

**Christiansburg Planning Commission
Minutes of July 14, 2014**

Present: Matthew J. Beasley
Ann Carter
M.H. Dorsett, AICP
Jonathan Hedrick
Steve Huppert
Craig Moore, Chairperson
Joe Powers, Vice-Chairperson
Jennifer D. Sowers
Nichole Hair, Secretary ^{Non-Voting}

Absent: Harry Collins
David Franusich

Staff/Visitors: Missy Martin, staff
Sara Morgan, staff
Todd Walters, staff
Jim Vanhoozier, Town Council
Cindy Wells Disney, Montgomery County Planning Commission
John Neel, Gay and Neel, Inc.
Steve Semones, Balzer and Associates, Inc.
Todd Robertson, Stateson Homes

Chairperson Moore called the meeting to order at 7:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia, following the pledge of allegiance, to discuss the following items:

Public Comment.

Chairperson Moore opened the floor for public comment. No public comments were made. Chairperson Moore closed the public comment period.

Approval of meeting minutes for June 30, 2014.

Chairperson Moore introduced the discussion. Commissioner Beasley made a motion to approve the Planning Commission meeting minutes. Commissioner Dorsett seconded the motion, which passed 8-0.

Discussion by Planning Commission on Council's intention to adopt an ordinance in regards to the definition of bed and breakfast inn. The Planning Commission public hearing was held on June 30, 2014. The Town Council public hearing was held on July 8, 2014.

Chairperson Moore read the proposed definition for bed and breakfast inn: A single-family, owner-occupied dwelling which, as an accessory use, offers no more than six bedrooms (one of which may be located in an accessory structure) for short-term transient occupancy for compensation and where food service for resident guests is limited to breakfast only. In addition to the functions for overnight guests, the bed and breakfast inn may hold special events and social gatherings. Chairperson Moore indicated the changes are to six bedrooms instead of five, including one which may be in an accessory structure and the allowance of special events and social gatherings.

Commissioner Dorsett made a motion to recommend to Town Council the ordinance be adopted as written. Commissioner Hedrick seconded the motion. Commissioner Huppert discussed the Town Council meeting and the how the Council and Planning Commission should work to stimulate the economy for the success of downtown. Commissioner Dorsett believes historical preservation needs to be commercially viable. She noted bed and breakfasts are a good way to restore large properties for historic preservation. The motion passed 8-0.

Contingent on Item 3, discussion by Planning Commission on a Conditional Use Permit amendment request by Linda Wortzberger for a bed and breakfast inn at 311 E. Main Street (tax parcel 527-((A))-127) in the R-3 Multi-Family Residential District. The Planning Commission public hearing was held on June 30, 2014. The Town Council public hearing was held on July 8, 2014.

Chairperson Moore read the eleven draft conditions associated with the Conditional Use Permit.

1. Continue to maintain the extended privacy fence around all four sides of the back yard.
2. Continue to maintain the existing asphalt parking area in side yard to accommodate the existing parking spaces.
3. No commercial lighting of any kind is to be placed anywhere on the property.
4. The building shall be in conformance with state and local Building and Fire Regulations to the satisfaction of the Christiansburg Building Official and Fire Marshall.
5. That the bed and breakfast inn be limited to 6 rooms, including one (1) guest room in an accessory structure.
6. That the number of special events and social gatherings in a 12 month period be limited to ____.
7. No more than 25 persons, exclusive of bed and breakfast guests, shall attend a special event or social gathering at this location.
8. Special events and social gatherings shall be limited between 11:30 a.m. and 3:30 p.m.

Contingent on Item 3, discussion by Planning Commission on a Conditional Use Permit amendment request by Linda Wortzberger for a bed and breakfast inn at 311 E. Main Street (tax parcel 527-((A))-127) in the R-3 Multi-Family Residential District – (continued).

