

Christiansburg Planning Commission
Minutes of November 10, 2014

Present: Ann Carter
Harry Collins
Steve Huppert
Joe Powers, Vice-Chairperson
Craig Moore, Chairperson
Nichole Hair, Secretary^{Non-Voting}

Absent: Matthew J. Beasley
David Franusich
Jennifer D. Sowers

Staff/Visitors: Sara Morgan, staff
Cindy Wells Disney, Montgomery County Planning Commission
Thom Rutledge, 2765 Roanoke Street, SHAH Development
Kevin Conner, Gay & Neel, Inc.
Faye Rakes, 40 Patricia Lane
Emily Oliver, 80 Patricia Lane
Gerry Oliver, 80 Patricia Lane
C.L. Bohanon, 10 Patricia Lane

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. There were no public comments. Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for October 20, 2014.

Chairperson Moore introduced the discussion. Commissioner Carter made a motion to approve the Planning Commission meeting minutes. Commissioner Huppert seconded the motion, which passed 5-0.

Planning Commission public hearing on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General Business District.

Chairperson Moore introduced the request and asked the applicant to speak about the Conditional Use Permit Request.

Planning Commission public hearing on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General Business District (continued).

Thom Rutledge, Project Manager with SHAH Development, explained the request is for townhomes. Mr. Rutledge noted the property was purchased in 2008 at the height of the economy. The property owner has sat on the property since then. Mr. Rutledge stated a piece of the property was sold, which is now the Learning Ladder Daycare Center. The front piece has been actively marketed however; nothing has been going on at that end of Roanoke Street. Mr. Rutledge stated the application is for 12 townhomes, including both two and three bedroom units. Mr. Rutledge added the townhomes will be set up to be subdivided. Each unit would be an individual lot and have a two hour fire wall separating the units in order to convey units separately. Mr. Rutledge stated SHAH Development has set up units like this to be rented or lease to own. Mr. Rutledge stated he believes the proposal is a good fit for the area. Mr. Rutledge added there has not been any interest in the property and it is time to do something with the property. Mr. Rutledge stated the property owner do not wish to sit on the property for another six to seven years.

Faye Rakes, 40 Patricia Lane, asked if any improvements would be made to Patricia Lane. Ms. Rakes spoke about the draining issue that occurs during rain. Chairperson Moore stated that there are not any improvements planned for Patricia Lane at the present time. He added that the applicant would be required to manage their stormwater through the development of their property.

Chairperson Moore asked questions be directed to the Planning Commission during the public hearing.

Commissioner Powers asked Ms. Morgan for the aerial of the site to be pulled up on the projector. Mr. Rutledge pointed out Patricia Lane and Ms. Rakes development. He noted that he has been to the site and noticed the issues Ms. Rakes was referring to. Mr. Rutledge pointed out the intersection of Patricia Lane and Roanoke Street where he believes the drainage and road issues occur. Mr. Rakes confirmed that the intersection is what his wife was referring to. Mr. Rutledge then explained what Chairperson Moore was explaining earlier. The applicant cannot allow the stormwater to run off any faster than it currently runs while its grass. Mr. Rutledge noted the engineer for the project, from Gay & Neel, is present. Mr. Rutledge stated the development would detain and treat the water on site. Mr. Rutledge does not believe the stormwater at this property would impact Ms. Rakes' concern. He added that the drainage and road concerns of Ms. Rakes' are also of concern for the proposed development.

Commissioner Powers asked Mr. Rutledge about how the drainage and road issues came about. Mr. Rutledge does not believe a pipe is at the intersection of Roanoke Street and Patricia Lane. Ms. Rakes agreed with Mr. Rutledge's statement. Mr. Rutledge noted that he will work with Town staff during the site plan review process in attempts to correct the issues.

Planning Commission public hearing on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General Business District (continued).

Chairperson Moore thanked Ms. Rakes for raising that concern. Ms. Hair will look into the drainage and road issues. Chairperson Moore concluded the conversation by noting that Town staff and the developer will work together to address stormwater runoff.

Gerry Oliver, 80 Patricia Lane, asked if there was a safety issue in regards to the day care located next to the proposed development. Chairperson Moore noted the proposed 6' tall privacy fence located along the property line adjoining the day care. He added that the Learning Ladder should have security measures in place to protect the children.

Commissioner Powers noted that the current zoning is B-3 General Business. He asked Mr. Rutledge if the property has been marketed as a business use. Mr. Rutledge confirmed. Commissioner Powers stated he believes that a residential use would be preferable to a business. Commissioner Powers added a business would have traffic throughout the day, while a residential development would have more traffic at morning and evening hours. Commissioner Powers stated he believes traffic would be less overall for a residential use than a business use.

Ms. Rakes asked if the exit of the development would be on Patricia Lane. Mr. Rutledge stated the only entrance/exit will be on Patricia Lane.

Ms. Rakes asked if the applicant will be developing back to the motel. Mr. Rutledge stated the development does not extend to the hotel, as there is another property owner between the proposed development and the hotel. He added that the adjoining property has a limited amount of frontage but is a deep lot. Mr. Rutledge believes the property owner may be holding out for a hotel or motel.

Emily Oliver, 80 Patricia Lane, asked about the exterior of the units and if they will be comparable to her development. Ms. Oliver stated she does not want the value of her home to decrease. Mr. Rutledge stated the proposed townhomes will not be comparable because they will not have an attached garage.

Ms. Oliver asked the price range of the townhomes. Mr. Rutledge stated he would like to market the townhomes in the \$160,000 range. Ms. Oliver asked if the applicant will try to sell the units. Mr. Rutledge stated that he would prefer to sell the units but the units could be rented.

