

**THE TOWN OF WEST POINT
PLANNING COMMISSION
JANUARY 2, 2019**

I. Call to Order

The West Point Planning Commission held its regularly scheduled meeting on Wednesday, January 2, 2019. Town Attorney Andrea Erard called the meeting to order.

Members Present: James Brockwell, Vice-Chairman
Stuart Daniel
James Hudson, III
Britney Ball

Members Absent: Mary Montague Sikes
James Vadas

Also Present: Holly N. McGowan, Director of Community Development
Andrea Erard, Town Attorney
Shari Carnell, Recording Aide

II. New Business

A. Organizational Election of New Officers.

James Pruet Planning Commission Chairman has been elected to serve a position on the Town of West Point's Town Council and will no longer serve on the Planning Commission.

Ms. Erard opened the floor for nominations for Planning Commission Chairman. Mr. Daniel made a nomination for Mr. James Brockwell. Mr. Hudson seconded the nomination. Ms. Erard called for a vote of Planning Commission Members, and made a motion for Mr. Brockwell to serve as the Planning Commission's Chairman. All in favor responded "Aye." No one opposed. Motion carried.

Mr. Brockwell took his place as Chairman, and asked if there were any nominations for Vice-Chairman. Mr. Hudson made a nomination for Mr. Stuart Daniel. Mr. Brockwell seconded the motion. Mr. Brockwell made a motion for Mr. Daniel to serve as the Planning Commission's Vice-Chairman. All in favor responded "Aye." No one opposed. Motion carried.

Mr. Hudson made a motion to nominate Shari Carnell to continue as the Planning Commission's recording aide. Mr. Daniel seconded the motion. All in favor responded "Aye." No one opposed. Motion carried.

III. Review of Agenda

Chairman Brockwell asked if there were any changes to the agenda. There were no changes.

IV. Public Hearing

A. Public Hearing on Special Use Permit-Case # SUP2018-01, Lou Elam Johnson, Bed and Breakfast.

The Community Development Office has received a Special Use Permit application from Ms. Lou Elam Johnson to operate a bed and breakfast at 100 Main Street. The property is located in the R-4 Zoning District. A bed and breakfast is a permitted use in the R-4, Zoning District, with the approval of a Special Use Permit.

Chairman Brockwell opened the Public Hearing.

Chairman Brockwell asked Ms. Johnson if she would like to come forward to speak on behalf of the application that she submitted and to answer any questions that the Planning Commission had. Ms. Johnson stated that she has a one bedroom apartment available. Ms. Johnson stated that in Maine she has a rental property that is considered to be a VRBO (Vacation Rental By Owner) and that she would like for this unit to be used in the same manner. Ms. Johnson stated that she would not be serving breakfast.

Chairman Brockwell asked after reviewing the application if Ms. Johnson was applying for the apartment complex as a whole to become a Bed and Breakfast or if she was only applying for one of the units to be used as a Bed and Breakfast. All the units in the apartment complex have the same address but have different unit numbers.

Ms. Johnson stated that her request is only for unit #3. The other units have tenants with long term leases. If this change in use for this unit is unsuccessful as a (VRBO) Bed and Breakfast then Ms. Johnson would like to be able to rent it out to a tenant with a long term lease.

Chairman Brockwell requested that Ms. Johnson write on her application unit #3 to identify which unit is being used as a vacation rental.

Chairman Brockwell asked if there were any adjacent property owners who would like to come forward to speak that they could approach the podium and state their name and physical address and could address the Planning Commission on this case.

1. Beverly Branch, 426 1st Street. Ms. Branch stated that she was confused by the bed and breakfast. She wanted to understand why it was considered a bed and breakfast if there was not going to be breakfast served.

Ms. McGowan stated that the Town Ordinance only permits a Bed and Breakfast as a permitted use, and that is why it is advertised the way that it is. All Bed and Breakfasts, Air B & B's, VBRO's ect. have terms and conditions that limit what is allowed. If someone were to serve breakfast at a Bed and Breakfast they would have to get approval from the Health Department who would also have a set on terms and conditions.

