TOWN OF AMHERST
PLANNING COMMISSION
Wednesday, October 4, 2017
AGENDA

7:30 PM

1. **Call to Order –Town Hall @ 174 S. Main Street**

2. **Determination of Quorum**

3. **Appointment of Vicki Hunt as Secretary to the Planning Commission –** *As recommended at the September meeting the Commission might consider appointing Vickie Hunt as the Secretary during its October meeting following the resignation of Town Manager Jack Hobbs. Ms Hunt also serves as Clerk to the Board of Supervisors and is well qualified to also serve the Planning Commission in the preparation of minutes.*

4. **Confirmation of September 6, 2017 meeting minutes -** *(to be attached)*

5. **Public Hearing - Rezoning 258 S. Main Street from R-2 to CBD -** *A full rezoning application for property adjacent to Well Fargo Bank on S. Main Street has been received and a public hearing has been scheduled and advertised for the October meeting per the notice below. Attached are materials related to this request as distributed with the September 6th meeting. Also attached is the advertising notice, listing of property owners to whom a notice was mailed and the related sign affidavit.*

PUBLIC HEARING NOTICE

The Town of Amherst Planning Commission will hold a public hearing at 7:30 PM on October 4, 2017 in the Council Chambers of the Town Hall at 174 South Main Street. The subject of the hearing is a proposal by Matthew Hines, on behalf of Blue Ridge Realty Holdings, to rezone 4.92 acres of land at 258 S. Main Street (TM#96A4-A-49&50 adjacent to Wells Fargo Bank), from General Residential District R-2 to Central Business District CBD.

Documents relating to the request are available for public inspection at www.amherstva.gov and in the Town Hall during normal working hours.

6. **Rezoning Scheduling of Public Hearing Old Mill (Waukeshaw Development, Inc) Rezoning Request –** *A rezoning application for rezoning of the Old Mill property located at 140 Union Road from has been received and a public hearing is proposed for scheduling by the Planning Commission using the following advertisement. Please contact Pete Huber via cell at 540 440-0308 if you have any questions or desire additional information regarding this matter.*

PUBLIC HEARING NOTICE

The Town of Amherst Planning Commission will hold a public hearing at 7:30 PM on November 1, 2017 in the Council Chambers of the Town Hall at 174 South Main Street. The subject of the hearing is a proposal by Waukeshaw Development, Inc, to rezone 7.17 acres of land at 140 Union Hill Road (TM#s 96A7 A 26-29) otherwise known as the Old Mill Property, from General Residential District R-2 to B-2.

Documents relating to the request are available for public inspection at www.amherstva.gov and in the Town Hall during normal working hours.

7. **Zoning and Subdivision Ordinance Update**
As discussed at the September Planning Commission meeting, the Commission reviewed the ***attached*** *listing of proposed revisions to the Zoning and Subdivision Ordinances. The matter is included on the agenda for confirmation of these changes prior to forwarding to the Town Council for inclusion in the overall recodification package. Staff suggests a joint Town Council/Planning Commission public hearing on the whole Town Code late in the fall clearing the way for the adoption of a new Town Code by December 31.*

8. **Other Matters**

9. **Concerns of Staff**

10. **Concerns of Commissioners**

11. **Adjournment**

Town of Amherst
Planning Commission Minutes
September 6, 2017

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill in the Council Chambers of the Town Hall at 174 S. Main Street at 7:30 p.m. on September 6, 2017. It was noted that a quorum was present as indicated below:

Present – June Driskill	
Absent - Kevin Belcher	Present – Clifford Hart
Present – Ted Finney	Present – Kenneth Bunch
Present – William Jones	Present – Mike Mozingo

The vacant seat was filled by Mr. Mike Mozingo. Also in capacity were Town Attorney, Tom Berry, Office Manager, Tracie Wright, and Interim Town Manager, Pete Huber.

The minutes from the August 2, 2017, Commission meeting were approved on a motion by Mr. Hart and seconded by Mr. Finney, and carried a 6-0 according to the following:

Aye – June Driskill	
Absent - Kevin Belcher	Aye – Clifford Hart
Aye – Ted Finney	Aye – Kenneth Bunch
Aye – William Jones	Aye – Mike Mozingo

Rezoning Application
A rezoning application was submitted by Blue Ridge Realty Holdings to rezone parcels 96A4A49 and 96A4A50 from R2 to CBD. After several questions regarding the entrance and VDOT issues, Tom Berry reminded the Commission that the request at this time was simply for rezoning and the Town could address those issues at a later date. Mrs. Driskill approved to advertise for a Public Hearing on this matter to be held at the October 4, 2017 Planning Commission meeting.

Zoning and Subdivision Ordinance Updates
A proposed series of revisions to the Zoning and Subdivision Ordinance were provided to the Commission and discussed at the August meeting with Sections 18.1-506 and 18.1-804 needing further discussion. After discussion, it was agreed that if it was not required to be changed then to leave those sections as they currently are.

Concerns of the Commissioner
Mrs. Driskill asked if everyone received her information that she sent out regarding the County Updates. The Town Commission is concerned about the approval of a Conservation Easement by the Amherst County Planning Commission for land joining the land on 60 West. Tom Berry suggested that a letter from the Town Commission and Town Council be prepared and given to the Amherst County Board of Supervisors expressing the Town's concerns on this decision.

There being no further business, the meeting adjourned at 8:16 p.m. on a motion by Mr. Mozingo, seconded by Mr. Hart and carried 6-0 according to the following:

Aye – June Driskill

Absent - Kevin Belcher	Aye – Clifford Hart
Aye – Ted Finney	Aye – Kenneth Bunch
Aye – William Jones	Aye – Mike Mozingo

_____

June Driskill, Chairperson

Attest: _____

William Thomas Berry, Town Attorney

June 16, 2017

Town of Amherst
Attn: Mr. Jack Hobbs (Town Manager)
174 S. Main Street
Amherst, VA 24521

Re: Rezoning application for tax map parcels 96A4A49 & 96A4A50

Dear Mr. Hobbs:
Blue Ridge Realty Holdings, LLC is requesting the rezoning of tax map parcels **96A4A49 & 96A4A50** also known as 258 S Main Street. We believe the rezoning of this property and its future development is in line with the Town of Amherst recently approved comprehensive plan, and can provide new opportunities for economic growth to the town and its residents. All correspondence can be sent to the below address. Also, all digital contact can be made at blueridgerealtyllc@gmail.com

PO Box 251
Earlysville, VA
22936

If you have any questions, please do not hesitate to contact the undersigned.