Ms. Oliver asked if the townhomes will be entirely vinyl siding. Mr. Rutledge stated the units will have a block/brick foundation with the rest of the unit being vinyl. Mr. Rutledge stated he hopes the townhomes will be a craftsmen style with false dormers for aesthetics.

Planning Commission public hearing on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General Business District (continued).

Mr. Rutledge added there will be different colored vinyl and there will be vertical and lap siding vinyl. Mr. Rutledge added he colors will be neutral, such as light yellow, tan, beige, and green.

Ms. Rakes asked if the townhomes would be two stories. Mr. Rutledge confirmed all the townhomes would be two stories.

Ms. Oliver asked if there will be a Home Owners Association. Mr. Rutledge confirmed there will be a Home Owners Association to take care of the maintenance, lawn care, and the dumpster.

Ms. Oliver asked where the mailboxes would be placed. Mr. Rutledge noted the mailbox will be a gang box located near the entrance. All units will be in one square mailbox.

Chairperson Moore noted that the back and forth is normally not allowed during the public hearing but as there is a small group, the meeting is less formal.

C. L. Bohanon, 10 Patricia Lane, asked about the landscape treatments placed on Patricia Lane as a buffer between the two developments. Mr. Rutledge noted the sidewalk on Roanoke Street and tying the sidewalk into their development. Mr. Rutledge stated landscaping would be installed around the entrance of the development. This would define the entrance as a separate development. Mr. Rutledge added the area would be heavily landscaped. Mr. Rutledge noted that the applicant would like pay into an in-lieu fee rather than installing sidewalks. Ms. Hair stated indicated the sidewalks would have to be installed. Mr. Rutledge stated the surrounding properties that have sidewalks do not adjoin this parcel. Mr. Rutledge added he would rather give the money to the Town to construct sidewalks where they are needed and be used. Ms. Hair stated that the other properties may be developed in the future, which would allow for sidewalk connections to the proposed development. Commissioner Powers noted the sidewalks are a bit of the chicken and egg argument. Commissioner Powers agreed it is logical to stop the sidewalks on Roanoke Street rather than continuing down Patricia Lane. Mr. Rutledge reiterated that either side of the entrance will be heavily landscaped. Commissioner Powers asked about the landscaping requirements. Ms. Hair stated the applicant will be required to follow the R-3 regulations for landscaping. Ms. Hair added that the Planning Commission can condition further.

Chairperson Moore asked Mr. Bohanon if he had any further questions. Mr. Bohanon explained that he is a landscape architect and was curious if the landscaping would screen the development. Chairperson Moore explained that the Planning Commission is dealing with the Conditional Use Permit at the present time. The property is zoned for a business use and by right they could put a business in there.

Planning Commission public hearing on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General Business District (continued).

Chairperson Moore explained conditions could be placed on the development through the Conditional Use Permit before them tonight. The conditions would bind the developer to doing certain things. If the Conditional Use Permit was approved, the site plan would go to staff, which would ensure the conditions and ordinance are enforced in the development of the site. Chairperson Moore stated the public hearing allows the public to put forward ideas for conditions for the Planning Commission to consider. Chairperson Moore recognized landscaping seems to be a concern.

Mr. Oliver asked if the units would be stick-built or a modular. Mr. Rutledge stated the units will be modular.

Ms. Oliver asked about the required number of parking spaces per unit. She expressed concern about overflow parking in regards to three bedroom units. Mr. Rutledge stated the units will not be rented by bedroom but the unit. Chairperson Moore noted that the ordinance regulates the number of parking spaces the units are required to have. Ms. Oliver asked what would happen with overflow parking. Chairperson Moore stated they could park in areas that are not prohibited by the Town ordinance. Commissioner Powers asked what the required parking would be. Ms. Hair stated there would need to be two parking spaces per unit. Ms. Oliver asked if they would be allowed to park across the street in her development. Ms. Hair stated that would not be allowed as that is private property. Ms. Hair stated the Town allows on street parking. Ms. Rakes added that there is no parking allowed on either side of Patricia Lane. Chairperson Moore stated that if someone were to park there, she would have a call to have the car removed.

Mr. Conner stated the plan for the development was placed in the day care for the parents to review. He has not received complaints about the plan. Mr. Moore noted the placement of the privacy fence between the units and day care. Mr. Rutledge stated that vegetative screening could be used. Chairperson Moore noted that the dumpster will be screened but nothing else is proposed on that side of the development. Mr. Rutledge confirmed and stated the adjoining property is undeveloped land aside from a house in rough shape. Mr. Conner stated that the areas where the children can go are fenced.

Ms. Rakes asked why a dumpster will be used as she puts her trash out to be collected by the Town. Chairperson Moore stated that having a dumpster would lessen the amount of trash cans on Patricia Lane for pick-up, which could restrict traffic flow on Patricia Lane.

Commissioner Huppert asked for clarification on the number of units. Mr. Rutledge stated there will be twelve units.

Planning Commission public hearing on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General Business District (continued).

Chairperson Moore stated that the public hearings do not normally run in this manner but thanked the public for the respect and order shown during the meeting.

Chairperson Moore closed the public hearing.

Commissioner Collins asked what the proposed conditions are. Ms. Hair stated there are no proposed conditions at the present time. Typically, Ms. Hair creates the proposed conditions after the public hearing.

Chairperson Moore asked if the Commissioners would like to see any further conditions other than the property be developed in substantial conformance with the concept plan that has been presented tonight.

