

**Christiansburg Planning Commission
Minutes of November 24, 2014**

Present: Matthew J. Beasley
Ann Carter
Harry Collins
David Franusich
Steve Huppert
Jennifer D. Sowers
Joe Powers, Vice-Chairperson
Craig Moore, Chairperson
Nichole Hair, Secretary ^{Non-Voting}

Absent: None

Staff/Visitors: Missy Martin, staff
Sara Morgan, staff
Kevin Conner, Gay and Neel
Thom Rutledge, SHAH Development
Mike Harris, New River Baseball, Inc.
Several others

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:

Chairperson Moore proposed an amendment to the Planning Commission Agenda to strike the Public Hearing and discussion and action for 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.

Commissioner Carter made the motion to strike the two items from the agenda. Commissioner Beasley seconded the motion, which passed 8-0.

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 November 10, 2014.

Chairperson Moore introduced the discussion. Commissioner Collins made a motion to approve the Planning Commission meeting minutes. Commissioner Carter seconded the motion, which passed 5-0. Commissioner Sowers, Commissioner Beasley and Commissioner Franusich abstained due to being absent.

Planning Commission public hearing on Councils' 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.

Chairperson Moore asked for staff to discuss the ordinance amendment. Ms. Hair stated the amendment to the Zoning Ordinance is to allow recreational facilities in the I-2 General Industrial District with a Conditional Use Permit. Ms. Hair added this was also done in the I-1 Limited Industrial District previously. A CUP was then approved for the Reed's Lumber property.

Chairperson Moore asked for public comment in regards to the ordinance amendment. Mr. Mike Harris, 530 Capital Way, stated he was the President of the New River Baseball, Inc. and described how the program has currently outgrown its current facilities and would like to expand to include boy's baseball and girls' softball. Mr. Harris added he does not want to take away from the Christiansburg Recreation Center and wants the kids to be involved in local programs in their community. Mr. Harris stated he made a presentation to Town Council approximately 3 weeks earlier and had a positive response.

Mr. Harris discussed leasing the building and possibly purchasing the property in the future. This is an abandoned building and Mr. Harris feels the property is perfect for the program. Mr. Harris has over 12 teams interested in the program and New River Baseball, Inc. would like to add cages and other practice items for the kids.

Chairperson Moore thanked Mr. Harris and asked for any further comments from the public. With no further comments, the public hearing was closed.

Contingent on the above item, Public Hearing for a Conditional Use Permit request 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.

Chairperson Moore made a correction stating the item should include that it is a Public Hearing for a Conditional Use Permit. Chairperson Moore asked the applicant to address the Planning Commission.

Mr. Harris described how the property is abandoned and the prior use of the property was the old Pepsi Plant. He also described the plans for the building for the baseball program.

Chairperson Moore asked for further comments. No further comments were made.

Discussion and action by Planning Commission 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 District. The Planning Commission public hearing was held on November 10, 2014

Chairperson Moore opened the discussion. Mr. Thom Rutledge asked to address the Commission. Mr. Rutledge submitted revised concept drawings. Mr. Rutledge also apologized to the Commissioners about the previous Public Hearing meeting because he addressed the citizens directly and not the Planning Commission.

Mr. Rutledge would like to address comments from the Public Hearing meeting. Mr. Rutledge stated Commissioner Carter and Commissioner Powers wanted to see more parking even though the plan does meet the intent of the ordinance. After looking at the plan 4 additional spaces were added for overflow parking.

Mr. Rutledge discussed the concerns over landscaping and buffers brought up by neighbors on Patricia Lane and the Planning Commission. He explained the changes made to the concept plan, which addresses the concerns. Mr. Rutledge also discussed the landscaping plan, which includes bio retention areas and a buffer of trees and shrubs between the residents on Patricia Lane.

Mr. Rutledge stated Commissioner Powers had concerns about fencing along Roanoke Street. He added after further research, due to utilities within the area, he does not feel a vegetative buffer can work. The wooden fence is the best option for maintenance of the utilities.

Chairperson Moore asked if the Commissioners had any questions.

Commissioner Franusich asked if the applicant had submitted plans showing the typical elevation of the proposed townhomes. Mr. Rutledge replied no because some neighbors could not agree on the color of the vinyl. Mr. Rutledge recommended to the residents to drive by a current development in Cambria Crossing that will mirror this future development.

Commissioner Powers asked if the landscaping will be similar to the other side on Patricia Lane. Mr. Rutledge replied yes but it will take a while for the landscaping to grow. Mr. Powers also asked if the bio retention will be graded to come out toward Patricia Lane because of the slope of the property. Mr. Rutledge described how the current bio retention will be utilized so the units in the rear of the property can be routed to that existing bio retention area. A similar plan will also be used for the front of the property onto Roanoke Street.