Regards,

Blue Ridge Realty Holdings, LLC

By: Matthew Hines, Managing Member

DATE 6/11/17

APPLICATION FOR REZONING
TOWN OF AMHERST
POST OFFICE BOX 280
AMHERST, VIRGINIA 24521
(804) 946-7885

APPLICANT Blue Ridge Realty Holdings
ADDRESS P.O Box 251
Earlysville, VA
CITY 22936
TELEPHONE NO. 201-390-5686

OWNER Same as applicant
ADDRESS
CITY
TELEPHONE NO

REPRESENTATIVE Matthew Hines
ADDRESS Same as applicant
CITY
TELEPHONE NO.

LOCATION OF REQUEST 258 S. Main St
TAX MAP NO. 96A4A49, 96A4A50
LOT AREA 4.92
EXISTING ZONING R2
PROPOSED ZONING CBD

STATEMENT BY APPLICANT Request rezoning for parcels 96A4A49 + 96A4A50. See attached proposed site plan

Applicants are reminded that §18.1-1002 of the Town Code requires signs describing the action requested under this application to be posted on the property.

As (OWNER) (CONTRACT PURCHASER WITH OWNER'S WRITTEN CONSENT, ATTACHED) (OWNER'S AGENT) of the property listed above, I/we hereby petition the Amherst Town Council to rezone the above described property.

Signature of Applicant — Date 6/11/17

PLANNING COMMISSION PUBLIC HEARING — Time — Date

PLANNING COMMISSION ACTION

Zoning Administrator — Date

TOWN COUNCIL PUBLIC HEARING — Time — Date

TOWN COUNCIL ACTION

Clerk of Council — Date

Adjacent property owner information for

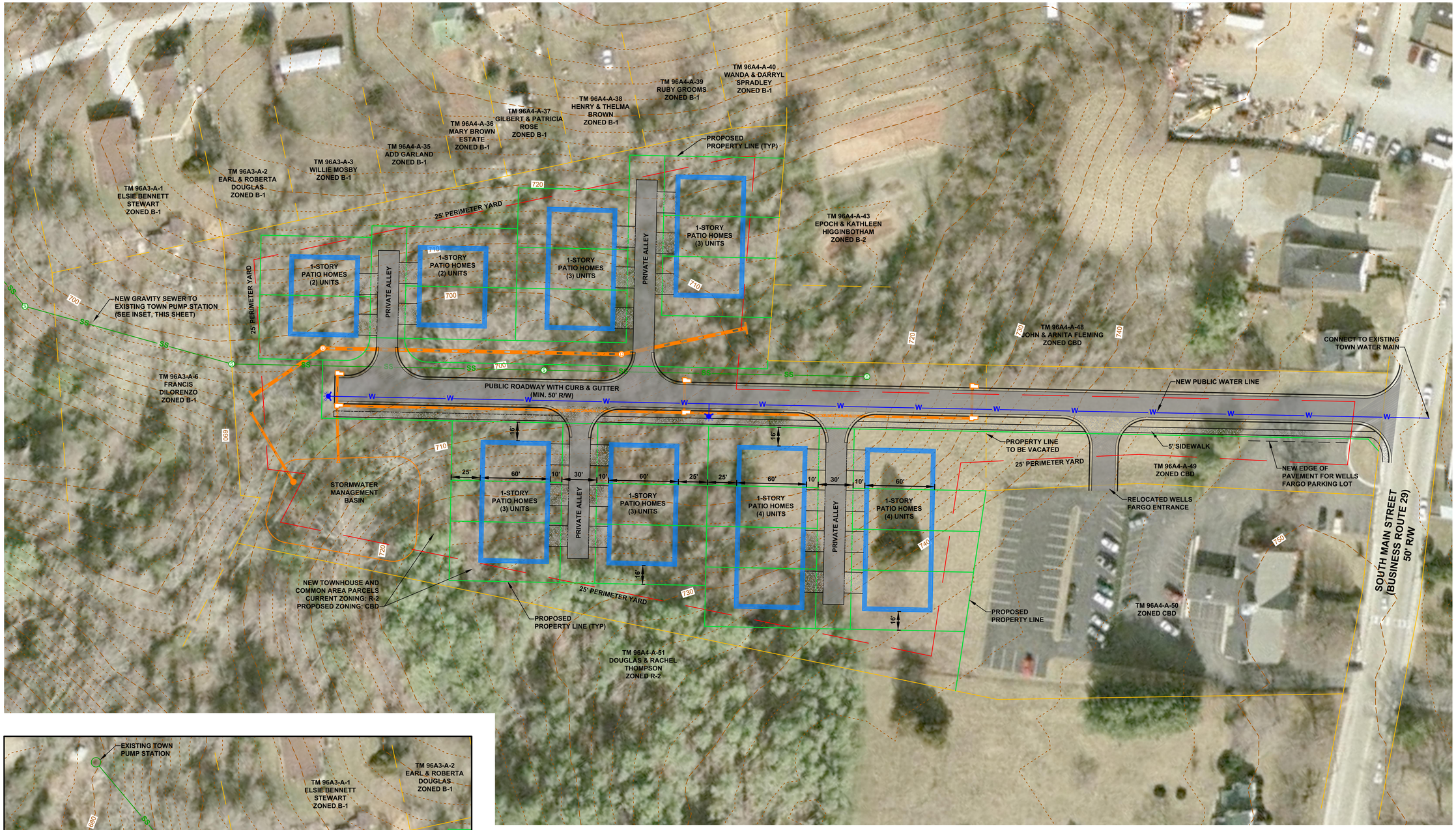
Special Use Permit Application - Rezoning Application - Conditional Zoning Application - Variance Application - Appeal Application