Commissioner Powers stated he likes the privacy fence between the development and the day care; however, he does not care for the privacy fence between the development and Roanoke Street. Commissioner Powers asked if the topography lends itself to an earth and berm vegetation instead of a privacy fence. Mr. Conner stated he believes that would eat up the backyard due to the slope of the land. Mr. Rutledge added he is not opposed to a vegetative buffer as opposed to a privacy fence; however, there is not a lot of room to fit that in. Mr. Rutledge added that the idea was to screen the units from other uses and improve the likelihood of the units to sell. Chairperson Moore stated that the applicant is boxing in the units in a good way. Chairperson Moore added the fence would separate the units from the public right-of-way. Commissioner Powers recognized the need to screen lights, headlights and noise.

Commissioner Powers asked if the applicant has used any other techniques in another development apart from the privacy fence. Mr. Rutledge noted at Cambria Crossing a berm was created to separate the first eight units from the adjacent property. Mr. Rutledge added two rows of Cypress trees were installed that have buffered the units beautifully. Commissioner Powers asked if there is a need to cut them down. Mr. Rutledge stated the Home Owners Association is now responsible for the maintenance of the trees. Commissioner Powers requested Mr. Rutledge return to the next meeting with ideas of how to buffer the units from Roanoke Street. Mr. Conner stated that a power line limits the height in that location. Mr. Rutledge added that a power line bisects the property and will need to be relocated. Mr. Rutledge and Mr. Conner noted the public utility easement that runs from the existing townhomes to the west. Mr. Rutledge added that he believes the fence is the better alternative if existing utilities need to be maintained.

Planning Commission public hearing on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General Business District (continued).

Commissioner Powers noted that twelve would be the maximum number of units they could fit on the site; however, the Planning Commission could condition a smaller number of units, like eleven. Commissioner Powers stated if that were to happen, the extra space could be used as overflow parking. Commissioner Powers added that he will have to figure out the number of units he is comfortable with between now and the next meeting. Mr. Rutledge noted that two parking spaces is the current requirement. Commissioner Carter stated she was concerned with the parking due to the units being two and three bedrooms. Mr. Rutledge noted Mr. Neel owns the Learning Ladder and would think overflow parking could be parked there in the evening or on the weekend. Mr. Rutledge added parking does not have an issue in similar developments. Mr. Conner noted that the Town just lowered the requirement from 2.5 parking spaces to 2 parking spaces. Commissioner Carter stated there may be families living there with teenagers and therefore have more than two cars. Mr. Rutledge stated there is overflow parking available in the gravel and asphalt parking lots adjoining the development.

Mr. Rutledge asked the Patricia Lane residents if they have issues with parking in their development. Ms. Rakes stated they do not have an issue with parking because they have parking in their garage and in front of it.

Ms. Rakes asked what would happen if the state widens Route 460. Commissioners and the applicant's representatives discussed the width of Roanoke Street.

Chairperson Moore noted that the conformance to the concept plan has been discussed as a possible condition along with the maximum number of units allowed. Commissioner Powers stated he likes the idea of putting a lot of the landscaping out front to set off the units and distinguish it from the other side of the street. He asked if the ordinance provides flexibility of where the landscaping could be placed. Ms. Hair confirmed there is flexibility with placement of landscaping. Commissioner Powers asked Mr. Rutledge to bring landscaping ideas back to the Planning Commission at the next meeting.

Commissioner Powers asked if the front side of the fence would face Roanoke Street or the townhouses. Mr. Rutledge stated he thinks the front side would be towards Roanoke Street. Commissioner Powers asked if that would be the case for the Learning Ladder. Mr. Rutledge noted that all of the play areas are already fenced in.

Mr. Rutledge pointed out the 15 foot parking setback from Patricia Lane. Mr. Rutledge indicated he believes there could be four more parking spots added. Commissioner Carter noted that would take up landscaping area. Mr. Conner added that there would still be 15 feet of landscaping available. Chairperson Moore asked if the parking could be permeable pavers.

Planning Commission public hearing on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General Business District (continued).

Mr. Rutledge stated permeable pavers will be used throughout. Mr. Conner stated the permeable pavers will be used for sidewalks. Chairperson Moore asked if the overflow spaces for visitors be permeable pavers. Mr. Conner stated that could be an option.

Commissioner Powers asked if there will be stormwater detention on the site. Mr. Conner confirmed there will be stormwater detention underground.

Commissioner Collins noted that additional parking could be placed near the dumpster if the land will allow it. Mr. Rutledge stated it would be hard to make those turns without killing the spot on either end.

Commissioner Huppert asked if the price range was \$160,000-\$190,000. Mr. Rutledge believes they will be a little north of \$160,000.

Chairperson Moore noted the Planning Commission will not take public comment at the next meeting and will map out the conditions to propose to Town Council. The next Planning Commission meeting will be November 24, 2014. Chairperson Moore invited the public to listen to the discussion at the next meeting. He explained Town Council will have a public hearing and vote on the application following that meeting. Commissioner Huppert noted the importance of attending the Town Council meetings. Chairperson Moore added that Planning Commission takes the public comments and form them into a recommendation for Town Council.

Town Council may make changes to the recommendation but generally they vote on the recommendation. Commissioner Powers noted that the concerns can be addressed through the Planning Commission's recommendations. Chairperson Moore asked the Commissioners if they have any of conditions to consider.

A gentleman, that did not state his name or address, asked if the applicant would consider doing the development in one color of vinyl. Mr. Rutledge asked if they would like if both ends were in the same color. The gentleman does not believe the multiple colors look good. Ms. Rakes believes the different colors cheapen the townhomes. Mr. Rutledge noted that many people like the use of the different colors. Commissioner Powers noted that the different colors are nice in that they show the townhouses as individual units rather than the single color of an apartment complex. Chairperson Moore noted the use of one color could make the townhouses look industrial. Commissioner Powers noted there are pros and cons either way.

Planning Commission public hearing on a Conditional Use Permit request by SHAH Development, LLC for residential use at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) in the B-3 General Business District (continued).