Mr. Kevin Conner added because of the grade, the bio retention will be used before the underground retention is used. Commissioner Powers stated the bio retention would eventually drain to the corner of Roanoke Street and Patricia Lane and added a discussion was made about Engineering looking at this. Ms. Hair responded Engineering will look at it during the site plan process.

Discussion and action by Planning Commission 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 District. The Planning Commission public hearing was held on November 10, 2014 (continued).

Commissioner Powers added he appreciated Mr. Rutledge looking at the berm and after looking himself he agreed with the decision. Commissioner Powers also asked how close the fence will be to the sidewalk. Commissioner Powers recommended the fence be setback from the sidewalk. Mr. Rutledge agreed and said a grass strip will be left between the fence and sidewalk so all the sidewalk can be utilized. Mr. Rutledge added the boarded side of the fence will face Roanoke Street and not the townhouse side.

Commissioner Collins verified the sidewalks do run from the entry way. Mr. Rutledge replied yes, all the way up to Patricia Lane to accommodate current residents and for possible future development. Commissioner Sowers asked if there will be walkways in front of all units on both sides. Mr. Rutledge replied yes, there will be private sidewalks the HOA will be responsible to maintain.

Commissioner Powers added the use of the property is appropriate for a transition between the designated commercial and residential areas on Roanoke per the Comprehensive Plan's Future Land Use Map.

Commissioner Carter would like to thank the applicant for finding additional parking spaces.

Chairperson Moore reviewed the parking concerns of the public hearing, even though the developer did meet the intent of the ordinance. He also added the new plan will help with those concerns and help meet the intent of the neighborhood.

Chairperson Moore asked for any further questions for the applicant.

Chairperson Moore read over conditions which are:

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 with an amendment to add a revised plan date of November 14, 2014.
2. The development shall comply with all applicable stormwater regulations.

Chairperson Moore asked the Planning Commission if conditions need to be added. Commissioner Powers added he would like to see a buffer between the fence and sidewalk. Ms. Hair replied the site plan process will review this and also staff recommends the fences not be placed up to the property lines for maintenance.

Commissioner Collins made a motion to recommend Town Council approve the Conditional Use Permit request with the drafted conditions, as amended. Commissioner Sowers seconded the motion, which passed 8-0.

Discussion and action by Planning Commission 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.

Chairperson Moore opened the discussion.

Commissioner Carter asked if the Town had a definition of what a recreation facility means. Ms. Hair responded she does not have a definition with her but with this being a Conditional Use Permit request the Commission could make conditions on the use.

Commissioner Powers asked if all the uses would be inside the building only. Ms. Hair replied correct. Mr. Powers added he was glad the property will remain zoned industrial for future potential development because the Town has limited industrial property.

Commissioner Franusich asked if this has been allowed before in Town. Ms. Hair replied yes that Reed Lumber Company went through the same process previously for a Code amendment in the I-1 District with a Conditional Use Permit request for a recreational facility.

Commissioner Carter asked if the type of sports should be included in the conditions. Commissioner Sowers added the last request they also added timing conditions. Chairperson Moore replied these conditions are a good point and can be added in during the next section of the meeting; this discussion is for the ordinance amendment only.

Ms. Hair stated Town Council has made a request for Planning Commission to make the request tonight so hopefully this can be approved at their next meeting. The applicant wants to use the facility as soon as possible.

Commissioner Beasley made a motion to recommend Town Council approve the amendment of the Zoning Ordinance. Commissioner Collins seconded the motion, which passed 8-0.

Discussion and action by Planning Commission on a Conditional Use Permit request 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.

Chairperson Moore read the drafted 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.

Discussion and action by Planning Commission on a Conditional Use Permit request 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 – (continued).

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.
- Chairperson Moore read the drafted conditions.

Ms. Hair stated she would amend condition one to include softball. Chairperson Moore clarified item number one will include baseball and softball programs only.

Commissioner Powers asked if the applicant would like to add additional sports because this would be a good time, instead of having to come back at a later date. Mr. Harris stated he may add basketball goals, sports fitness workouts and hold corn hole tournaments the facility but will not compete with the Recreation Center. Commissioner Collins asked how number one condition can be worded. Ms. Hair replied the condition can say all recreation activities with the Towns Planning Director approval because the previous Planning Director, Randy Wingfield, worked closely with Reeds Lumber Company on the same issue.