9. No weddings or wedding receptions shall be held at this location.
10. This permit shall be revocable for violations of Chapter 4 "Advertising" of the Christiansburg Town Code occurring on the property.
11. Parking for special events and social gatherings shall be limited to the driveway and along the north side of Park Street and along the east side of Main Street, adjacent to this location. All guests of special events and social gatherings shall be notified in writing of the parking locations.

Ms. Hair provided the Commission with an email from a citizen regarding this request.

Commissioner Carter asked for clarification regarding Condition #2. Chairperson Moore clarified the meaning of the condition; they have to maintain the parking that is present on the property. He noted additional parking can be added to the property but they cannot reduce the current amount.

Commissioner Dorsett asked about the special events on the property and Ms. Hair clarified the small events that could be held on the property.

Commissioner Powers brought up the noise complaints from citizens at the last meeting. Ms. Hair clarified that the noise ordinance is not enforced during the proposed hours. Commissioner Dorsett believes the main concern about noise stemmed from weddings that would not occur on the property. Commissioner Beasley agreed with Commissioner Dorsett. Commissioner Powers noted his concern regarding the noise stemming from loud speakers and the amplification of music. Ms. Hair clarified that loud speakers would require a Town permit. Chairperson Moore asked to include a condition about a permit required for amplified music. Commissioner Powers would like the condition to include revoking the Conditional Use Permit if the loud speaker permit is violated.

Commissioner Powers noted the letter from the Lights and his concern regarding the parking plan. He would like to ensure the parking stays in the area adjacent to The Oaks. Ms. Hair clarified this would be on a complaint basis and that on street parking is allowed by right. If there was a parking issue the police would be called.

Commissioner Hedrick proposed a formal notification of the event, to prepare the neighbors in regards to the possible parking and noise concerns. Chairperson Moore proposed an additional condition to notify neighbors. Commissioner Hedrick believes a three day notification would be appropriate in the form of a door flyer. Ms. Hair asked if the applicants should supply the Planning Department with a notification to add to their file. Chairperson Moore and Commissioner Carter liked Ms. Hair's idea. Ms. Hair asked which neighbors should be notified of the event.

Contingent on Item 3, discussion by Planning Commission on a Conditional Use Permit amendment request by Linda Wortsberger for a bed and breakfast inn at 311 E. Main Street (tax parcel 527-((A))-127) in the R-3 Multi-Family Residential District – (continued).

The Planning Commission stated the adjoining and across the street neighbors. Commissioner Carter noted that if parking is allowed on Park Street, those neighbors should be notified as well. She disagrees with allowing parking on Park Street. Many citizens have called Commissioner Carter about this issue.

Commissioner Dorsett suggested a monthly flyer stating the upcoming special events. Many commissioners agreed with Commissioner Dorsett. Commissioner Hedrick noted that the flyer needs to be in hard copy rather than an electronic flyer.

Ms. Hair read Condition #12 and #13 that has been added by Planning Commission. Condition #12, amplified music and other amplifications require a Town loud speaker permit. Condition #13, the applicant shall provide written notification to adjoining properties and the Town of Christiansburg Planning Department of upcoming events at least three days prior to the events. Adjoining properties are to include across the street, on Park Street and East Main Street.

Commissioner Dorsett asked about signs related to events. Ms. Hair clarified the sign permit process.

Commissioner Dorsett brought up the residential neighbors holding a party at the same time as a special event. Chairperson Moore noted the parking ramifications if this were to occur.

Chairperson Moore brought up the Park Street parking concern. Commissioner Carter noted the number of people who have contacted her regarding the parking on Park Street. Commissioner Dorsett asked if there is a yellow curb in this location. Both Ms. Hair and Mr. Todd Walters do not believe there is. Chairperson Moore has asked the Engineering Department to go into the field to make sure the sight distance is not obscured. Commissioner Huppert and Commissioner Carter discussed the use of the School Board property for parking purposes. Commissioner Powers noted that the applicant has not proposed a plan for parking. Chairperson Moore noted that, as written, the applicant would be responsible for finding additional parking if there is a conflicting event held by a residential neighbor.