Chairperson Moore asked Mr. Rutledge if there are other developments in Town that he has used different colors. Mr. Rutledge stated Cambria Crossing, on Phoenix Boulevard, is in different colors. He added that as the market and economy has changed, SHAH has been forced to change and they are now going in with the different colors. Chairperson Moore asked about the location of Cambria Crossing. Mr. Rutledge stated Cambria Crossing is off Cambria Street, right past The Farmhouse restaurant. Commissioner Powers asked if they were the newer units. Mr. Rutledge confirmed they are the newer units on the right. Commissioner Powers noted that the Planning Commissioners can visit Cambria Crossing. Chairperson Moore asked if the proposed development would be similar. Mr. Rutledge confirmed they would be similar, not exact.

Chairperson Moore thanked the public for their attendance and noted Town Council's public hearing will be held December 9, 2014. The Town Council may vote on the request on that date. Chairperson Moore stated the Planning Commission wants the community to be a nice area but grow as well.

Other Business.

Ms. Hair noted there will be a Neighborhood Planning Open House on November 20, 2014. The flyers placed at each seat are for the Planning Commissioners to distribute around town. Commissioner Powers stated the meeting will be held at the Park Street Methodist Church from 3:00-7:00pm. He noted the Comprehensive Plan Subcommittee would like to see Planning Commissioners at the Open House. Chairperson Moore asked Ms. Hair to email the list of locations that have already been asked to hang a flyer. Planning Commissioners will contact Ms. Hair by phone or email to update the list. Commissioner Collins asked Commissioner Huppert to mention the Open House to Town Council, especially Councilmen Showalter since his lives in the neighborhood.

Ms. Hair noted that the meeting information is located on the Town's website. Ms. Hair added the Parks and Recreation Center and Aquatic Center have been contacted and will be posting the flyer on their electronic screens and bulletin boards.

Ms. Hair stated both Town Council and Department Heads have been notified by email of the meeting. Commissioner Collins noted the library would be a good location to post the flyer.

Other Business – (continued).

Ms. Hair informed the Planning Commission that the Town and the New River Valley Health District have been awarded monies through the Obesity Prevention Grant. The funding will be for crosswalks, ADA accessibility and signage. Chairperson Moore thanked staff for the quick turnaround. Ms. Hair stated the Planning Department is excited about the new partnership with the New River Valley Health District. She added that the Bikeway Walkway Committee identified the need for crosswalks in the Downtown area in order to promote walkability and create connectivity. Commissioner Collins added that the Planning Department is awesome. Chairperson Moore reiterated that notion. He went on to say that the Planning Department had to put things on hold to get that done and appreciates the department working hard to make that happen then catch up on what came in during that time.

Commissioner Huppert stated that he was one of the few that voted in favor of the Falling Branch rezoning request. Commissioner Powers visited the site with Commissioner Huppert and showed him the impact of the density on the site. Commissioner Huppert stated he believes Commissioner Powers was correct, the request was too dense for the property. Commissioner Powers thanked Commissioner Huppert for his receptiveness to looking at the site.

Ms. Hair noted that staff is waiting for Town Council's direction to fill the open Planning Commissioner seats. Commissioner Hedrick was unfortunately, not reappointed and Commissioner Dorsett has resigned.

Chairperson Moore stated the Planning Commission will be electing officers at the next meeting. Ms. Hair confirmed.

There being no more business, Chairperson Moore adjourned the meeting at 7:46 p.m.

Craig Moore, Chairperson

Nichole Hair, Secretary Non-Voting



ESTABLISHED
NOVEMBER 10, 1792

INCORPORATED
JANUARY 7, 1833

MAYOR
D. MICHAEL BARBER

COUNCIL MEMBERS
SAMUEL M. BISHOP
R. CORD HALL
STEVE HUPPERT
HENRY SHOWALTER
BRADFORD J. "BRAD" STIPES
JAMES W. "JIM" VANHOOZIER

TOWN MANAGER
BARRY D. HELMS

DIRECTOR OF
FINANCE/TOWN TREASURER
VALERIE L. TWEEDIE

CLERK OF COUNCIL
MICHELE M. STIPES

TOWN ATTORNEY
GUYNN, MEMMER &
DILLON, P.C.

Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Fax 540-382-7338

Town of Christiansburg Planning Staff Report

Planning Commission Public Hearing Date: Monday, November 24, 2014 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, December 9, 2014 at 7:00 p.m.

Application Type: Conditional Use Permit

Applicant: Peggy A. Beasley

Location: 275 Starlight Drive (tax parcels 529 – ((A)) – 13)

The Town of Christiansburg has received a Conditional Use Permit request by Peggy A. Beasley for a flea market with an exception to paved parking at 275 Starlight Drive (tax parcel 529 – ((A)) – 13) in the B-3 General Business District.

The property does not lie within the 100-Year and 500-Year Flood Hazard Areas. The property is not located within the Historic District. The adjoining properties are zoned B-3 General Business District. The adjoining properties contain residences.



TOWN OF CHRISTIANSBURG

100 East Main Street
Christiansburg, VA 24073
Phone (540) 382-6120 Fax (540) 381-7238

Conditional Use Permit Application

Landowner: Peggy A. Beasley Agent: _____

Address: 305 Starlight Dr Address: _____
Christiansburg VA 24073 _____

Phone: 540 230 7326 Phone: _____

I am requesting a Conditional Use Permit to allow a flea market and
waiver to parking requirements
 on my property that is zoning classification B-3 under Chapter 42: Zoning of the
 Christiansburg Town Code. 275

My property is located at 305 Starlight Dr Christiansburg VA 24073
 Tax Parcel(s): 529-(A)-13

Fee: \$150.00 dgm
10-23-14

I certify that the information supplied on this application and any attachments is accurate and true to
 the best of my knowledge. I understand that Conditions may be placed on my property in regards to
 the above mentioned use/activity. I also understand that the Conditional Use Permit may be revoked
 and/or additional Conditional Use Permits required should questions regarding conformity arise.

