LANCASTER COUNTY PLANNING COMMISSION

Minutes

January 19, 2012

The regularly scheduled meeting of the Lancaster County Planning Commission was called to order at 7:00 p.m. in the Board meeting room of the Lancaster County Administration Building, Lancaster, Virginia.

Present were David Jones, Chairman, Tara Booth, Robert Smart, David Chupp and Glenn Pinn. Steve Sorensen and Ty Brent were absent.

Also present were Butch Jenkins, Board of Supervisors Representative, Don Gill, Planning/Land Use Director, Audrey Thomasson, Rappahannock Record, Dr. Daniel Lukich, Lancaster County Public School Superintendent, John Mann, Nick Ferriter, Don McCann, Charles Pruett, Charles Costello and others.

Mr. Jones asked if there were any corrections or additions to the minutes of the November 17, 2011 regular meeting.

Mr. Jones moved to approve the November 17, 2011 minutes as submitted. **VOTE: 5-0.**

PUBLIC HEARING #1

APPLICATION FOR CHANGE OF ZONING DISTRICT CLASSIFICATION- STEVEN E. AND AMY Q. ASH

Mr. Jones asked Mr. Gill to present the issue.

Mr. Gill stated that the issue was an application for Change of Zoning District Classification from M-1, Industrial Limited to R-1, Residential General by Steven E. and Amy Q. Ash for a 1.715- acre parcel described as Tax Map #33-194B. He stated that the parcel is located in the Weems area near the end of Johns Neck Road (VSH 632) in District 5.

Mr. Gill stated that the parcel, along with several others in that area, was designated as M-1, Industrial Limited when zoning was enacted on June 1, 1975. He further stated that the parcel, along with most of those M-1 designated parcels in the area, was used for residential purposes and was an authorized non-conforming residential parcel for many years. He stated that the problem is that the parcel has not been used for

residential purposes for more than two years and Article 12-1-3 of the Zoning Ordinance states, "If any nonconforming use (structure or activity) is discontinued for a period exceeding two years, after the enactment of this ordinance, it shall be deemed abandoned and any subsequent use shall conform to the requirements of the ordinance."

Mr. Gill stated that, as a result, the parcel has lost its authorized non-conforming residential status and must now adhere to the requirements of the M-1, Industrial Limited District. He stated that a single family residence is not a permitted use in the M-1 District, so the applicants are forced to seek a rezoning to R-1, Residential General to be able to use the parcel for residential purposes.

Mr. Gill stated that this is the first potential rezoning of what could be several in that area if the residential uses are discontinued for more than two years on the other M-1 parcels. He stated that staff views this request as reasonable and appropriate. He further stated that most of the M-1 parcels in that area have authorized, non-conforming residential uses, including the adjacent parcel Tax Map #33-196, and there are several R-1 properties in close proximity to the parcel. He stated that rezoning this parcel to R-1 would be a downzoning from the more intense M-1 district.

Mr. Gill stated that the adjoining property owners have been notified and advertising conducted as required by law and to date, there has been no response from the public.

Mr. Jones opened the floor for public comment.

Charles Pruett, the property owners' agent, stated that he was there to answer questions and had photographs of the property if anyone wanted to see them.

Mr. Jones asked if the submerged area shown on the survey was considered King's Grant.

Mr. Pruett stated that some people thought so, but he did not.

Mr. Jones asked Mr. Gill if he had heard from any of the neighbors.

Mr. Gill replied no.

Mr. Jones stated that if the owners were to pursue putting a home on the parcel, they would have to adhere to the Bay Act requirements.

Mr. Gill agreed and stated that he thought Mr. Pruett had a potential Bay Act site plan for the parcel, but the owners knew that they must obtain proper zoning first.

Mr. Chupp asked if there was currently a home on the parcel.

Mr. Gill replied that there is a building there now and a prior survey showed it as an office. He further stated that is has not been used as a residence for more than two years and the owners desire a residence there now.

Mr. Smart asked about the use of the parcel and surrounding areas designated M-1 in 1975 when the zoning ordinances took effect.

Mr. Gill stated that there were several oyster and crab houses on both sides of that peninsula when zoning was enacted.

Mr. Jenkins asked about the possibility of a mass rezoning, which is in the County's purview to do, for this set of properties to downzone to residential.