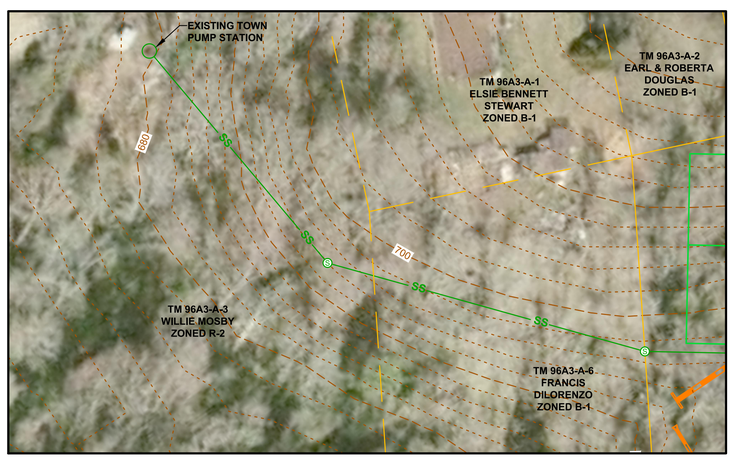
§ 15.2-2204 of the Code of Virginia requires that a notice of pending action to be mailed to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels which lie outside the Town; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property. The purpose of this form is to assist the applicant to collect the needed information from the Amherst County Commissioner of the Revenue's office.

Tax Map #	Physical Address	Owner's Name	Owner's Mailing Address
96A4 A51	268 S Main St	Thomas Douglas	Same
96 A4 A 48	240 main st		1309 Somer Hill Pl Anchorage Ky 40223
96A4A 43	141 W Court St	Epoch Higginbotham	Same
96A3 21,2	197 gregory Ln	Charles Lane	1668 farmington dr forest, VA 24551
96A3A6	N/A	D. lorenzo Francis	P. O box 663 Amherst VA 24521
96A3 41	191 W court St	Elsie Stewart	Same
96 A3 A2	N/A	Earl douglas	727 Kenmore Rd Amherst, VA 24521
96 A3 A3	187 W Court St	Willie Mosby	139 Riviera dr Madison Heights, VA 24572
96 A4 A 35	N/A	Add Garland	1933 S St SE Washington dc 20020
96 A4 A 36	175 W Court St	Mary brown estate	4419 Uber St Philadelphia, PA 19140
96 A4 A 37	173 W Court St	Gilbert Rose	P O box 328 Amherst VA 24521
96A4 A 38	167 W Court St	Henry brown	P.O box 1105 Amherst, VA 24521
96A4 A 39	163 W Court St	Ruby Grooms	694 poor house farm Rd Amherst VA 24521
96A4 A40	153 Court St	Wanda Spradley	P.O box 1562 Amherst VA 24521

Applicants should use as many forms as are needed to provide the needed information.

***Note**: Applicants are reminded that §18.1-1002 of the Town Code requires signs describing pending action by the Planning Commission, Town Council or Board of Zoning Appeals to be posted when approval of a site plan, subdivision, special use permit, rezoning, conditional zoning, variance, or appeal is requested.*





OFFSITE SEWER TO PUMP STATION

NOTES:

1. TOPOGRAPHIC INFORMATION OBTAINED FROM USGS DATA.
2. AERIAL IMAGERY OBTAINED FROM VGIN DATA.
3. BOUNDARY AND ADJACENT PROPERTY OWNERSHIP INFORMATION OBTAINED FROM DRAWING TITLED "ALTA/ACSM LAND TITLE SURVEY PREPARED FOR KBS TRANSACTION PROJECT" DATED NOVEMBER 20, 2012 AND AMHERST COUNTY GIS DATA.
4. LOTS SHALL BE SERVED BY PUBLIC WATER AND SEWER.

40 20 0 40 80
GRAPHIC SCALE IN FEET
1" = 40'

NORTH

HURT & PROFFITT
INCORPORATED
2524 LANGHORNE ROAD
LYNCHBURG VA 24501
800.242.4906 TOLL FREE
434.847.7796 MAIN
434.847.0047 FAX
*ENGINEERING >> SURVEYING >> PLANNING