Commissioner Powers asked about the "no more than 25 people." Who does that include? Chairperson Moore suggested 25 people on the property associated with the event. Commissioner Dorsett suggested 25 guests and the additional event workers. Commissioner Hedrick noted that The Oaks can inform the caterers that they need to be off the property at a certain time. Chairperson Moore suggested adding a condition for where service personnel vehicles park. Commissioner Dorsett and Ms. Hair noted the current parking options on the property. Commissioner Powers would like to be more restrictive in the beginning of this Conditional Use Permit and have the applicant come back in a couple years for an amendment.

Contingent on Item 3, discussion by Planning Commission on a Conditional Use Permit amendment request by Linda Wortzberger for a bed and breakfast inn at 311 E. Main Street (tax parcel 527-((A))-127) in the R-3 Multi-Family Residential District – (continued).

Commissioner Dorsett does not agree with Commissioner Powers because that is setting them up for failure and not allowing them to be commercially viable. She likes the idea of 30 people rather than 25 to allow for the various staff members. Commissioner Carter does not agree. Commissioner Hedrick suggested 30 people; 25 guest, and 5 vendors and Oaks employees. Commissioner Carter does not agree with the idea of 30 people.

Commissioner Huppert liked the condition as is and would like the CUP be reevaluated in a certain amount of time to see what issues arise. He does not want to be restrictive Commissioner Powers would like to add a condition to reevaluate the permit in set amount of time. Ms. Hair informed the Planning Commission that reevaluating the CUP is an option and this CUP would be monitored on a monthly basis by Planning Staff. The Commission discussed the amount of time to reevaluate with the consideration of busy seasons for the applicant. The Commission decided to review in June 2015.

Commissioner Dorsett brought up Condition #6. She does not believe the applicants will be holding an event every single day. Chairperson Moore believes setting a number now would be beneficial. The number of events was discussed by the Commission. Chairperson Moore and Commissioner Carter believe one event a week would be disruptive to the neighborhood. Chairperson Moore noted the implications of the special events on the surrounding neighbors and how they should be considered when setting this number. Commissioner Hedrick does not want to stifle the applicant if this is a successful business venture for them. Chairperson Moore noted that the number could be reevaluated in June 2015. The Commission decided the special events are limited to 18 events in a 12 month period.

Ms. Hair went over the additional conditions outlined by the Commission.

Commissioner Carter asked for clarification on Condition #7. Chairperson Moore clarified that Condition #7 has not been modified.

Commissioner Dorsett made a motion to recommend approval of the Conditional Use Permit amendment to Town Council with the drafted 14 conditions. Commissioner Hedrick seconded the motion. Commissioner Carter asked that Mr. Walters address her concerns with the parking on Park Street. The motion was passed 8-0.

Discussion by Planning Commission on a Conditional Use Permit request by Derrick Lancaster for a towing service at 880 Radford Street (tax parcel 525-((A))-38) in the B-3 General Business District. The Planning Commission public hearing was held on June 30, 2014. The Town Council public hearing was held on July 8, 2014.

Chairperson Moore asked Ms. Hair if any notifications were given by the public. Ms. Hair stated the conditions have been revised with the applicant's representative, Mr. John Neel.

Mr. Neel provided the Commission with a sketch of the site development plan.