Signature of Landowner(s): _____ Date: _____

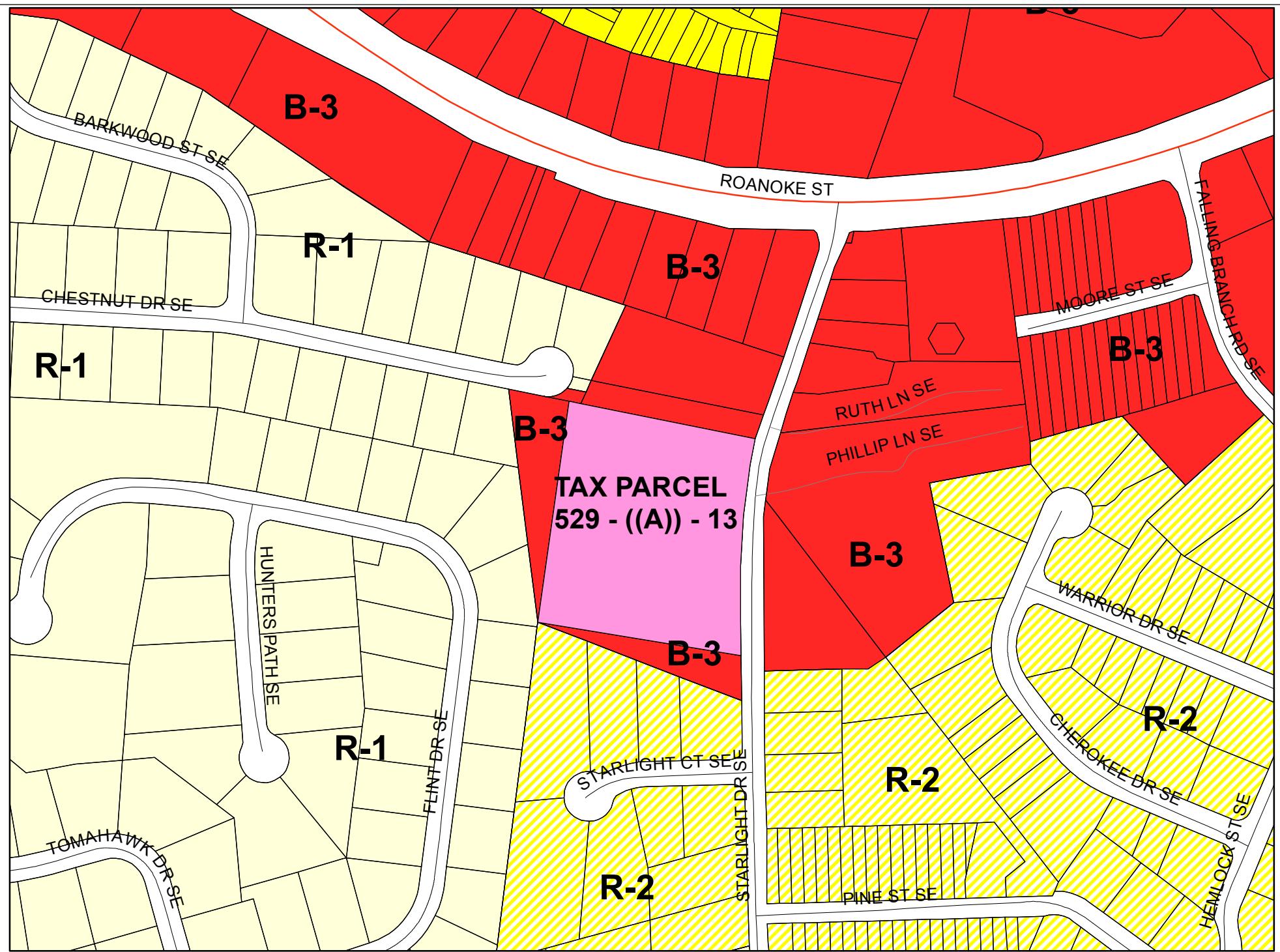
Date: _____

Date: _____

This request was approved / disapproved by a vote of the Christiansburg Town Council on
 _____ . Any Conditions attached shall be considered requirements of the above request.

Town Manager

Date



CUP REQUEST: 275 Starlight Drive

PC: NOVEMBER 24, 2014

TC: DECEMBER 9, 2014

0 200 400 600
Feet



CUP REQUEST: 275 Starlight Drive

PC: NOVEMBER 24, 2014

TC: DECEMBER 9, 2014

0 100 200 300
Feet

<u>TAX MAP X</u>	<u>OWNER(S)</u>		<u>MAILING ADDRESS</u>	<u>CITY ST ZIP</u>
529- A 11A	CRAFT REAL ESTATE	HOLDINGS LLC	P O BOX 330	CHRISTIANSBURG VA 24068
529- A 13A	BEASLEY R W		36512 STARLIGHT DR	CHRISTIANSBURG VA 24073
529- A 12	BEASLEY PEGGY A		365 STARLIGHT DR	CHRISTIANSBURG VA 24073
529- A 13	BEASLEY PEGGY A		365 STARLIGHT DR	CHRISTIANSBURG VA 24073
529- A 41	STARLIGHT MHP LLC		185 TUNNEL CIR	CHRISTIANSBURG VA 24073
529- A 15	CUPP FRANK A JR	CUPP GREGORY S	P O BOX 2574	CHRISTIANSBURG VA 24068
529- A 14	BEASLEY PEGGY A		365 STARLIGHT DR	CHRISTIANSBURG VA 24073

