## To: New Market Planning Commission

Larry Hale, Chairman

Sherri Erbaugh, Vice Chairman

George Daugharty

Tom Linski, Jr.

Sonny Mongold

**Bob King** 

Harry Wine, Jr.

In accordance with the Planning Commission Bylaws, a regular meeting of the New Market Planning Commission will be held in the Council Chambers of Arthur L. Hildreth, Jr., Municipal Building on <u>Monday.</u>

<u>January 5th. 2026. at 6:30 p.m.</u> Full attendance is respectfully requested.

Summer Medina Zoning Administrator

### **TENTATIVE AGENDA-**

#### Consideration of:

- I. Call to Order and Establishment of Quorum
- II. Pledge of Allegiance
- III. Approval of Minutes from Monday, December 1st, 2025
- IV. Joint Public Hearing

A joint public hearing, with the New Market Town Council, to consider whether to recommend a Conditional Use Permit (C.U.P.) requested by Ramadan Gad, property owner of certain real property located at 9361-9365 N Congress Street, New Market, VA 22844 (Tax Map # 103A1-((A))-66). The applicant proposes to increase the property's use from two (2) commercial units, and one (1) residential apartment to two (2) commercial units, and two (2) residential apartments.

#### V. Joint Meeting with the New Market Town Council

1. Comprehensive Plan Update-Summer Medina

#### VI. Old Business

1. Planning Department Report -Summer Medina

## VII. New Business

- 1. Annual selection of Planning commission Officers-Chairman, Vice-Chairman, and Secretary
- Discussion and consideration to recommend a conditional use permit for a proposed second story expansion that will add one additional residential apartment to the property at 9361-9365 North Congress Street, Tax Map #103-A1-A66. This expansion would increase the property from two (2) commercial spaces, and one (1) residential apartment to two (2) commercial spaces, and two (2) residential apartments.

1	New Market Planning Commission
2	December 1 <sup>st</sup> , 2025
3	
4	CALL TO ORDER AND ESTABLISHMENT OF A QUORUM
5 6 7 8 9	The regular meeting of the New Market Planning Commission was held on Monday, December 1 <sup>st</sup> , 2025, at 6:30 p.m. The following Planning Commission members were in attendance: Chairman Larry Hale, Vice Chair Sherri Erbaugh, Bob King, Harry Wine, Tom Linski, Jr., and Sonny Mongold. Commission member George Daugharty was absent.
10 11 12	Mr. Hale requested Mrs. Erbaugh run the meeting as he was still recovering from health issues. Mrs. Erbaugh agreed to proceed and opened the meeting at 6:30 p.m. and established a quorum with 6 members present.
13 14 15 16	Mrs. Erbaugh led all in attendance in the reciting of the Pledge of Allegiance.
17 18 19 20 21	APPROVAL OF MINUTES:  Mrs. Erbaugh entertained a motion to approve the minutes. Mr. Wine made a motion to approve the minutes of the November 3 <sup>rd</sup> , 2025, meeting of the New Market Planning Commission as written. Mr. Linski seconded the motion. The motion passed with a unanimous voice vote 5-0.
22 23 24	JOINT PUBLIC HEARING: none OLD BUSINESS:
25 26	Ms. Barden reported that zoning permits were approved for a shed at 182 Clark Street, a fence at 119 Courtyard Terrace, and a home occupation permit for an in-home office at 1 Tee Court.
27	NEW BUSINESS:
28 29 30 31 32	Ms. Barden presented a PowerPoint presentation, of which a copy will be filed with the minutes, for the conditional use permit request for 9361-9365 North Congress Street. She noted that this is the same conditional use permit that was presented in previous meetings and was the subject of the joint public hearing in November. Ms. Barden explained that it was brought to their attention that not all property owners were properly notified of the joint public hearing, therefore the process had to begin again.
33 34 35 36 37 38 39 40 41	Ms. Barden presented the conditional use permit information for the property at 9361-9365 North Congress Street. The property is two commercial spaces on the first floor, and one residential space on the second floor. The proposed use of the property would maintain the two commercial spaces but increase the residential space from one to two. The conditional use permit is required per Section 70-146 Multi-Family Regulations, under Additional Requirements #2, as well as Section 70-51 Permitted Uses with a Conditional Use Permit, under section B. Ms. Barden explained that there would be a small addition of a stairwell on the back side of the building to give access to the residential units. There are about 18 parking spaces that could be created with a minimum of four parking spaces for the residential units. She noted that the planning commissions' previous requests for designated residential parking