Chairperson Moore read the twelve drafted conditions:

1. The property is to be maintained in a clean, sanitary, and sightly manner.
2. This permit is for a towing service, not a commercial garage or body shop or for conducting bodywork.
3. All parts, including faulty parts, tires, etc. are to be kept inside the garage or a fully enclosed building (including a roof) until disposal.
4. All waste petroleum products and/or chemicals are to be disposed of properly and are not to accumulate upon the premises. Provisions are to be made for the capture of leaking petroleum products and/or chemicals.
5. Mechanical work is not to be performed on-site, other than to owner's vehicles
6. There are to be no loud offensive noises so as to constitute a nuisance to the residential properties in the vicinity.
7. There are to be no discernible noises to residential properties in the nearby vicinity between 7:00 p.m. and 7:00 a.m.
8. This permit shall be revocable for violations of Chapter 4 "Advertising" of the Christiansburg Town Code occurring on the property.
9. The property is to be used for the storage of business related vehicles and equipment only.
10. This permit shall be subject to administrative review on an annual basis.
11. This permit shall be valid for Derrick Lancaster, the present applicant only and is non-transferrable.
12. This permit shall exempt Derrick Lancaster from installing 15 parking spaces. Any future tenant or use shall comply with all parking requirements.

Chairperson Moore asked if the Commission had any questions about the sketch for the applicant's representative. Commissioner Powers asked about the water collecting on the property. Mr. Neel explained the applicant plans to work with the Town's Engineering Department in regards to the drainage of the property. This concern will be addressed during the site plan process.

Commissioner Huppert appreciates Condition #11 and believes it makes a lot of sense. Mr. Neel explained the intent of the garage in regards to Condition #11 and #12.

Commissioner Powers indicated he likes the plan provided by Mr. Neel.

Discussion by Planning Commission on a Conditional Use Permit request by Derrick Lancaster for a towing service at 880 Radford Street (tax parcel 525-((A))-38) in the B-3 General Business District. The Planning Commission public hearing was held on June 30, 2014 – (continued).

Commissioner Powers would like to add Condition #13 that the site development will be in general conformance with the site plan date 7-11-14. Mr. Neel agrees with the condition proposed by Commissioner Powers.

Commissioner Carter inquired if Total Care Car is on the Town's towing list. Mr. Neel indicated they are.

Ms. Hair read the additional condition regarding the conformance with the site plan.

Commissioner Dorsett made a motion to recommend approval of the Conditional Use Permit to Town Council with the 13 drafted conditions. Commissioner Sowers seconded the motion, which passed 8-0.

Discussion by Planning Commission on a Conditional Use Permit request by Marvi D. Stine and Gregory D. Duncan for a single family residence at 404 Roanoke Street (tax parcel 527-((A))-15) in the B-3 General Business District. The Planning Commission public hearing was held on June 30, 2014. The Town Council public hearing was held on July 8, 2014.

Chairperson Moore read the drafted condition:

1. A single accessory apartment for a caregiver shall be allowed in conjunction to the single family residence.

Commissioner Carter made a motion to recommend approval of the Conditional Use Permit to Town Council with the drafted condition. Commissioner Beasley seconded the motion, which passed 8-0.

Chairperson Moore would like to encourage buyers to be aware of the property they are buying. Commissioner Dorsett noted this is a predominately residential area. Commissioner Carter noted that buyers need to educate themselves before buying a property.

Discussion by Planning Commission on Council's intention to adopt an ordinance in regards to a rezoning request Stateson Homes for property located on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) from A Agricultural to R-1 Single Family Residential with proffers. The property contains 35.4 acres and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. The Planning Commission public hearing was held on June 30, 2014.

Chairperson Moore read the drafted proffer statement provided by the applicant. There are four proffers.

Commissioner Dorsett asked about the buffers. Ms. Hair clarified that the buffers would be addressed in the site development with the Conditional Use Permit.

The rezoning and Conditional Use Permit distinction was clarified by Ms. Hair and Commissioner Powers.

Ms. Hair noted the applicant is proffering a lower density than what is allowed by right in the R-1 Single Family Residential zone.

Commissioner Hedrick brought up the traffic issues associated with the development. Commissioner Dorsett noted the medium to high residential designation in the Comprehensive Plan for this property. If approved the density in R-1 would be 3 units per acre. Ms. Hair confirms that if the rezoning was approved the development could be developed regardless of the passing of the following Conditional Use Permit.

