed them that they were going to be out of funding by 2017, which means that they currently do not have enough funding and will need to prioritize maintenance. Therefore, they are taking funding from the Capital Fund and transferring it into the maintenance and the Capital Fund will disappear in four (4) or five (5) years. This means that there will be no funding to build or maintain roads in Virginia or put funding towards matching Federal funding.

Dr. Spagna stated that the Urban Crescent Group sent a letter to the Governor asking the State to step forward and fulfill their responsibility to properly provide for the transportation infrastructure in Virginia.

Dr. Spagna stated that it is possible that the Town will be increasing their share of funding to maintain the streets of the Town.

B. Ashland Main Street Association – Nora Amos

Ms. Amos stated that on September 25, 2012, the Ashland Main Street Association has a meeting scheduled for 6:00 p.m. at the Town Hall for a conceptual development work shop relating to the downtown streetscape project.

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

Ms. Amos stated that Mr. Farrar will be doing his Land Use and Town Finances presentation for the Economic Development Authority at their September 27, 2012, meeting.

UNFINISHED BUSINESS

A. Lighting Ordinance

Ms. Amos reviewed ORD2012-10, which was discussed during the public hearing at the regular July 11, 2012, Planning Commission meeting and then discussed further at the August work session.

Ms. Amos stated as part of the comprehensive rezoning rewrite, staff worked on the Lighting Ordinance Sec. 21-266 of the Town Code, and Ms. Amos highlighted some of the items for amendments that were discussed as follows:

- Added a list of prohibited and exempt lighting.
- Addressed the brightness of lighted signs and displays and established requirements for submission and amendments to outdoor lighting plans.
- Established criteria for exceptions for outdoor lighting requirements.
- Proposed amendments that are intended to address the outdoor lighting issue, in which there has been no ability to address in the past.

Ms. Amos stated that there have been public comments regarding the compliance deadline for all non-conforming uses. Ms. Amos stated that the Ordinance states that everything must be brought into conformance within 15 years.

Ms. Amos stated that due to the overwhelming concern from several business and property owners all over the Town, it was staff's suggestion that this section be removed from the Ordinance.

Ms. Amos stated that staff visited 35 different sites and of those, 17 were non-compliant; however, 9 of those 17 could come into compliance by simply tilting down the angle of their lights, which is 23 percent of the properties that are non-conforming.

Ms. Amos stated that this would come to the Planning Commission for a public hearing at the October 10, 2012, meeting.

Ms. Amos stated that the next area that was discussed was regarding the Sec. 21-266 (e) of the Town Code, Outdoor Dynamic Display, which stated that *"the illuminants outdoor dynamics display shall not exceed 5,000 nits during daylight hours or 150 nits at all other times. Brightness must be measured from the brightest element of the signs face and the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory preset so that it will not exceed the luminants levels for day and night"*.

Nit: A unit of measurement of luminance, or the intensity of visible light, where one nit is equal to one candela per square meter.

Webopedia

Ms. Amos provided photos of what a nit looks like, and stated that the other localities that have adopted this language to measure nits do not have an example for staff to use at this time.

Ms. Amos stated that staff has contacted the International Dark Sky Association that assisted in creating the model ordinance and they were very happy to assist.

Ms. Amos stated that the measurement of a nit can be derived from a foot-candle; therefore, we can continue to use the same measurement tools that we have in the past.

Ms. Amos stated that the question what is the difference between 150 and 500 nits; the gentleman from the Dark Sky Association is working on gathering data to provide a definition and will be getting back to Ms. Amos. She hopes to have that explanation by the October 10, 2012, Planning Commission meeting.

Ms. Amos stated that the mathematical equation for measuring a nit is to take the square footage of the sign, know the distance from the sign, and then have already measured the foot-candles from the point one is standing. There was also discussion regarding turning off the sign to measure the background foot-candles as well.

Ms. Amos stated that if the Planning Commission has any questions or comments to please contact staff before the October 10, 2012, meeting and staff will revise the Ordinance and advertise for October meeting.

NEW BUSINESS

A. VADA Mixed Use/ Mixed Income Grant

Ms. Amos stated that at the last Town Council meeting, a grant was accepted from the Virginia Housing Development Authority, which is a mixed use, mixed income planning grant, in the amount of \$10,000.00 but it was her opinion that it could make a significant difference in the area that staff works towards funding. The Gallery Flux building is one of the buildings that are a part of the area where the former lumber yard project was located, We Think in Ink, which has some potential in the future, and the Taylor Floor building, which could be renovated in the future.

Ms. Amos stated that the owner of the Gallery Flux building has spoken with staff about a desire to increase his building height by one story or even go 30 feet to the side with some mixed use on the top floor.

Ms. Amos stated that this grant would allow staff to get structural engineering done on the building to see if it is possible to make the additions that are being discussed.

Ms. Amos stated that if there are funds remaining after this project then staff would consider the Taylor Floor building as their next project to see if it is structurally capable of handling another floor.

There was discussion regarding having an organizational meeting in the near future to work on the Comprehensive Plan.

UPCOMING ITEMS

Ms. Jewell stated that she had a couple of comments that she would like to add to the meetings discussion; stating that when new plans are approved and there are conditions

that apply; from a credibility standpoint, does the Town follow up on these conditions and if so, how is this done.

Ms Amos stated that there are a large number of Conditional Use Permits that are approved over time; if staff sees a violation, then staff will follow-up on what is seen; and as with the Zoning Ordinance, the Town's actions are complaint driven.

Ms. Amos stated that if a violation for a Conditional Use Permit or a Zoning Ordinance is seen that she would encourage the Planning Commission or anyone from the public to please contact staff.

Ms Jewell stated that another item she wanted to comment on was regarding the Comprehensive Plan revisions.

Ms. Jewell asked if a timeline could be set for the completion the Comprehensive Plan and the Ordinance updates.

Ms. Jewell stated that she would also like the Comprehensive Plan update available to the public and updated on the website.

Ms. Amos stated that the 'pretty' copy of the Comprehensive Plan is on the Town's Website.

Ms. Jewell stated that with regards to working on the Comprehensive Plan and the Zoning Ordinance, if the Planning Commission had a schedule and knew ahead of time then perhaps they could be more prepared than with just a week or two (2) notice prior to a work session.

Ms. Amos suggested having a meeting specifically for the Comprehensive Plan as it does get pushed back when applications are submitted.

A. Tractor Supply Rezoning Request.

Ms. Amos stated that staff has received an application from Tractor Supply for a rezoning of the parcel behind the Sherwin Williams Paint Store, which will be coming to the Planning Commission in October. Ms. Amos stated that this rezoning application was included in the Planning Commission packets.

B. The Lighting Ordinance.

Ms. Amos reminded the Planning Commission that the Lighting Ordinance would be coming to them at their October 10, 2012, meeting.

Ms. Amos stated that the Planning Commission meeting could hold a work session from 6:00 p.m. to 6:45 p.m. to work on the Comprehensive Plan prior to the meeting and then review the agenda items until 7:00 p.m.

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 October 10, 2012.