**AN ORDINANCE AMENDING CHAPTER 42 “ZONING” OF THE
CHRISTIANSBURG TOWN CODE IN REGARDS TO PROVISIONS FOR
PRIVATE RECREATIONAL FACILITIES IN THE
I-2 GENERAL INDUSTRIAL DISTRICT**

WHEREAS, the Planning Commission of the Town of Christiansburg, Virginia has recommended to the Council of the Town of Christiansburg amendments to the Zoning Ordinance of the Town of Christiansburg; and,

WHEREAS, notice of the Planning Commission public hearing regarding the intention of the Town Council to pass said ordinance was published two consecutive weeks (November 8, 2014 and November 15, 2014) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, notice of the intention of the Town Council to pass said ordinance was published two consecutive weeks (November 26, 2014 and December 9, 2014) in The News Messenger, a newspaper published in and having general circulation in the Town of Christiansburg; and,

WHEREAS, a public hearing of the Planning Commission of the Town was held November 24, 2014 and resulted in a recommendation by the Planning Commission that the following proposed ordinance revisions be adopted; and,

WHEREAS, a public hearing of Council of the Town was held December 9, 2014; and,

WHEREAS, Council deems proper so to do,

Be it ordained by the Council of the Town of Christiansburg, Virginia that Sections 42-397 (13) of Chapter 42 “Zoning” of the *Christiansburg Town Code* be amended as follows:

ARTICLE XIII. GENERAL INDUSTRIAL DISTRICT I-2

Sec. 42-397. Permitted uses--Generally.

In the I-2 General Industrial District, structures to be erected or land to be used shall be for one or more of the following uses:

- (13) Public buildings to consist of fire, police and rescue squad stations and recreational facilities. **Private buildings to consist of recreational facilities with a Conditional Use Permit.**

This ordinance shall become effective upon adoption. If any part of this ordinance is deemed unlawful by a court of competent jurisdiction all remaining parts shall be deemed valid. Ordinances or parts of any ordinances of the Town whose provisions are in conflict herewith are hereby repealed.

Upon a call for an aye and nay vote on the foregoing ordinance at a regular meeting of the Council of the Town of Christiansburg, Virginia held XXXX, the members of the Council of the Town of Christiansburg, Virginia present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor D. Michael Barber*				
Samuel M. Bishop				
Cord Hall				
Steve Huppert				
Henry Showalter				
Bradford J. Stipes				
James W. "Jim" Vanhoozier				

*Votes only in the event of a tie vote by Council.

SEAL:

Michele M. Stipes, Town Clerk

D. Michael Barber, Mayor



ESTABLISHED
NOVEMBER 10, 1792

INCORPORATED
JANUARY 7, 1833

MAYOR
D. MICHAEL BARBER

COUNCIL MEMBERS
SAMUEL M. BISHOP
R. CORD HALL
STEVE HUPPERT
HENRY SHOWALTER
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Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Fax 540-382-7338

Town of Christiansburg Planning Staff Report

Planning Commission Public Hearing Date: Monday, November 24, 2014 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, December 9, 2014 at 7:00 p.m.

Application Type: Conditional Use Permit

Applicant: Mike Harris (agent for property owner Raymond Myers)

Location: 375 Bell Road (tax parcels 499 – ((A)) – 1F)

Contingent on Council's intention to adopt an ordinance amending Chapter 42 "Zoning" of the Christiansburg Town Code in regards to provisions for private recreational facilities in the I-2 General Industrial District with a Conditional Use Permit, the Town of Christiansburg has received a Conditional Use Permit request by Mike Harris (agent for property owner Raymond Myers) for a private recreational facility at 375 Bell Road (tax parcels 499 – ((A)) – 1F) in the I-2 General Industrial District.

The property does not lie within the 100-Year and 500-Year Flood Hazard Areas. The property is not located within the Historic District. The adjoining properties are zoned B-3 General Business District, I-2 General Industrial District, and R-3 Multi-Family Residential District. The adjoining properties contain residences, Hubble Lighting, and other businesses.



TOWN OF CHRISTIANSBURG

**100 East Main Street
Christiansburg, VA 24073
Phone (540) 382-6120 Fax (540) 381-7238**

Conditional Use Permit Application

Landowner: Raymond and Sharon Myers Agent: Mike Harris President Neb:

Address: 375 Bell Road Address: 530 Capitol Way
Christiansburg, VA 24073 Christiansburg, VA 24073
or 506 Northview Dr.

Phone: (540) 552-9377 Phone: (540) 392-2368

I am requesting a Conditional Use Permit to allow NRBi to utilize our property above
for their baseball/softball non-profit organization
on my property that is zoning classification 1-2 under Chapter 42: Zoning of the
Christiansburg Town Code.

My property is located at 375 Bell Road Christiansburg

Tax Parcel(s): Parcel 004867 Tex Map 10 499-A-1F

Fee: N/A

I certify that the information supplied on this application and any attachments is accurate and true to the best of my knowledge. I understand that Conditions may be placed on my property in regards to the above mentioned use/activity. I also understand that the Conditional Use Permit may be revoked and/or additional Conditional Use Permits required should questions regarding conformity arise.