2. Margaret Brown, 419 1st Street. Ms. Brown stated that she would like to know who all received a certified letter about this Bed & Breakfast, because she technically is not an adjacent property owner due to the fact her property is on the other side of the alley.

Ms. McGowan explained that by law she is required to notify all adjacent property owners according to what the Town's definition of an adjacent property owner is. The adjacent property owners who received a certified letter were Ms. Branch, Mr. Bickerton, Mr. & Mrs.

Shreaves, Mr. Agcaras, Mr. Cross, Mr. and Mrs. Brockwell, Mr. & Mrs. Ragsdale, Mr. & Mrs. Estis, Ms. Brown, Ms. Harrison, and Ms. Johnson.

3. Jane Wise, 429 1st Street. Ms. Wise asked when would Ms. Johnson's Bed and Breakfast begin, and how did she plan to advertise that the Bed and Breakfast is available.

Ms. Johnson responded that she has areas in the unit to repair and that she has to furnish the unit, and is hoping to be open for business in approximately 2 months. Ms. Johnson continued that advertising will be done on Home Away Rentals online.

Chairman Brockwell closed the Public Hearing.

Chairman Brockwell stated that he would have to abstain from the Planning Commission's vote in this matter because he is an adjacent property owner.

Mr. Hudson made a motion to recommend approval to Town Council of Special Use Permit case #SUP-2018-01, Lou Elam Johnson to operate a Bed and Breakfast located at 100 Main Street in West Point, VA subject to the following conditions:

1. Unit #3 of the apartment complex located at 100 Main Street shall be rented for short term weekends or week long rentals as a guest house or vacation rental;
2. There shall be no off-premise directional signs advertising this business.

Mr. Daniel seconded the motion. Chairman Brockwell called for vote by roll call. Mr. Daniel, Mr. Hudson, and Ms. Ball all responded, "Aye." Motion carried.

Ms. Erard explained to Ms. Johnson that the next step will be that this go before Community Development meeting on January 14, 2019 and then will be advertised for a Public Hearing at a Town Council meeting in February.

V. Citizens Address The Commission

Chairman Brockwell opened the floor to any citizen to address the Commission. There being none, the citizens address portion of the meeting was closed.

VI. Old Business

Ms. McGowan stated that the Comprehensive Plan is complete unless the Planning Commission has any changes that they would like to make. Ms. Sikes called earlier today and stated that the only change that she would like to make to the Comprehensive Plan is on page 60, she would like for the term "welfare" checks to be changed to a different term with the same meaning. Welfare check is the correct term for the service that the police department provides.

The Planning Commission would like the public's input on the Comprehensive Plan before advertising for a Public Hearing. Hard copies will be made available to view at The Town of West Point Town Hall, and the West Point Public Library. A PDF file will also be made available for the public to view on the Town's website. During February and March's Planning Commission meeting the Planning Commission will have work sessions inviting the

public to share their insights about the Comprehensive Plan before having a Public Hearing in April.

VII. Committee Reports

Mr. Hudson reported that Town Council canceled the regularly scheduled meeting for December and met on December 13, 2018. Town Council has set aside funds for the Chesty Puller Run in June with hopes that it will be as successful as it was last year, and they will be hiring the same company to help again this year. Town Council amended the military leave policy. Mr. Hudson also stated that former Planning Commission Chairman James Pruett is now a Town Council member.

Mr. Daniel reported that the Wetlands Board will be having a meeting on January 15, 2019 at 6:00 p.m. to discuss an extension request for Mennel Milling Co.

VIII. Adoption of Minutes


Mr. Daniel made a motion to adopt the minutes from the October 3, 2018 Planning Commission meeting. Ms. Ball seconded the motion. All in favor responded "Aye." No one opposed. Motion carried.

IX. Next Meeting Date

The next meeting date is set for February 6, 2019.

X. Motion to Adjourn

Mr. Brockwell adjourned the meeting.


Chairman James Brockwell
West Point Planning Commission

Commissioner's Terms

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