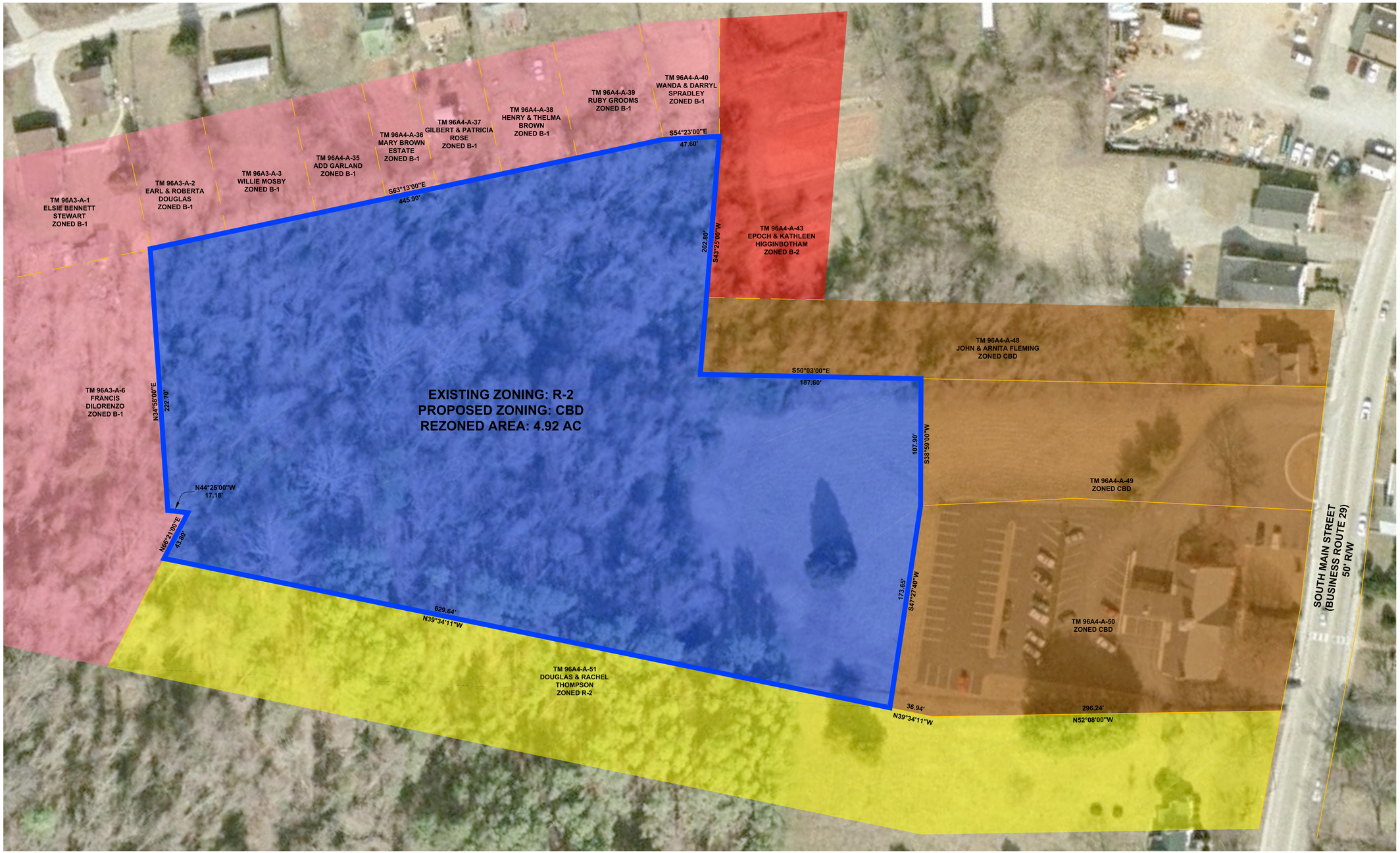
CONCEPTUAL SITE PLAN
FOR
PATIO HOME DEVELOPMENT
TOWN OF AMHERST, VIRGINIA

PROJECT NO.	20160989
LATITUDE:	3 7 ° 3 5 '
LONGITUDE:	7 9 ° 0 3 '
DATE:	6/7/2017
DRAWN BY:	ASK
CHECKED BY:	ASK

HURT & PROFFITT

SHEET NO.
1 OF 1

Jun 07, 2017 - 4:44pm C:\Users\ask\appdata\local\temp\AcPublish_14396\4\SITE.dwg



NOTE: BEARINGS BASED ON A PLAT TITLED "ALTA/ACSM LAND TITLE SURVEY PREPARED FOR KBS TRANSACTION PROJECT" DATED NOVEMBER 20, 2012.

ZONING LEGEND

- B-1: LIGHT COMMERCIAL DISTRICT
- B-2: GENERAL COMMERCIAL DISTRICT
- CBD: CENTRAL BUSINESS DISTRICT
- R-2: GENERAL RESIDENTIAL DISTRICT
- PROPOSED CBD ZONE (CURRENTLY R-2)

40 20 0 40 80
GRAPHIC SCALE IN FEET
1" = 40'

NORTH
BASED ON ALTA/ACSM LAND TITLE SURVEY PREPARED FOR KBS TRANSACTION PROJECT

HURT & PROFFITT
INCORPORATED
2524 LANGHORNE ROAD
LYNCHBURG VA 24501
800.242.4906 TOLL FREE
434.847.7796 MAIN
434.847.0047 FAX
* ENGINEERING >> SURVEYING >> PLANNING

REZONING AREA
FOR
PATIO HOME DEVELOPMENT
TOWN OF AMHERST, VIRGINIA

PROJECT NO.	20160989
LATITUDE:	37° 35'
LONGITUDE:	79° 03'
DATE:	6/7/2016
DRAWN BY:	ASK
CHECKED BY:	ASK

HURT & PROFFITT

SHEET NO.
1 OF 1

Jun 07, 2017 - 4:44pm C:\Users\ask\appdata\local\temp\AcPublish_14\39845\SITE.dwg

Jack Hobbs

From: Kessler, Jeffery B., P.E. (VDOT) <JefferyB.Kessler@VDOT.Virginia.gov>
Sent: Friday, June 16, 2017 4:13 PM
To: Jack Hobbs
Cc: Brown, Sara S. (VDOT); Austin Sr., Donald L. (VDOT); Youngblood, Rick D. (VDOT)
Subject: Proposed Hines townhouse project (behind Wells Fargo Bank) Town of Amherst
Attachments: VDOT_Lynchburg_Site_Plan_Checklist _2016.pdf; VDOT_Lynchburg_Subdivision_Plan_Checklist _2016.pdf; Hines Townhouse Project_S.Main_Town of Amherst_Conceptual Plan.pdf

Thank you Jack;

This is the first I have heard of this development. Based solely on what is being presented on the conceptual plan, the use of a shared commercial entrance serving both the town home development and bank is supported. I question the eligibility of state maintenance of the access road serving the town homes and will require more information justifying this. Also, it appears that rezoning is involved, which allows VDOT the opportunity to play a role in the review process.

If eligible for state maintenance, "connectivity" as defined by VDOT's Secondary Street Acceptance Requirements will need to addressed. Also, the waterline will need to be relocated from beneath the roadway pavement. The conceptual drawing shows more than adequate space behind the curb and gutter to accommodate utilities.

Traffic generation, the connection with South Main Street (Route 29 Business), roadway geometrics, driveway access locations, etc. will all need to be addressed. I have attached a copy of the VDOT Lynchburg District Subdivision Plan Check List and VDOT Lynchburg District Site Plan Check List are to be completed (as applicable) by the engineer, and submitted with construction plans and support documentation.

I will be happy to meet together with you and the developer to discuss this project. I appreciate this opportunity to offer preliminary comments on the conceptual site plan.

Sincerely,
Jeff

Jeffery B. Kessler, P.E.
Area Land Use Engineer
VDOT - Lynchburg
434.856.8293
JefferyB.Kessler@VDOT.Virginia.gov

From: Jack Hobbs [mailto:jack.hobbs@amherstva.gov]
Sent: Friday, June 16, 2017 8:41 AM
To: Kessler, Jeffery B., P.E. (VDOT)
Subject: Hines townhouse project (behind Wells Fargo Bank)

Jeff,

This is a preliminary site plan. The developer and designer have been asked to check in with your shop but I'm not sure whether that has been done.