Chairperson Moore confirmed that conditions cannot be added to the rezoning.

Commissioner Hedrick asked Mr. Walters about the traffic impact of the proposed development on Stafford Drive. Commissioner Dorsett believes not all residents will come out of the development on Stafford Drive once the light is put in at Quinn W. Stuart Blvd. Commissioner Hedrick noted the residential properties located on Stafford Drive and the current land uses. Commissioner Hedrick stated he felt the access road next to the railroad up could be an entrance to the proposed development. Mr. Walters clarified that the access road cannot be used as access to the property because it is an easement specifically for the Town. Additionally, Mr. Walters was not sure there is enough room for a 50 foot wide right-of-way for a road. Commissioner Hedrick and Commissioner Dorsett discussed the access on Stafford Drive being transferred to where the easement is and the viability of this idea. Mr. Walters does not believe that is a viable option from VDOT standards.

Commissioner Huppert asked Mr. Walters if Stafford Drive could handle more traffic. Mr. Walters noted that there will be more vehicles on the road but the width will not be affected.

Discussion by Planning Commission on Council's intention to adopt an ordinance in regards to a rezoning request Stateson Homes for property located on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) from A Agricultural to R-1 Single Family Residential with proffers – (continued).

Commissioner Huppert asked about the widening of Stafford Drive. Mr. Walters stated the Town has additional right of way to widen Stafford Drive but the pavement would not be 30 feet. Commissioner Powers asked about the ideal amount of pavement. Mr. Walters indicated 30 feet of pavement.

Commissioner Dorsett asked where a light would be placed on Route 114. Mr. Walters stated that he does not know where the light would be placed until the study is conducted. He added that the traffic volume on Quin W. Stuart Blvd. does not currently warrant a traffic light.

Commissioner Powers and Commissioner Hedrick asked Mr. Walters to clarify the VDOT warrants and improvements being made to Route 114. Commissioner Hedrick discussed the turning options from Quin W. Stuart Blvd. onto 114 versus Stafford Drive onto Route 114. At Stafford Drive one is able to sit in the turning lane on 114 before moving into the travel lane, while a median prevents vehicles from using a turning lane at Quin W. Stuart Blvd.

Commissioner Huppert asked if the applicant could proffer some money for the width of Stafford Drive. There was discussion about the proffer statement. Ms. Hair clarified that they can make additional proffers.

Commissioner Dorsett noted that Stafford Drive is not the only exit of the development. She believes the other entrance will also be utilized.

Commissioner Hedrick spoke about his experience with the access to Route 114 since living in The Villas. Commissioner Dorsett believes the traffic light will be implemented at Quin W. Stuart Blvd. since the Town's public park will be located south of it. Commissioner Hedrick noted that we do not know what will happen since the traffic studies have not been conducted. Ms. Hair noted that the property zoned business may trigger the need for a traffic light.

Mr. Walters provided information on the history of requesting right-of-way on Stafford Drive. Commissioner Powers noted citizens who attended the last meeting were concerned about the width of Stafford Drive. He believes the width could be expanded if they dedicated their right of ways. Mr. Walters noted the Town's traffic calming efforts and questioned if 30 feet is the best for Stafford Drive.

Ms. Hair noted her discussion with the Police Department and in the past five years there has only been one accident on Stafford Drive.

Discussion by Planning Commission on Council's intention to adopt an ordinance in regards to a rezoning request Stateson Homes for property located on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) from A Agricultural to R-1 Single Family Residential with proffers – (continued).

Mr. Steve Semones provided additional information regarding the right-of-ways that had been asked for by the Town. The residents on Stafford Drive would not dedicate their property for right-of-way. He further discussed the limitations of the road improvements given the lack of right of way.

Commissioner Hedrick is concerned with the access to Route 114. He would like the Town to be proactive now before more developments are added to the area.