Chairperson Moore clarified the change to number one to read this permit is valid for primarily baseball and softball but other recreational activities are permitted. Commissioner Fransich asked if number one can just be stricken from the conditions. Ms. Hair stated the condition can read this permit is valid for indoor recreational activities only.

Chairperson Moore stated on previous conditions the approval can be tied to the applicant. Mr. Hair replied she can add in the applicants association to number five.

Mr. Harris asked if the conditions will prohibit the kids from going outside to throw on a pretty day. Chairperson Moore responded yes it would. Mr. Harris would like to request outdoor use for the hot summer months. Commissioner Collins requested to strike the indoor use only. Commissioner Powers added the noise with the outdoor sports may be an issue for the residential neighbors. Chairperson Moore stated this is an industrial use area and it could be noisy all hours of the day. Mr. Powers inquired if a limit could be placed for the outdoor use to the adjacent residential unit. Mr. Moore stated the Commission is proposing on the north side of the property to add a 30 feet buffer from that property line.

Chairperson Moore stated this is a great opportunity for the youth. Commissioner Collins added he appreciated the applicants creating this program and need to be commended.

Discussion and action by Planning Commission on a Conditional Use Permit request 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 (continued).

Commissioner Beasley asked if number two can be conditioned to change the time from 8 a.m. to 9 p.m. because starting at 9 a.m. seems too late. Mr. Harris asked if number two can be conditioned to say outdoor time only. Chairperson Moore stated with the area is zoned Industrial, it could have noise 24 hours. Commissioner Collins asked if number 2 can be stricken all together. Ms. Hair replied the condition can be changed to limit outdoor activity only during 9 a.m. and 9 p.m. Chairperson Moore asked Ms. Hair about the conditions of time added to Reed Lumber Companies Conditional Use Permit. She replied there are numerous residential properties adjoining the property so that was the concern. Chairperson Moore would like to make the condition 8 a.m. to 9 p.m. Commissioner Collins verified no time limit on indoor use. Ms. Hair replied correct and it would follow the current noise ordinance in Town.

Ms. Hair read the amended conditions.

1. This permit is valid for recreational activities only.
2. The outdoor activities shall be limited to 8:00 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 New River Baseball Inc. 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.
8. All outdoor recreational outdoor activities are to remain 30 feet from the existing residential units.

Chairperson Moore asked for any further questions. Commissioner Collins asked if the applicant will be installing signage. Mr. Harris replied yes temporary signage will be installed but not permanent. Ms. Hair stated the signs would be approved by the Planning Department.

Commissioner Beasley made a motion Town Council approve the request with the amended conditions. Commissioner Collins seconded the motion, which passed 8-0.

Commissioner Huppert added that Town Council heard from Mr. Harris approximately three weeks earlier and they were very approving of the program.

Other Business.

Ms. Hair added the Development Subcommittee meeting will be held on December 10, 2014

Ms. Hair gave an update on the Neighborhood Plan meeting held on November 20, 2014. She added only two citizens attended the meeting and for the next meeting it will be a broader event held at the Recreation Center. The Town Public Relations will work on a Newsletter to add to the January water bills.

Ms. Hair would like to thank the Planning Commissioners for approval of amending the flea market request. A joint meeting will be held on December 9, 2014 at the Aquatic Center and Ms. Hair would like the Commissioners to attend to have a quorum. Commissioner Collins asked how the meeting will work being joint. Ms. Hair responded the Planning Commission will listen during the Public Hearing and make a recommendation at their next meeting held on Monday, December 15, 2014.

Ms. Hair reminded the Commissioners their disclosure forms are due on December 15, 2014. The Commissioners can either bring them to the December 9th meeting to give to the Town Clerk or she will take them.

Commissioner Huppert added the Town Council is meeting at the Aquatic Center to tour the facility and if the Commissioners would like to attend the tour to be there by 5:45. Commissioner Beasley verified the meeting time with Ms. Hair.

Chairperson Moore asked the Commissioners to let Ms. Hair know if they cannot attend the meeting to make sure of a quorum.

Mr. Kevin Conner added they are waiting on Federal authorization to advertise for the next portion of the downtown construction.


Chairperson Moore asked Ms. Hair about the officers and bylaws for the next meeting. Ms. Hair replied the next meeting on December 15, 2014 they will discuss the officers, subcommittees and the bylaws.

Commissioner Huppert stated that Mayor Barber is very interested in starting up a farmers market in the spring and also how several people from the community. Commissioner Huppert added the Town Council appreciates the hard work the Planning Commission does.

There being no more business, Chairperson Moore adjourned the meeting at 7:50 p.m.



Craig Moore, Chairperson



Nichole Hair, Secretary Non-Voting