42 spots with signage were communicated to the property owner. The property owner was fine with this 43 request. There are no changes to the setbacks, and area regulations are met with the requirement being 44 10,000 square feet and this property is approximately 15,000 square feet. Ms. Barden address topics of 45 concern that have been brought to staff. The first being stormwater on the back side of the property if it 46 were to be paved in the future. Shenandoah County's Erosion and Sediment Control Program 47 Administrator confirmed that the proposed plans do not raise any storm water concerns due to the size 48 of the property. He explained to her that any land disturbance over 10,000 square feet would require 49 review by the county, and any disturbance over 1 acre would require a review from DEQ. He noted that 50 if the property owner paves the property later and it creates a runoff issue and impacts on a neighboring 51 property it would be considered a civil matter. The second concern was about ADA compliance and 52 building codes. She explained that once the permit was received, she spoke with the county about their 53 building codes and shared the site plans, current use and the proposed use, as well as the fact that the 54 commercial spaces were currently gutted. They stated there were no red flags for them in reference to 55 the building codes. Ms. Barden followed up with the county and inquired if these plans would trigger 56 any ADA compliance issues that would need to be addressed. They advised that there weren't any issues 57 with the site plans for ADA compliance. When the property owner goes through the county's building 58 permit process, this will be reviewed by the county again. Another concern was the entrance to the 59 parking area in the rear of the property. Ms. Barden showed a photo, in the PowerPoint presentation, 60 that depicted the side alley on the north side of the building which is accessed from Congress Street. She stated that there is no access to the parking area from the rear of the building. There was discussion 61 62 about the different access points for the commercial units. Mrs. Erbaugh inquired if the property owner 63 has any businesses interested in the commercial units. Ms. Barden stated that she did not know, but he 64 is also waiting to get the conditional use permit approved before moving forward. Ms. Barden 65 proceeded with her PowerPoint presentation to explain the existing site plans as well as the proposed 66 site plans for the first and second floor. She provided a photo to show the back of the property with the 67 proposed site plans with the staircase. Mrs. Erbaugh asked if another joint public hearing would need to 68 be scheduled. Ms. Barden stated that if they want to move forward with the conditional use permit 69 process, that would be the next step. Mrs. Erbaugh noted that the motion needs to include the 70 residential parking spaces being designated. Ms. Barden stated she would contact the attorney to 71 inquire if a condition can be made to say that the entrance can only be from Congress Street.

- Mr. King inquired how we require people to have trash removal and stated he noticed that some places have the town trash bins, but others have dumpsters. Ms. Barden explained that our ordinance dictates
- 74 what is required per the use of the property and how much trash is produced, such as restaurants.
- 75 Mr. Linski inquired if there was a building permit on Shenvalee Drive, as he noticed stakes placed for a
- building. She stated that it was approved and meets the setbacks.
- 77 Mrs. Erbaugh redirected the conversation back to the conditional use permit and asked if anyone would
- 78 like to make a motion to move forward with the process.
- 79 Mr. Linksi made a motion to move the conditional use permit for a joint public hearing with the New
- 80 Market Town Council. Mr. Wine seconded the motion. With no further discussion, the motion passed
- 81 unanimously with a 5-0 voice vote.
- Ms. Barden stated that with that motion the joint public hearing will be at the January meeting of the
- 83 planning commission.