Mr. Gill stated that that is a possibility, but there may be some opposition from landowners who envision some M-1 use in the future. He stated that he did not know if a mass rezoning would go over as well as individual rezonings.

Mr. Jones closed the floor to public input.

Mr. Jones made a motion to forward the application for Change of Zoning District Classification from M-1, Industrial Limited to R-1, Residential General for Steven and Amy Ash, Tax Map #33-194B to the Board of Supervisors recommending approval. **VOTE: 5-0.**

Mr. Jones stated that he wanted to move the Discussion Item #1, which deals with the Capital Improvement Budget, to the next item on the agenda and then discuss the Comprehensive Plan items together.

DISCUSSION ITEM #1

CAPITAL IMPROVEMENT BUDGET FY 2013-2017

Mr. Jones asked Mr. Gill to present the issue.

Mr. Gill stated that the Capital Improvement Budget (CIB) request forms for FY 2013-2017 were issued in late December and that all county offices were requested to submit their capital improvement needs no later than February 9, 2012 for consolidation and presentation to the Planning Commission at its meeting on February 16, 2012.

Mr. Gill stated that Lancaster Public School Superintendent, Lukich, informed him last week that he would be unable to make the February meeting. Since the School Board approved their Capital Improvement Plan at its January 9, 2012 meeting, he invited school representatives to attend this meeting and present their requests. He stated that all other county departments requesting capital improvement funding would be invited to attend the February 16, 2012 meeting to present their requests. He stated that

this schedule would allow for further discussion of all requests at the March meeting with a public hearing scheduled for the April meeting as in past years.

Mr. Gill stated that the school system's requests are similar to prior years with a few exceptions and some items have been re-prioritized. He stated that new this year are requests to fund a feasibility study for a renovated/new educational facility and a voice-over IP solution, both in 2013. He further stated that gone this year are the requests to "enviro-coat" the floors and redesign the band room entrance at Lancaster High School and replace the operable partition at the Lancaster Primary School gym. He stated that reappearing after several years off the list are requests to refurbish the track and build tennis courts at Lancaster High School.

Mr. Gill stated that there were school representatives present at the meeting, including Superintendent Lukich and John Mann, Director of Operations.

Mr. Jones invited them up to make their presentation.

Dr. Lukich stated that Mr. Mann, the staff and himself had put together the plan to help preserve the schools' facilities. He stated that the School Board had also done a daylong tour of all the school facilities.

Dr. Lukich stated that the first item and number one priority was to obtain funds for a study to determine need requirements for renovated and/or new educational facilities. He stated that that study would include demographic studies such as future population projections and student enrollment.

Mr. Jones asked if the first four items, which included the demographic study, land use availability, educational program assessments and grade level configurations, specifications and cost analysis for both renovation and new construction options, could be done "in-house".

Dr. Lukich replied not professionally.

Mr. Jones asked Dr. Lukich if he did not think that the land use part of the questions could be done by someone at the County.

Dr. Lukich replied probably, but not by anyone in the schools.

Dr. Lukich stated that if there were someone or a group that could help them with the demographic studies, he would like to be pointed in that direction.

Dr. Lukich stated that they would like to work with someone to help with long term planning and what will be needed for the twenty-first century. He stated that an important part of that would be grade level configuration.

Dr. Lukich stated that another part of the study would pertain to the educational specifications between new facilities and just keeping things the way they are with renovations. He stated that this study would include data, but not architectural drawings.

Mr. Chupp stated that he could see the value of getting an outside party to help with the study, especially with the educational program assessment item. He stated that the $35,000 to $50,000 estimate seemed modest to him and he asked if the school had obtained bids.

Dr. Lukich stated that the figures were just a rough estimate and they had not yet done a Request for Proposal that would be authorized by the School Board and then be sent out to various bidders. He stated that he would estimate the study would take six to seven months to complete. He stated that the end result would be data gathering to put together a model for the School Board as well as the Board of Supervisors and the general public.

Dr. Lukich turned the floor over to Mr. Mann concerning the school system's other requests.

Mr. Mann stated that the second item was a request for a building to serve as a weight room at the high school. He stated that the School Board was concerned about the current weight room that is being used now.

Mr. Mann stated that the building would have metal sides and a concrete floor. He stated that the estimate is $80,000 and that some of that cost may be reduced by volunteer help.