Mr. Walters clarified the possible road widening for Stafford Drive for Commissioner Huppert where there has been dedication of right-of-way for widening purposes. Commissioner Huppert asked Mr. Semones if the applicant would be willing to dedicate funds to the widening of Stafford Drive. Mr. Semones said he cannot speak for the applicant at this point. Mr. Semones went on to discuss the off-site road improvement and traffic concerns in regards to VDOT. He added that VDOT plans to study this area once the Route 114 construction is complete and we cannot predict the traffic concerns until the road is complete.

Mr. Semones noted that it is his understanding that if the commercial property along Route 114 is developed, the light would be included in that development.

Commissioner Hedrick asked how the light at Quin W. Stuart Blvd. impacts a section of Stafford Drive. Mr. Semones said the light at that location would not impact Stafford Drive; however, it would alleviate the traffic coming out of the development on Quin W. Stuart Blvd.

Commissioner Hedrick stated Stafford Drive was not designed to be an arterial road and future developments will impact the use. He would like to think about this in the long term and think of the improvements to Stafford Drive as an investment for the Town.

Commissioner Huppert noted that there have not been many in opposition to the development but rather there is a concern for the traffic added to the area. He views this development as a having one way in and out.

Commissioner Powers discussed the funds for the widening of the road. He suggested tying the rezoning to a recommendation to proffer money to the improvement of Stafford Drive between Quin W. Stuart Blvd. and Route 114. Commissioner Powers discussed sidewalks and the money that could be saved. Commissioner Hedrick noted the traffic calming efforts in Cambria.

Discussion by Planning Commission on Council's intention to adopt an ordinance in regards to a rezoning request Stateson Homes for property located on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) from A Agricultural to R-1 Single Family Residential with proffers – (continued).

Commissioner Carter asked for clarification for the section of widening on Stafford Drive and discussed the resistance of the residents to give up the right of way. Commissioner Hedrick stated he believes people may change their mind about the dedication. He believes the Town has an opportunity to do something great and think long term. Commissioner Carter believes that if the Halberstadt's gave the Town the right-of-way there would not have this problem. Commissioner Dorsett notes that it is not the Halberstadt's property where right-of-way is needed.

Commissioner Dorsett brought up the extension of Vinnie Avenue to connect to Walters Drive and create interconnectivity.

Mr. Walters clarified that Quin W. Stuart Blvd. is a developer made road for Commissioner Hedrick.

Chairperson Moore asked for clarification about the Town giving the property owners money for the dedication of right of way. Mr. Walters noted that the Town does not do this. He went on to provide background on the letters given to property owners in the past asking for five feet of right of way.

Commissioners Hedrick and Powers believe the Town can stay ahead of the traffic that could be produced in the area. Commissioner Dorsett does not believe there is a direct relationship between Quin W. Stuart Blvd. and Stafford Drive, which is a legal requirement in order for the to require off-site improvements. Commissioner Powers stated he believes there is a clear direct relationship between the two.

Commissioner Hedrick and Commissioner Dorsett discussed the development of the Town's park and the need for a stop light. Commissioner Dorsett noted that if the light is put in at Quin W. Stuart, a case cannot be made for widening Stafford Drive. Commissioner Hedrick stated money should be taken from the development of the Town's park to help widen Stafford Drive. Commissioner Huppert stated the developer should help in this regard. Mr. Semones expressed concerns over the expense in developing property, including changes in Town Code and the increasing expenses associated with stormwater regulations. He went on to discuss the two access points to the development compared to other developments and the benefits of their design. Mr. Semones also noted the need for Road B from planning standpoint for access, but it is not required.

Commissioner Dorsett asked about the distance required between entrances. Mr. Walters did not know the exact number.

Discussion by Planning Commission on Council's intention to adopt an ordinance in regards to a rezoning request Stateson Homes for property located on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) from A Agricultural to R-1 Single Family Residential with proffers – (continued).