Do you see any major items that ought to be brought up during the rezoning process?

Jack Hobbs
Town of Amherst

"...I am the way ..."
Jesus, John 14:6

Mr Matthew Hines
3521 Bleak House Rd
Earlysville, VA 22936-2212

RICHMOND VA 230
18 AUG 2017 PM 3 L

Town of Amherst
P.O box 280
Amherst Va 24521

24521-028080

68-444
560 3120

1016

BLUE RIDGE REALTY HOLDINGS, LLC
3521 BLEAK HOUSE RD.
EARLYSVILLE, VA 22936

DATE 8/15/17

Town of Amherst
PAY TO THE ORDER OF

$ 300.00

Three Hundred 00/00 DOLLARS

Security Features Included. Details on Back.

UNITED BANK
@ your service

MEMO Rezoning fee

Received 8/27/2017

Hines/Blue Ridge Realty Holdings Rezoning Application

PUBLIC HEARING NOTICE

The Town of Amherst Planning Commission will hold a public hearing at 7:30 PM on October 4, 2017 in the Council Chambers of the Town Hall at 174 South Main Street. The subject of the hearing is a proposal by Matthew Hines, on behalf of Blue Ridge Realty Holdings, to rezone 4.92 acres of land at 258 S. Main Street (TM#96A4-A-49&50 adjacent to Wells Fargo Bank), from General Residential District R-2 to Central Business District CBD.

Documents relating to the request are available for public inspection at www.amherstva.gov and in the Town Hall during normal working hours.

AFFIDAVIT

I hereby certify that, on September 7, 2017**,** this notice of public hearing was sent by first class mail to the last known address of the owners of neighboring property shown on the current real estate tax assessment books and as required by Section 15.2-2204 of the Code of Virginia, 1950, as amended. The list of owners is below.

The required sign was erected on the site on September 7, 2017.

_____

_____

Date

Parcel Address	Owner	Owner Address	Owner City/State/Zip	Parcel ID
197 GREGORY LN	LANE CHARLES J & STEPHANIE B	1668 FARMNGTON DR	FOREST, VA 24551	96A3 2 1,2
268 S MAIN ST	THOMPSON DOUGLAS L & RACHEL E	P O BOX 726	AMHERST, VA 24521	96A4 A 51
N/A	DILORENZO FRANCIS X REV BISHOP	C/O ST FRANCIS P O BOX 663	AMHERST, VA 24521	96A3 A 6
191 W COURT ST	STEWART ELSIE BENNETT	P O BOX 55	AMHERST, VA 24521	96A3 A 1 96A3 2 6
199 W COURT ST	STEWART ELSIE BENNETT	P O BOX 55	AMHERST, VA 24521	96A3 A 1 96A3 2 6
N/A	DOUGLAS EARL & ROBERTA T	727 KENMORE RD	AMHERST, VA 24521	96A3 A 2
187 W COURT ST	MOSBY WILLIE	139 RIVIERA DR	MADISON HEIGHTS, VA 24572	96A3 A 3
N/A	GARLAND ADD	1933 S ST SE	WASHINGTON, DC 20020	96A4 A 35
175 W COURT ST	BROWN MARY ESTATE	4419 UBER ST	PHILADELPHIA, PA 19140	96A4 A 36
173 W COURT ST	ROSE GILBERT M & PATRICIA	P O BOX 328	AMHERST, VA 24521	96A4 A 37
167 W COURT ST	BROWN HENRY L & THELMA J	P O BOX 1105	AMHERST, VA 24521	96A4 A 38
163 W COURT ST	GROOMS RUBY A	694 POOR HOUSE FARM RD	AMHERST, VA 24521	96A4 A 39
153 W COURT ST	SPRADLEY WANDA T & DARRYL W	P O BOX 1562	AMHERST, VA 24521	96A4 A 40
240 S MAIN ST	FLEMING JOHN R JR & ARNITA F	1309 SOMERHILL PL	ANCHORAGE, KY 40223	96A4 A 48
229 S MAIN ST	BROWN CHARLES R & PHYLLIS B	P O Box 1199	AMHERST, VA 24521	96A4 A 75,76,79
237 S MAIN ST	MORANDY DAVID H & KRYSTAL A &	237 S MAIN ST	AMHERST, VA 24521	96A4 A 74
169 MOUNT OLIVE F	PENN WILLIAM & HELEN	P O BOX 327	AMHERST, VA 24521	96A4 A 29
253 S MAIN ST	ASCENSION EPISCOPAL CHURCH	P O BOX 810	AMHERST, VA 24521	96A4 A 71
141 W COURT ST	HIGGINBOTHAM EPOCH C & KATHLEEN	P O BOX 231	AMHERST, VA 24521	96A4 A 43
N/A	BLUE RIDGE REALTY HOLDINGS LLC	P O BOX 251	EARLYSVILLE, VA 22936	96A4 A 49
240 S MAIN ST	FLEMING JOHN R JR & ARNITA F	1309 SOMERHILL PL	ANCHORAGE, KY 40223	96A4 A 48
258 S MAIN ST	BLUE RIDGE REALTY HOLDINGS LLC	P O BOX 251	EARLYSVILLE, VA 22936	96A4 A 50

PUBLIC HEARING NOTICE

The Town of Amherst Planning Commission will hold a public hearing at 7:30 PM on October 4, 2017 in the Council Chambers of the Town Hall at 174 South Main Street. The subject of the hearing is a proposal by Matthew Hines, on behalf of Blue Ridge Realty Holdings, to rezone 4.92 acres of land at 258 S. Main Street (TM#96A4-A-49&50 adjacent to Wells Fargo Bank), from General Residential District R-2 to Central Business District CBD.

Documents relating to the request are available for public inspection at www.amherstva.gov and in the Town Hall during normal working hours.