Mr. Mongold informed the planning commission of a citizen's comment and concern about the increased traffic on Clicks Lane due to the new homes built at Courtyard Terrace and believes they need to be widened. Mr. Mongold expressed his concern about the homes that are along Clicks Lane that are not considered in-town and that those properties should be annexed before any work is done on the road. Mr. King asked Mr. Mongold what the benefits would be for the town to do that, as the cost of the sewer connections would be expensive and the function of the sewer system. Mr. Mongold asked then how do you widen the road, and Mr. King stated that it would be a VDOT issue since they manage the roads. Ms. Barden stated that the State did not allow us to manage our own roads. There was discussion about a sidewalk on Clicks Lane. Mr. Linski asked if the town has run the numbers on annexing those houses into town, and what the revenue would be over several years. Mr. King stated that the topic has never been brought up in a serious conversation. After discussion, Ms. Barden said that she would do some research on what annexing would look like and how much it would cost, and the potential revenue.

#### **ADJOURNMENT**

With no further business to discuss, at 6:57 p.m., Mr. Linski made a motion to adjourn the meeting. Mr. Wine seconded the motion which passed on a unanimous 5-0 voice vote.

Amber Smoot, Secretary



9418 JOHN SEVIER ROAD • P. O. BOX 58 • NEW MARKET, VIRGINIA 22844

#### NOTICE OF PUBLIC HEARING

Notice is hereby given in accordance with Section 15.2-2204 of the Code of Virginia that the New Market Town Council will consider whether to approve, and the New Market Planning Commission will consider whether to recommend, a Conditional Use Permit (C.U.P.) requested by Ramadan Gad. A joint public hearing will be held in the Council Chambers of the Arthur L. Hildreth Municipal Building, 9418 John Sevier Road New Market, Virginia, on Monday, January 5, 2026, at 6:30 p.m., or as soon thereafter as the matter may be heard, at which time interested persons will have the opportunity to speak and be heard concerning the C.U.P. The details of the C.U.P. application include the following:

- Ramadan Gad owns certain real property located at 9361-9365 N Congress Street, New Market, VA 22844 (Tax Map # 103A1-((A))-66).
- The applicant proposes to increase the property's use from two (2) commercial units, and one (1) residential apartment to two (2) commercial units, and two (2) residential apartments.

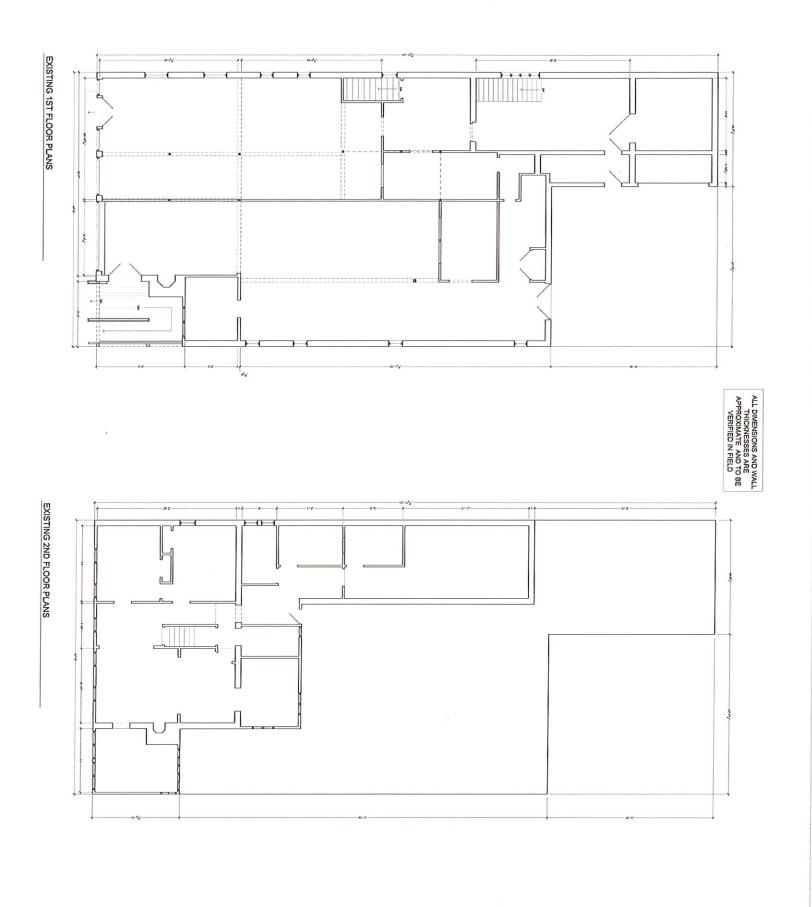
A copy of the C.U.P. application referenced above, and the current zoning ordinance are available for public review during regular business hours at the New Market Town Office, 9418 John Sevier Road, New Market, Virginia. Copies are also available for review online at <a href="http://www.newmarketvirginia.com/planning-commission">http://www.newmarketvirginia.com/planning-commission</a>.