Signature of Landowner(s): Raymond H. Myers Date: 10-29-2014

Raymond H. Myers

Date: 10-29-2014

Sharon Myers

Date: 10-29-2014

Date:

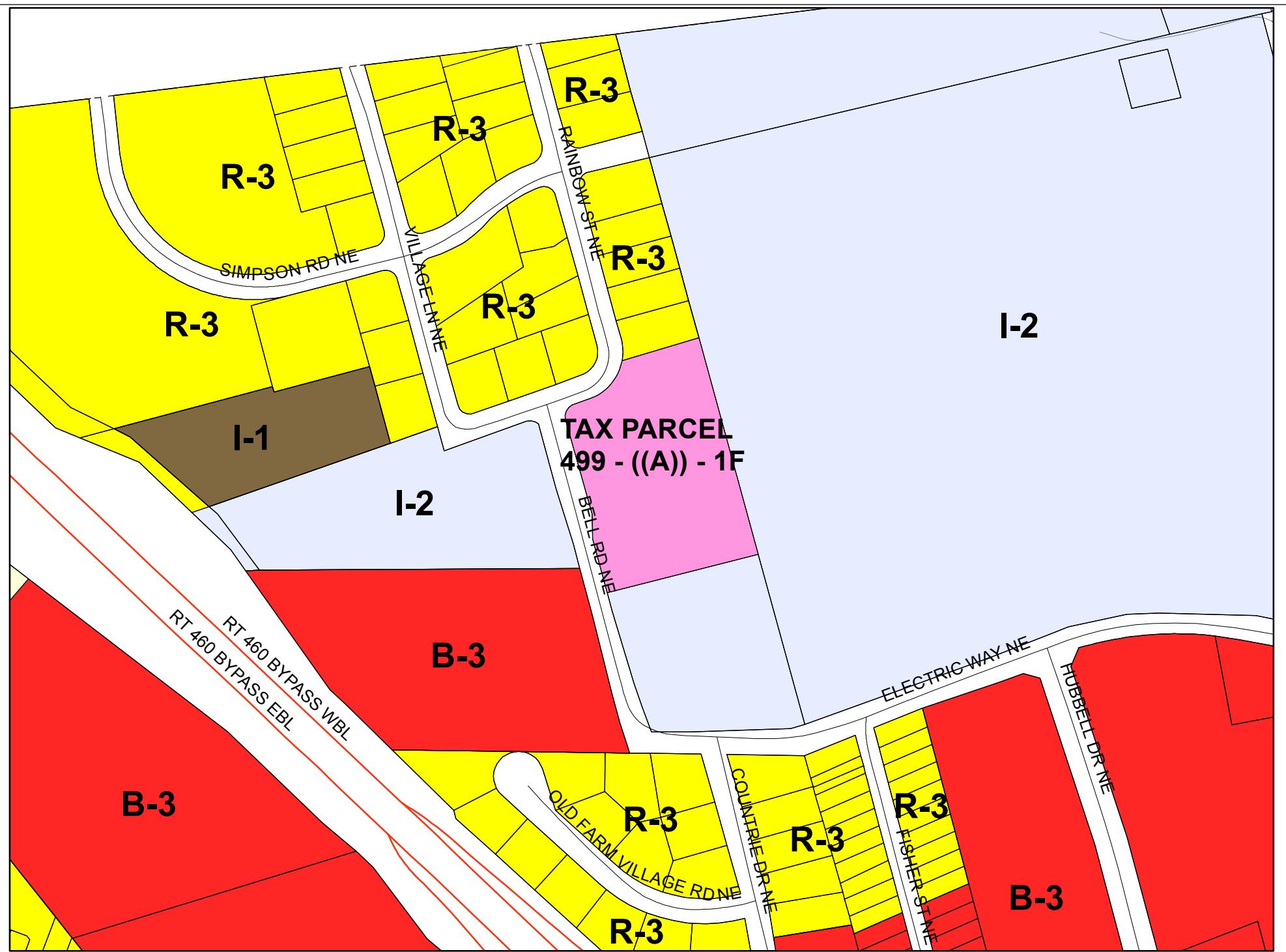
This request was approved / disapproved by a vote of the Christiansburg Town Council on _____.
Any Conditions attached shall be considered requirements of the above request.

Town Manager

Date

Conditional Use Permit
375 Bell Road

<u>Tax Map #</u>	<u>Owner(s)</u>	<u>Address</u>	<u>City, St. Zip</u>
499- 2 1	HARVEY HUBLEE INC	P O BOX 1000	SHELTON CT 06484
499- 5 1	POFF LIVING TRUST	155 ARROWHEAD TRL STE B	CHRISTIANSBURG VA 24073 3163
499- 6 14	VANGORDEN RICHARD F	1790 RAINBOW ST	CHRISTIANSBURG VA 24073
499- 8 15	MCALISTER JAMES W JR	1170 FALCON RUN	CHRISTIANSBURG VA 24073
499- A 1F	MYERS RAYMOND H	506 NORTHVIEW DR	BLACKSBURG VA 24060
499- A 1G	JETR LLC	133 KIRK AVE SW	ROANOKE VA 24011
499- A 1C-2	CHRISTIAN GROWTH CENTER INC	P O BOX 2312	CHRISTIANSBURG VA 24068
499- A 13	MARINE HOLDING LTD	REPO	



CUP REQUEST: 375 Bell Road

PC: NOVEMBER 24, 2014

TC: DECEMBER 9, 2014



Legend

499-((A))-1F

Flood Hazard Area

100-YEAR

500-YEAR

CUP REQUEST: 375 Bell Road

PC: NOVEMBER 24, 2014

TC: DECEMBER 9, 2014

0 100 200 300
Feet

Resolution of the Town of Christiansburg Planning Commission

Conditional Use Permit Application

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study a Conditional Use Permit (CUP) request made by SHAH Development, LLC for property located at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) for residential use in the B-3 General Business District, has found following a duly advertised Public Hearing that the public necessity, convenience, general welfare and good zoning practices (**permit / do not permit**) the issuance of a CUP to SHAH Development, LLC for property located at 2765 Roanoke Street (tax parcel 501 – ((1)) – 26A) for residential use in the B-3 General Business District.