WAUKESHAW DEVELOPMENT, INC
230 East Bank Street, Petersburg, Virginia 23803 p. 804/677-5728 f. 804/715-9286

September 27, 2017

Peter Huber
Interim Town Manager
Town of Amherst, VA
174 S. Main St.
Amherst VA 24521

RE: Rezoning Application – 140 Union Hill Road

Mr. Huber:

I am writing this letter to accompany my formal application for rezoning of the property at 140 Union Hill Road, in the Town of Amherst. This is the address of the historic Amherst Mill, which I purchased in August. I would like to repurpose the building in such a way that both celebrates its historic and iconic status, but also affords it a opportunity where we can operate a business, create jobs, and, in the best sense of the word, exploit the mill for the significant tourism potential it has.

I am the owner of Trapezium Brewing, located in Petersburg, Virginia. It is our goal to open an 'outpost' of that brewery at the mill property, which would entail brewing small batches of beer on site, and encouraging guests to enjoy it there, along with some limited food offerings. We also would like to create a small number of places on site where guests could stay the night. To that end, we will be restoring the existing houses on the property, and adding some additional lodging accommodations. We intend to be family-friendly; to keep some animals on site, and to plant fruit trees, vegetable gardens, and raise bees on the property. Our goal is to create a tourist destination centered around the mill itself, which, when we get the water wheel back in commission, will be the only hydro-powered brewery in the country.

At present, the mill and surrounding property is, to my knowledge, zoned agricultural. After an extended, informal review with Jack Hobbs, we have determined that the B-2 zoning would best suit our plans for the property. This zoning classification would accommodate the primary activity of a restaurant/brewery; and the zoning also contemplates non-intensive agriculture, including both crops and animals. The B-2 zone also allows other uses such as lodging establishments (i.e. bed and breakfast businesses and hotels).

Attached please find my formal application. I look forward to working with you on this project.

Sincerely,

J. David McCormack
Waukeshaw Development Inc.

DATE 9.28.17

APPLICATION FOR REZONING
TOWN OF AMHERST
POST OFFICE BOX 280
AMHERST, VIRGINIA 24521
(804) 946-7885

APPLICANT John McCormick
ADDRESS 230 E. Bank St
CITY Petersburg VA 23803
TELEPHONE NO. 8046775728

OWNER LAZY RIVER, llc
ADDRESS 230 E. BANK ST.
CITY petersburg VA 23803
TELEPHONE NO 8046775728

REPRESENTATIVE John McCormick
ADDRESS 230 E. Bank St, 23803
CITY petersburg VA 23803
TELEPHONE NO. 8046775728

LOCATION OF REQUEST 140 Union Hill Rd

TAX MAP NO. 96A7A 29, 96A7A26,27,28 LOT AREA 7.17 AC

EXISTING ZONING _____ PROPOSED ZONING B.2

STATEMENT BY APPLICANT Rezoning is required to "B2" to operate as a business — Restaurant/Brewery

Applicants are reminded that §18.1-1002 of the Town Code requires signs describing the action requested under this application to be posted on the property.

As (OWNER) (CONTRACT PURCHASER WITH OWNER'S WRITTEN CONSENT, ATTACHED) (OWNER'S AGENT) of the property listed above, I/we hereby petition the Amherst Town Council to rezone the above described property.

Signature of Applicant _____ Date 9.28.17

PLANNING COMMISSION PUBLIC HEARING

Time _____ Date _____

PLANNING COMMISSION ACTION

Zoning Administrator _____ Date _____

TOWN COUNCIL PUBLIC HEARING

Time _____ Date _____

TOWN COUNCIL ACTION

Clerk of Council _____ Date _____

DATE 9.28.17

CERTIFICATE OF OWNER'S REPRESENTATIVE
TOWN OF AMHERST
POST OFFICE BOX 280
AMHERST, VIRGINIA 24521
(804) 946-7885

Property Owner	LAZY RIVER LLC
Company	
P.O. Box	
City, State, Zip	230 E. BANK ST Petersburg VA 23803
E-mail Address	DAVE@WARKESHAW.com
Telephone	804 677 5728
Fax	—

This is to confirm that I am the owner of the property described as follows:

Deed Book/Page Number	
Tax Map Number	96 87 A 29, 26, 27, 28
Street Address	140 UNION Hill Rd Amherst VA
Other Description	74 AC INCLUDING mill bldg

and that I hereby make, constitute and appoint:

Representative	JOHN DAVID McCormack
Company	WARKESHAW Development Inc
P.O. Box	
City, State, Zip	230 E BANK ST, Petersburg VA 23803
E-mail Address	DAVE@WARKESHAW.com
Telephone	804 677 5728
Fax	—

my true and lawful agent and in my name, place and stead giving unto this individual full power and authority to do and perform all acts and make all representation necessary, without any limitation whatsoever, to make application for zoning change(s), special use permit(s), and/or variance(s) for the property referenced herein. The right, powers, and authority of said agent herein granted shall commence and be in full force and effect as of the date this is signed and shall remain in full force and effect thereafter until actual notice is received by the Town Manager of the Town of Amherst stating that the terms of this power have been revoked or that another individual has been appointed as my representative.

_____(SEAL)
Owner

STATE OF VIRGINIA AT LARGE, TO WIT:
CITY/COUNTY OF Petersburg

I, Katherine Stokes, a Notary Public in and for the State of Virginia At Large do hereby certify that John David McCormack signed the foregoing instrument before me this 27 day of Sept, 2017.

Katherine Stokes
Notary Public

My Commission Expires: 10-31-19

Katherine Marie Stokes
Commonwealth of Virginia
Notary Public
Commission No. 7501799
My Commission Expires 10/31/2019