Mr. Mann stated that the third item was a request for a voice over IP solution. He stated that it would be a telephone system that runs through the computers. He stated that the system is ninety-five percent transferable to any facility, whether it is new or renovated. He stated that the quote from the salesman says that the system is $79,000 e-ratable. Mr. Mann explained that this means the federal government would be reimbursing that amount.

Mrs. Booth asked what the life span of the voice over IP solution was.

Mr. Mann replied he thought as long as the server stays in operation, approximately fifteen years.

Mr. Mann stated that the voice over IP solution would save the school system about $15,000 a year on their telephone bill. He further stated that, at the present time, there are about thirty-two lines going into the different facilities and the new system would cut that down to one or two lines per building. He stated that every teacher would also have voice mail.

Mrs. Booth stated that she had done the math and given the initial cost of the system and reimbursement from the government and savings on the annual telephone bill, it would take only five years for the system to pay for itself.

Mr. Mann stated that the proposed system is much more user-friendly, especially for the staff.

Mr. Chupp asked if the system included all of the schools.

Mr. Mann stated that it would cover the whole school district, including the bus garage and the school board building.

Mr. Mann stated that the phone system was last updated in 2000.

Mr. Mann stated that the fourth item was a request for the third phase of HVAC units at the middle school. He stated that that would be eight new units.

Mr. Smart asked if the Honeywell quote will still be viable through phase five in 2015.

Mr. Mann replied that they might not use Honeywell for the installation, so the figures shown should be considered an estimate.

Dr. Lukich stated that he wanted to go back to the proposed weight room. He stated that the weight room is about half the size of a normal classroom. He stated that he thought it was a dangerous situation from the standpoint of liability. He further stated that the room had originally been built as a classroom and not a weight room.

Mr. Jones stated that he had done some math and he came up with the figure of sixteen dollars per square foot and he did not think that would be enough money for a new building.

Mr. Mann stated that the building itself would cost around $32,000 and the concrete pad about $20,000. He stated that it would have minimal wiring and minimal heating.

Mrs. Booth referred to the subject of the feasibility of new schools and asked when the new courthouse would be paid off.

Mr. Smart stated that he thought the payoff for the new courthouse was July 2019.
Mr. Jenkins agreed.

Mr. Jenkins stated that he thought before the need for a new school could be determined, a broader conversation would need to be held with the school authorities. He stated that there needs to be more coordination because the school system is asking for monies for a study to determine if a new school is needed and on the other hand asking

for $80,000 for an accessory building for a school that may or may not be there in the future.

Dr. Lukich stated that the proposed study would be able to answer some of those questions.

Mr. Jones stated that he thought the County would want to answer some of those questions on its own.

Don McCann, a school board member, stated that technology is changing so dramatically and they want their students to be ready for the twenty-first century. He further stated that the County should be thinking about what will be needed ten or twenty years from now.

Mr. Jones stated that he appreciated Mr. McCann's comments and it makes sense. He stated that the County should be prepared and know what they could build or renovate, if the funds were to become available. He stated that a cost analysis would be an important thing to have.

Mr. Chupp asked about two of the request items for FY 2014, which were refurbishing the high school track and building tennis courts at the high school. He stated that those were approximately $400,000 worth of improvements for a school that has a fair amount of age. He stated that he thought those items should be moved back until more is known from a potential study.

Mr. Mann stated that the study could determine which route should be taken. He stated that if a new high school were to be recommended, then those items would be pushed farther into the future. He stated that at the present time, he cannot have a track meet at the high school because of the condition of the track and field facilities.

Mr. Jones referred to the proposed request for FY 2016, which was repainting the middle school's roof. He stated that he liked the idea of repainting the roof before it needed to be replaced and commended them on the idea.

Mr. Smart stated that the maintenance issues for the schools are critical because they are a sizable investment.

Mr. Jones thanked the school system's staff for attending the meeting.

J. W. Sawdy, Jr., a District One citizen, asked to speak concerning the weight room at the high school.

Mr. Sawdy stated that eleven years ago, he and another teacher used some of their own money to convert the old agricultural shop building into a weight room. He stated that it was used as such for years. He stated that it was functional and used all of the time.

Mr. Sawdy stated that he had an issue with a new $80,000 building, when there is already something there to serve the purpose.