THEREFORE be it resolved that the Christiansburg Planning Commission (**recommends / does not recommend**) that the Christiansburg Town Council approve the issuance of the Conditional Use Permit with the following condition(s):

1. The development shall be in general conformity with the presented “Proposed Site Layout Patricia Lane Townhomes C.U.P. Concept Plan “dated August 29, 2014.
2. The development shall comply with all applicable stormwater regulations.

Dated this the _____ day of November 2014.

Craig Moore, Chairperson
Christiansburg Planning Commission

The above Resolution was adopted on motion by _____ seconded by _____ at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Public Hearing on the above request on November 10, 2014. Upon a call for an aye and nay vote on the foregoing resolution, the Commission members present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

MEMBERS

AYES

NAYS

ABSTAIN

ABSENT

Matthew J. Beasley

Ann H. Carter

Harry Collins

David Franusich

Steve Huppert

Craig Moore, Chairperson

Joe Powers, Vice-Chairperson
Jennifer D. Sowers

Craig Moore, Chairperson

Nichole Hair, Secretary^{Non-voting}

DRAFT

Resolution of the Town of Christiansburg Planning Commission

Conditional Use Permit Application

WHEREAS the Christiansburg Planning Commission, acting upon a request by Peggy A. Beasley for property located at 275 Starlight Drive (tax parcel 529 – ((A)) – 13) for a flea market in the B-3 General Business District, has found following a duly advertised Public Hearing that the public necessity, convenience, general welfare and good zoning practices (**permit / do not permit**) the issuance of a CUP to Peggy A. Beasley for property located at 275 Starlight Drive (tax parcel 529 – ((A)) – 13) for a flea market in the B-3 General Business District.

THEREFORE be it resolved that the Christiansburg Planning Commission (**recommends / does not recommend**) that the Christiansburg Town Council approve the issuance of the Conditional Use Permit with the following condition(s):

1. The property is to be maintained in a clean, sanitary, and sightly manner.
2. The outside market shall only be allowed to operate from 7:00 a.m. to sundown.
3. All vendors are required to pack out all of their trash, garbage, boxes, unsold items, etc. with the exception of farmer's market semi-permanent display fixtures under roof.
4. Dumping of chemicals, oil, sewage, etc. into storm drains or anywhere else on the property is not permitted.
5. No campers or overnight camping.
6. Vendors selling prepared foods shall obtain Town Business Licenses and collect and file Town meals taxes.
7. The flea market organizers and all vendors shall meet all applicable federal, state and local regulations and requirements.
8. This permit shall be valid for Peggy A. Beasley only and is nontransferable.
9. The permit approval shall be subject to review in six months.
10. This permit shall exempt Peggy A. Beasley from installing paved parking spaces. Any future tenant or use shall comply with all parking requirements.

Dated this _____ day of November 2014.

Craig Moore, Chairperson
Christiansburg Planning Commission

The above Resolution was adopted on motion by _____ seconded by _____ at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Public Hearing on the above request on November 24, 2014. Upon a call for an aye and nay vote on the foregoing resolution, the Commission members present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

MEMBERS

Matthew J. Beasley

Ann H. Carter

Harry Collins

David Franusich

Steve Huppert

Craig Moore, Chairperson

Joe Powers, Vice-Chairperson

Jennifer D. Sowers

AYES

NAYS

ABSTAIN

ABSENT

Craig Moore, Chairperson

Nichole Hair, Secretary Non-voting

Resolution of the Town of Christiansburg Planning Commission

Conditional Use Permit Application

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study a request made by Mike Harris (agent for property owner Raymond Myers) for a private recreational facility at 375 Bell Road (tax parcel 499 – ((A)) – 1F) in the I-2 General Industrial District, has found following a duly advertised Public Hearing that the public necessity, convenience, general welfare and good zoning practices (**permit / do not permit**) the issuance of a Conditional Use Permit (CUP) to Mike Harris (agent for property owner Raymond Myers) for a private recreational facility at 375 Bell Road (tax parcel 499 – ((A)) – 1F) in the I-2 General Industrial District.

THEREFORE be it resolved that the Christiansburg Planning Commission (**recommends / does-not recommend**) that the Christiansburg Town Council approve the Conditional Use Permit with the following conditions:

1. This permit is valid for baseball programs only.
2. Hours of operation shall be limited to between 9:00 a.m. and 9:00 p.m.
3. There shall be no excessive noise between 11:00 p.m. and 7:00 a.m.
4. This permit is subject to inspections and approval of the facilities and equipment by the Fire Marshall, Building Official, and Rescue Squad Captain. The Town of Christiansburg requires that the applicants use and maintain the facilities and equipment in accordance with equipment manufacturer's guidelines.
5. This permit shall be valid for the applicants only and is nontransferable.
6. Parking for the operation shall be limited to the existing parking area immediately in front of the building on the property.
7. This permit shall be subject to review by the Planning Commission in one year.

Dated this the _____ day of November 2014.

Craig Moore, Chairperson
Christiansburg Planning Commission

The above Resolution was adopted on motion by _____ seconded by _____ at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Public Hearing on the above request on November 24, 2014. Upon a call for an aye and nay

vote on the foregoing resolution, the Commission members present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

MEMBERS

Matthew J. Beasley
Ann H. Carter
Harry Collins
David Franusich
Steve Huppert
Craig Moore, Chairperson
Joe Powers, Vice-Chairperson
Jennifer D. Sowers

AYES

NAYS

ABSTAIN

ABSENT

Craig Moore, Chairperson

Nichole Hair, Secretary Non-voting