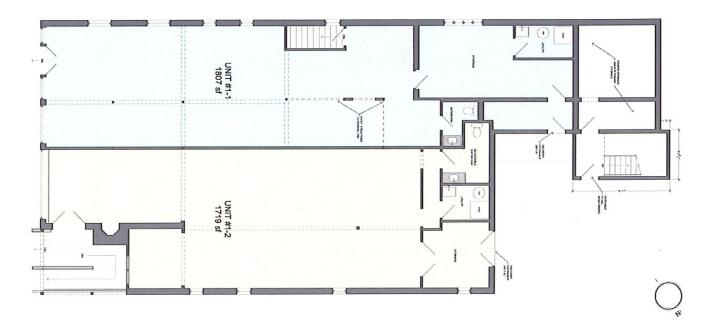
All public meetings are intended to be accessible to persons with disabilities in accordance with the Americans with Disabilities Act. A person requiring accommodation and/or auxiliary aids shall notify the Zoning Administrator at least five days prior to the scheduled meeting.

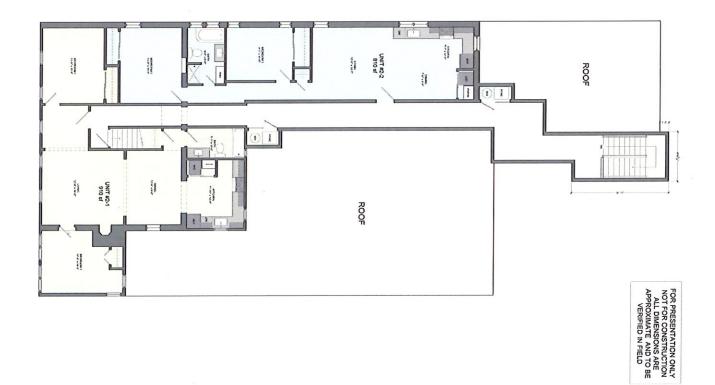
Summer Barden, Zoning Administrator

703209.5131
angela@pochedrafting.com
SCALE: 1/4" = 1'



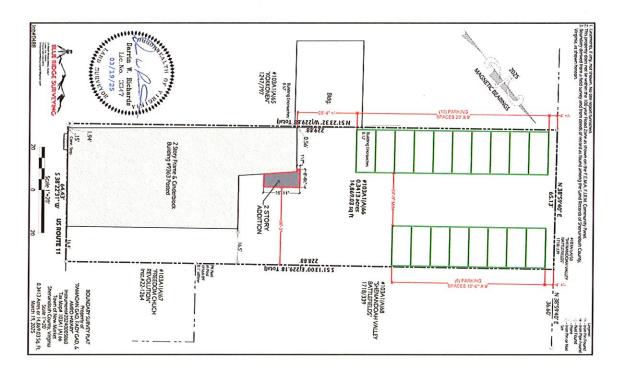








9365 N Congress St New Market, VA 32844





# CONGRESS ST SHOPS + APARTMENTS