Adjacent property owner information for

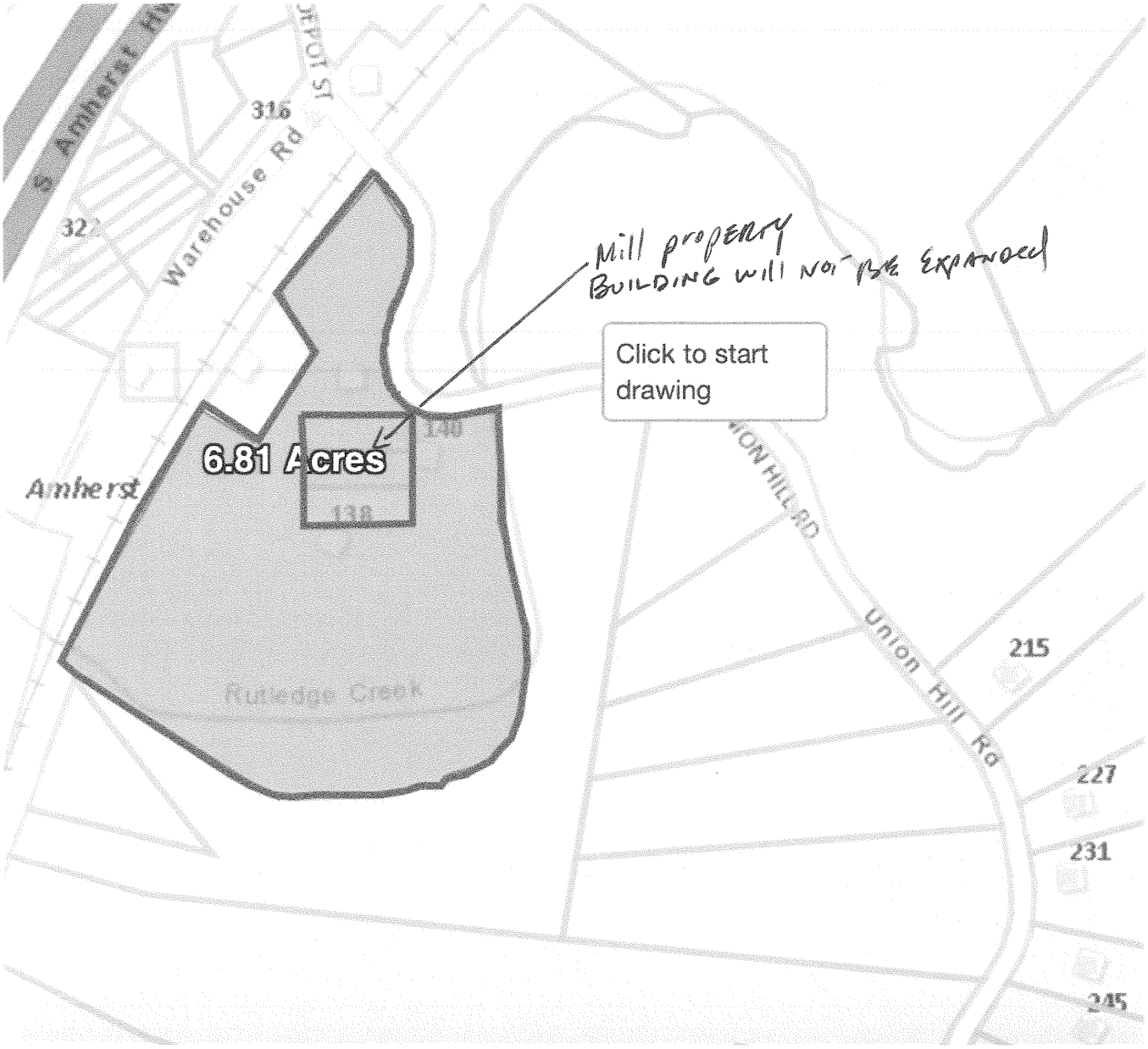
Special Use Permit Application - Rezoning Application - Conditional Zoning Application - Variance Application - Appeal Application

§ 15.2-2204 of the Code of Virginia requires that a notice of pending action to be mailed to the owners, their agent or the occupant, of all abutting property and property immediately across the street or road from the property affected, including those parcels which lie outside the Town; and, if any portion of the affected property is within a planned unit development, then to such incorporated property owner's associations within the planned unit development that have members owning property located within 2,000 feet of the affected property. The purpose of this form is to assist the applicant to collect the needed information from the Amherst County Commissioner of the Revenue's office.

Tax Map #	Physical Address	Owner's Name	Owner's Mailing Address
96 A7 A30 96 A 21B	UNKNOWN UNKNOWN	BILL + PAT WYONER	140 UNION HILL RD, AMHERST VA 24521
96 1-1-7	LAZY RIVER LLC	OWNED BY APPLICANT	N/A
95A79 96 A7 A24	KNUST MICHAEL + DEBRA	N/A 128 LYNCHBURG RD	2502 WATERFRONT DR BRIGHTON MI 48114
96 A7 2 59 60 96 A7 2 61-68			
96 A7 2 64-70 96 A7 A23, 22			
96 A7 A21	N/A	TIGER FUEL CO	PO BOX 1607 CHARLOTTESVILLE VA 22901
96 A7 A20 96 A7 A 44A	N/A	MAYS, MARSHALL & MARLENE	PO BOX 990 AMHERST VA 24521
96 A7 A31	N/A	AMHERST COUNTY	PO BOX 390 AMHERST VA 24521

Applicants should use as many forms as are needed to provide the needed information.

***Note**: Applicants are reminded that §18.1-1002 of the Town Code requires signs describing pending action by the Planning Commission, Town Council or Board of Zoning Appeals to be posted when approval of a site plan, subdivision, special use permit, rezoning, conditional zoning, variance, or appeal is requested.*


S Amherst Hwy
DEPOT ST
316
Warehouse Rd
322
Mill property
BUILDING WILL NOT BE EXPANDED
Click to start drawing
140
6.81 Acres
138
Amherst
UNION HILL RD
Union Hill Rd
215
Rutledge Creek
227
231
245

Required contents for a full Rezoning Application:

- A completed application form, attached.
- A completed certificate of owner's representative, if appropriate.
- A signed cover letter outlining the background and clear justification for the proposed changes.
- Clear mapping showing the extent of where the changes are proposed, including property lines, adjacent streets, buildings, etc.
- A site plan showing the proposed development of the property.
- Applications for conditional zoning should clearly indicate such and include clear supplemental information such as any proffers being made.
- Fees as required by Section 18.1-1009 of the Zoning and Subdivision Ordinance. No fee per 18.1-1009

All documentation should be on reproducible 8½ X 11 paper.