Mr. Smart asked if he thought the building would need some refurbishment now.

Mr. Sawdy replied that it might need some refurbishment.

Mr. Sawdy stated that he did not understand why the weight room was moved inside of the high school and has never been given an answer about it.

Mr. Smart stated that when the School Board made its rounds, he noticed that the weight room appeared too small and the ventilation did not seem adequate.

Mr. Sawdy stated that the current weight room had been a chorus room, health room, and an in-school suspension room among other things. He stated that there is an old greenhouse behind the school that could also be used. He stated that it would need new walls and a roof and it already has a concrete pad and is being used for storage.

Mr. Jones thanked Mr. Sawdy for his comments and stated that these things would be brought up again at next month's meeting.

CONSIDERATION ITEM #1

UPDATE TO THE COMPREHENSIVE PLAN - INTRODUCTION AND CHAPTER ONE

Mr. Jones asked Mr. Gill to present the issue.

Mr. Gill stated that all Commission members had received revised copies of the Introduction and Chapter One of the Comprehensive Plan. He stated that the Introduction was basically rewritten to accommodate this review. He stated that Chapter One has all of the changes requested at the last meeting highlighted. He stated that the intent of this discussion would be to review and make any other changes deemed necessary. He further stated that the Introduction and Chapter One would need to be scheduled for public hearing once the review is complete.

Mr. Gill stated that the draft revisions to the Comprehensive Plan are now on the County's website.

Mr. Smart stated that he had some suggested changes. He stated that where it discussed the history of the County on page 1-3, he thought it should say, "prior to 1640, Native American Indians had resided in the area and then after 1640, it was settled by people of English descent…"

Mr. Smart referred to the third paragraph in the history section and stated that he thought the fifth sentence should read "Fish, crab, and oyster industries employed many watermen."

Mr. Smart stated that on page 1-4, he thought the second paragraph should include the words, "ending reliance on steamboats for transportation of goods to market" in the last sentence.

Mr. Smart stated that in the sixth paragraph on page 1-4, he thought the word "logging" should be included in the first sentence.

Mr. Smart stated that in the last paragraph on page 1-6, he thought the phrase "within this context" should be excluded from the second sentence.

Mr. Costello referred to page 1-6 and asked why manufacturing was listed as zero, when there is obviously manufacturing in the County.

Mr. Gill stated that census data lists manufacturing as zero because counties with five hundred or fewer employees are excluded.

Mr. Costello asked about the 2002 date.

Mr. Gill replied that it should be 2010.

Mr. Costello suggested that something be mentioned about the small manufacturing firms and the five hundred employee threshold.

Mr. Jones agreed that a sentence should be added to that effect.

Nick Ferriter suggested that the word "minor" be removed when describing this review and the words "at best" be removed when describing the stagnant economy since the last update to the Comprehensive Plan.

The commission agreed.

Mr. Jones made a motion to forward the revised Introduction and Chapter One of the Comprehensive Plan to public hearing at next month's meeting. **VOTE: 5-0**

DISCUSSION ITEM #2

UPDATE TO THE COMPREHENSIVE PLAN - CHAPTER TWO

Mr. Jones asked Mr. Gill to present the issue.

Mr. Gill stated that all Commission members had received a copy of Chapter Two of the current Comprehensive Plan. He stated that he did not expect a thorough discussion on Chapter Two at this meeting, but that he had included it in the packet so that members had an entire month to review it. He further stated that it would return as a discussion item for a detailed review at the February 16, 2012 meeting.

Mr. Smart referred to the amount of acreage that is in the Resource Protection Area (RPA) in the County. He stated that 3.9% of the County was in the RPA, which is pretty significant. He stated that it might be good to add that figure on page 2-2.

There were no other corrections or changes to Chapter Two at that time.

OTHER BUSINESS

Mr. Jones asked Mr. Gill if there were any other public hearings coming up for next month.

Mr. Gill replied that only the Introduction and Chapter One of the Comprehensive Plan so far.

Mr. Chupp reminded the Commission about the upcoming public auction of the Windmill Point properties and asked if there was anything the County could do to procure additional public access to the water.

Mr. Gill stated that the issue would be discussed with the County Administrator.

ADJOURNMENT

The January 19, 2012 regular meeting of the Lancaster County Planning Commission was adjourned at 8:45 p.m.