Commissioner Hedrick stated the Town has made the improvements to other parts of Christiansburg in regards to planning for the future. Commissioner Hedrick and Commissioner Dorsett discussed the change in Stafford Drive over time. Mr. Walters noted the Town's improvements made to Stafford Drive since 1988. He also noted the improvement being made to Route 114 and how that would improve the current traffic. This topic is further discussed by Commissioner Hedrick in regards to turning movements.

Ms. Hair clarified that the Planning Commission recommendation can be tabled for the next meeting. Commissioner Powers noted that any proffers would need to be discussed tonight because the applicant needs to submit their proffer statement by the Town Council Public Hearing next week. Chairperson Moore recapped the discussion of the necessity of Road B and funding to widening Stafford Drive.

Commissioner Dorsett asked what would happen if we made Road B optional and the right-of-way be dedicated but not built.

Commissioner Powers made a motion to recommend approval of the rezoning with the presented proffers provided the applicant make an additional proffer to provide a certain amount of money per lot to go towards road improvements of Stafford Drive from Quin W. Stuart Blvd. to Route 114. He stated that amount of money would be worked out with Town Council. Commissioner Carter and Chairperson Moore stated that tying the approval to an additional proffer is not allowed. Ms. Hair clarified that the Planning Commission cannot tie the approval of the rezoning to a proffer that has not been made by the applicant. Commissioner Powers withdrew his recommendation.

Commissioner Dorsett suggested that Road B be built if and when the property behind this request is developed. She went on to discuss the traffic movements coming from the development. Commissioner Hedrick and Commissioner Dorsett discussed the undeveloped properties surrounding the proposed development.

Commissioner Dorsett made a motion to table a Planning Commission recommendation to Town Council. Commissioner Beasley seconded the motion. Commissioner Huppert suggested the Commission meet next Monday. Ms. Hair noted the final proffer statement may not be available at that time. Ms. Hair added Town Council does not need a recommendation from Planning Commission for the public hearing next week. The motion passed 8-0.

Contingent of Item 7, discussion by Planning Commission on a Conditional Use Permit request by Stateson Homes for property on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) for a planned housing development in the R-1 Single Family Residential District. The Planning Commission public hearing was held on June 30, 2014.

Chairperson Moore gave a recap of the issues associated with the Conditional Use Permit.

Commissioner Dorsett asked about the streambed protection on the north side of the property. Mr. Semones confirmed the protection and the lot in question is designated as open space.

Commissioner Dorsett asked about noise on Road A and how it would be buffered. Mr. Semones detailed the distance from Road A to The Villas; the setback would be the same or greater than that of a normal single family home. He also talked about the vegetation that could be provided as screening.

Commissioner Dorsett asked about low impact development in regards to the presented regulations of the development and the use of "may" in the statement. Mr. Semones clarified the stormwater management would be developed below the predevelopment rates and the development will be meeting the stormwater development regulations.

Commissioner Hedrick asked about if the unique lighting in the Villas and along Quin W. Suart Blvd. could be extended to this development. Mr. Semones said the application would be open to looking at that.

Commissioner Hedrick asked about traffic calming speed bumps on Road A and if the developer would be open to implementing those. Mr. Semones was not aware of what the Town currently has implemented. Mr. Walters explained the speed tables that could be implemented for speeding concerns. He also confirmed that 25 mph would be the speed limit on Road A for Commissioner Powers.

Commissioner Powers spoke about the larger pathway located on Quinn W. Stewart Blvd. He asked about the reconfiguration of the sidewalks on either side of Road A to an eight foot path on one side to provide a buffer between the road and The Villas. The applicant was not aware this was an option but they are willing to look at this. Ms. Hair noted that this could be a condition or a proffer.

Commissioner Powers and Chairperson Moore discuss the placement of sidewalks and its impact of the stormwater requirements. Commissioner Powers noted that foot traffic within the development will be local.