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AMHERST

2755

720 2392

	Section #	Section Title	Issue & Source	Comment
1	§18.1-506	Classification of districts	18.1-506 Consolidate the General Commercial District (B-2), General Transitional Use Zone District (T-1), and Central Business District (CBD) into a Mixed Use District (MXD) o The areas of town with these zoning designations are included within the Town Development Area, meaning they are suitable for higher density and mixed use development. Consolidating these zones into a single zone will bring consistency to the development requirements for the TDA. However, the Central Business District should continue to have an additional set of requirements or allowances given its unique nature. The existing CBD zone could become an overlay zone that addresses unique parking, setback, and mixed use situations. The new Mixed Use Zone would emphasize the elements of traditional town design, including: ; § Allowing mixed use development by right ; § Reduced setback requirements or built to lines ; § Encouragement of shared parking and shared driveways ; § Encouragement of interconnectivity between adjacent parcels ; § Allowing a mix of housing types ; § Allowing for higher density development (Callahan)	The Urban Development Area concept encourages high density mixed uses which is consistent with the Town's idea of encouraging infill development/redevelopment where appropriate. Define a new "mixed use MXD" category to include the CBD, T-1, B-1 and B-2 zones.
2	§18.1-804	Minimum yard requirements	18.1-804: Minimum yard requirements o Issue: There are no minimum setback requirements in the Central Business District. This is a good practice, yet there is no requirement that development is built to the lot line. ; o Opportunity for Improvement: Consider adding a maximum setback provision in the Central Business District of between three and six feet for front and side yard setbacks. This will ensure that the urban form of development with minimal front and rear setbacks between 2nd Street and West Court Street is extended up to the traffic circle as redevelopment occurs over time. (Callahan)	The "build to" line idea requires further discussion.

3			18.1-804: Minimum yard requirements Issue: The zoning code requires a front setback of at least 50 feet in the B-2 District. o Opportunity for Improvement: Consider removing the minimum setback requirement in this district, or reducing it to 15 feet or less. (Callahan)	This idea requires further discussion.
4	§18.1-908	Signs	18.1-908.03. Signs allowed without a permit. In subsection, change "Handicapped" to "Disabled." See Code of Virginia, § 46.2-1240 et seq. (MuniCode)Update sign ordinance per Reed v. Town of Gilbert.	4-page ordinance drafted and ready for hearing.
5	§18.1-914	Regulation of wireless telecommunication facilities	18.1-914 Simplify the cell phone tower ordinance (18.1-914) (Hobbs)	Clarifies that the ordinance is intended to regulate towers, not antennaes or other accessories.
6	§18.1-920.	Landscaping.	18.1-920 Update landscape ordinance to conform to county; delete bonding requirement (Hobbs)	Update, simplify and delete bonding requirement
7	§18.1-1007	Request for subdivision plat approval	18.1-1007.02 Preliminary plat review. Alter to be consistent with Code of Virginia, § 15.2-2260(A) by inserting provisions making submission of a preliminary subdivision plat for tentative approval at the option of the landowner for plats involving 50 or fewer lots. (MuniCode)	Need MuniCode to provide draft section.
8			18.1-1007.04 Final plat review. Alter to be consistent with Code of Virginia, § 15.2-2259. (MuniCode)	Need MuniCode to provide draft section.
9	§18.1-1102	Procedure for site plan review	18.1-1102. Procedure for site plan review. Alter to be consistent with Code of Virginia, § 15.2-2259. (MuniCode)	Need MuniCode to provide draft section.
10	§18.1-1202	Vacation of plats	18.1-1202.01. Vacation of plats with no lots sold. Conform to Code of Virginia, § 15.2-2271. (MuniCode)	Need MuniCode to provide draft section.
11			18.1-1202.02 Vacation of plats with lots sold. Conform to Code of Virginia, § 15.2-2272. (MuniCode)	Need MuniCode to provide draft section.
12			18.1-1202.04 Vacation of boundary lines. Conform to the requirements of the first paragraph of Code of Virginia, § 15.2-2275. (MuniCode)	Need MuniCode to provide draft section.

Amherst County Zoning Ordinance Amendments

Ref: http://www.countyofamherst.com/department/division.php?structureid=95

NOVEMBER 2016	Wireless Broadband Facilities
AUGUST 2016	Distilleries in the Agricultural Residential District
JUNE 2016	Travel Trailer Parks
	Personal Wireless Service Facilities
APRIL 2016	Abandoned and Inoperable Vehicles
	Business and Industrial District Amendments
	A-1 Agricultural Time-Share Projects
NOVEMBER 2015	Misc Code Changes
MAY 2014	Shopping Center/Substance Abuse Treatment Facility Ordinance
	Breweries Ordinance
	Delinquent Charges Ordinance
	Townhouses Ordinance
JANUARY 2014	Dam Break Inundation Zones Ordinance
DECEMBER 2013	Hunt Clubs and Shooting Ranges Ordinance
OCTOBER 2013	Amending the Wireless Communication Ordinance
	Amending Section 907.04 of the Sign Ordinance
	Amending and Adding to Definitions Section
	Amending Landscaping Requirements
AUGUST 2012	Amend Requirements Governing Signs Ordinance
JULY 2012	Family Day Homes, Group Homes, Temporary Health Care Structures Ordinance
	Amend Requirements for Surface Treatment of Parking Lots & Lot Aisles Ordinance
	Farm Wineries Ordinance
	RMU-1 Zoning District Ordinance
MARCH 2012	Wireless Communications Ordinance
JANUARY 2012	Pawnbrokers / Other Uses in Zoning Districts
DECEMBER 2011	Mixed Use Traditional Neighborhood Development Zoning District
DECEMBER 2010	Sign Ordinance Revisions
MAY 2010	Zoning Administrator - Text Amendment
MARCH 2010	LP Gas Containers Ordinance
	Expansion of uses in the V-1 Village Center District
	Off-site Directional Signs Ordinance
FEBRUARY 2010	Planning Commission Charter - Code Amendment
JANUARY 2010	Marine Sales and Service Ordinance
	Substance Abuse Treatment Facility Ordinance
DECEMBER 2009	Small Wind Energy System Ordinance
AUGUST 2009	Revisions to the Family Division Ordinance
JULY 2009	Flag lot and cul-de-sac reduction text amendment
	Revisions to the site plan review requirements