

Town of Farmville Planning Commission Minutes

Meeting held at

THE TOWN HALL, Town Manager's Conference Room

Tuesday, November 17, 2009, 12:10 p.m.

Members Present: Lloyd McKay, Andy Andrews, Sam Wilson Jr., Edward Gordon

Members Not Present: Gerry Spates

Staff: Cindy Morris, Town Planner, Megan Douglas, Administrative Assistant

The meeting began at 12:10 p.m...

Review and Approval of Minutes:

Mrs. Morris asked if anyone had any corrections, additions or deletions to the September 15, 2009 meeting minutes. There being no changes, Dr. Gordon made the motion to approve the minutes, and Mr. Wilson seconded the motion. All other Members voted "aye".

Update on Conditional Use Permit for Faith & Victory Ministries and Childcare located at 502-B Beech Street:

Council approved the Conditional Use Permit (CUP) for Faith & Victory Ministries and Childcare to operate temporarily with conditions. The conditions consisted of the removal of the playground equipment and repairs to the fencing. Mrs. Morris commented that she and Mr. Philbeck, Building Official, recently visited the site after the 30-day deadline had lapsed to see if the equipment had been taken down and the fencing repaired. Ms. Morris reported that the playground equipment that had the rotten boards had been removed, that there were two (2) pieces of metal playground equipment still on site, and that the fencing had not been repaired. Ms. Morris stated that playground equipment cannot be enforced under the statewide building code and that playgrounds fall under the State Department of Social Services inspections. However, Ms. Morris indicated that Faith & Victory Ministries and Childcare is exempt from State Department of Social Services inspections because they are operating as a religious facility. Ms. Morris informed the Planning Commission, that a letter had been sent from the Town to the operators of the childcare facility stating that the Town will consider the playground equipment and fencing satisfactory if we receive written approval from Virginia Department of Social Services. The Owner of the property, Mr. Dionisio, has also been notified by letter by the Town's Building Official, Mr. Philbeck, concerning the pole structure, the wooden decking and steps. Mr. Philbeck, the Building Official will meet with Mr. Dionisio next week at the site to discuss these items. Dr. Gordon confirmed with Mrs. Morris the conditions that Council had put in place in order for the childcare to continue to operate. Dr. Gordon suggested that the Town send a second letter clarifying the conditions Council set, and that the Conditional Use Permit is based on Town

Council wishes. Mr. Wilson agreed. Dr. Gordon also thought it was a good idea to continue the process with the Department of Social Services for their approval.

Approved Conditional Use Permit for Doris Farrar:

Ms. Morris stated that for the Planning Commission's information the Town Council granted approval on the Conditional Use Permit to operate a bakery located at Mrs. Farrar's residence at 308 Second Avenue. Mrs. Morris stated that the approval letter was included in the Commissioner's packet as information only.

Resignation letter from Ted Cunningham:

Ms. Morris pointed out the resignation letter from Ted Cunningham in their packet. Ms. Morris noted that Virginia Code requires that a Planning Commission shall consist of at least five (5) and no more than fifteen (15) members be appointed by the government. With the resignation of Mr. Cunningham, five (5) Commissioners now remain. It was the consensus by both Planning Commission and Town Council that the Planning Commission members would stay at five (5). Mr. Wilson stated he would like to see "broader and more diverse representation on the Planning Commission." Dr. Gordon agreed and indicated at some point in the future, when Council is considering appointing additional members to the Planning Commission, they will consider Mr. Wilson's comments.

Zoning Map amendments:

Mrs. Morris stated that Town administrative staff has identified three (3) locations on the Town's current zoning map that are incorrectly labeled. Mrs. Morris stated that the Town is initiating these changes and the Town does not anticipate any problems. The Town of Farmville proposes zoning map amendments to the following properties:

- Dogwood Park is located at 200 Milnwood Road in Farmville, VA (tax map #23-A09-A-33) and is currently being utilized for professional offices. This property is .306 acre and is incorrectly shown on the zoning map as R-1. The Town of Farmville proposes to amend the zoning for this parcel from R-1 to B-3 which is consistent with the current use and the adjacent Dogwood Park property to the north which is zoned B-3.
- Baliegh Commons Subdivision is located off Scott Drive in the Town of Farmville, VA (parcel # 38-A-10). This property is currently an undeveloped 67.2 acre subdivision and is incorrectly shown on the zoning map as R-2. The Town of Farmville proposes to amend the zoning for this parcel from R-2 to R-3 which is consistent with the adjacent property to the north and west which is zoned R-3.
- Two parcels which are located south of Layne Street (former parcel #23-4-B/0.27 acre and parcel #22-B-1-1/0.79 acre) are incorrectly shown on the zoning map as B-3. The Town of Farmville proposes to amend the zoning for these parcels from B-3 to R-3 which is consistent with the adjacent properties to the east, west and south.

Planning and Zoning Ordinance Amendments:

The Towns current Code states that the board members shall serve without compensation except for travel expenses. Mrs. Morris stated that the Town Code needed to be amended to be consistent with the Virginia Code. The Town Code will be amended to allow board members to receive compensation set by Council. Currently, Council has the compensation

amount set as \$25.00 per meeting. The Code also allows for one (1) member to be of the administrative staff. Town Council appointed Gerald Spates, Town Manager, to serve as a voting member of the Planning Commission. The Towns code will be amended to reflect that change.

The Town of Farmville is proposing Planning and Zoning Ordinance changes as follows:

- Amend code section 20-28 under Members to read: one (1) of the members shall be an administrative official of the Town.
- Amend code section 29-411 under Appointment and Term to read: the board shall receive compensation as set by Council.

Public Hearing Notice Advertisement:

Mrs. Morris informed the Planning Commission, there would be a joint public hearing regarding the zoning map amendments and planning and zoning ordinance amendments. Ms. Morris pointed out that the notice will not state a joint public hearing instead it will state the the Town Council is holding a public hearing. The public notice will be advertised as such because there are some issues noted in the notice that are not being considered by both the planning commission and council, just council. The Virginia code allows, *"If a joint hearing is held, then public notice as set forth above need be given only by the governing body."* The public hearing is scheduled for Wednesday, December 9, 2009 at 6:45 p.m. Planning Commission members should attend at this public hearing.

Next Regular Scheduled Planning Commission Meeting:

Mrs. Morris reminded the Commissioners of the next regular scheduled Planning Commission Meeting which is scheduled for January 19, 2009 at 12:00 Noon.

Other business:

Mr. Wilson inquired about the request Mr. McKay made at a previous meeting concerning the abandonment of a street adjacent to his property off Second Street. Mr. McKay commented that the Mr. Spates was checking into whether the Town would need an easement for utilities. Ms. Morris stated that she would check on the status of this request.

Mrs. Morris also presented the Planning Commission with printouts from the Town of Farmville's new website. Several Commissioners commented on how well the website was organized and how nice it looked.

There being no other business, Mr. Wilson made the motion to adjourn the meeting at 12:55 p.m., seconded by Dr. Gordon.

Andy Andrews, Chairman

Gerald J. Spates, Secretary