Contingent of Item 7, discussion by Planning Commission on a Conditional Use Permit request by Stateson Homes for property on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) for a planned housing development in the R-1 Single Family Residential District – (continued).

Commissioner Dorsett brought up a vegetative strip between the road and sidewalk to mitigate runoff. Mr. Semones noted the sidewalk concern from Town Council's viewpoint. He added that anything discussed that can be a cost saver and used towards another aspect that could be more beneficial to the community is a good thing. Commissioner Huppert added Town Council is strong on sidewalks especially those located on both sides of the street. Commissioner Dorsett said it important for sidewalks and trails to be included.

Ms. Hair suggested this be a condition rather than a proffer. If Town Council did not like the proffer they could deny the request completely.

Commissioner Dorsett suggested a proffer that is contingent on other items. Commissioner Powers mentioned the Rezoning and Conditional Use Permit process in regards to innovation and forward thinking in terms of the ordinance. Ms. Hair stated the rezoning should be based on appropriate land use and the design of the development be handled with Conditional Use Permit. She added that if Planning Commission wanted to see sidewalks on one side of the street, it should be made a condition.

Commissioner Powers suggested three conditions. First, Road A have an eight foot wide paved path on the east side. Second, in regards to the two loops within the development, have a sidewalk with a three foot vegetative buffer between the curb and sidewalk rather than sidewalks on both sides. Third, the development of Road B coming out on Stafford Drive would not be built but have the right of way dedicated. Mr. Semones asked about taking Road B land out of the rezoning. Commissioner Dorsett believes the dedication of the right of way should be done. Commissioner Dorsett asked if the three lots on Road B could be dedicated as open space. Mr. Semones noted that if the road was not built, then those lots would be pulled out of the rezoning.

Chairperson Moore noted that the future development of Road B could be handled with another developer through a proffer or a Conditional Use Permit. Commissioner Hedrick is concerned with putting that on a future developer. Chairperson Moore notes that if that is done we could possibly accomplish some improvements to Stafford Drive. Commissioner Powers noted that this would potentially create two entrances to the future development. Commissioner Dorsett brought up the various types of roads, walkways, sidewalks, and trails. Mr. Walters noted this development can only help the traffic needed on Quin W. Stuart Blvd.

Contingent of Item 7, discussion by Planning Commission on a Conditional Use Permit request by Stateson Homes for property on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) for a planned housing development in the R-1 Single Family Residential District – (continued).

Ms. Hair clarified that Planning Commission meeting minutes would be given to Town Council for their meeting next week. Chairperson Moore asked if Councilman Vanhoozier would like to speak tonight and he opted to save his comments for the Town Council meeting.

Mr. Semones asked a procedural question about the proffer statement and the option of a deferral. Ms. Hair clarified that a deferral is an option for the applicant. This decision can be made before the meeting next Tuesday. Mr. Semones is not sure if the applicant will choose to defer. Chairperson Moore brought up the notification of a postponement of the public hearing in regards to the public. The deferral process was discussed by Ms. Hair and the Planning Commission.

Chairperson Moore suggested the applicant look at the improvement of traffic flow through the proffer statement.

Mr. Semones went over the conditions he heard in the discussion for the applicant to review in moving forward. The conditions included lighting, speed tables, eight foot path, and vegetative strip associated with the sidewalks.

Commissioner Dorsett made a motion to table a decision and Commissioner Carter seconded the motion. The motion passed 8-0.

Planning Commissioner Reports.

None at this time.

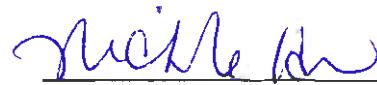
Other business.

Ms. Hair announced Sara Morgan will be the Planner I effective July 24, 2014.

There being no more business Chairperson Moore adjourned the meeting at 9:33 p.m.



Craig Moore, Chairperson



Nichole Hair, Secretary Non-Voting