

**Christiansburg Planning Commission
Minutes of July 21, 2014**

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

Absent: Joe Powers, Vice-Chairperson

Staff/Visitors: Missy Martin, staff
Sara Morgan, staff
Michael Barber, Mayor
Teresa, Guynn, Memmer & Dillon, P.C., Town Attorney
Jim Vanhoozier, Town Council
Cindy Wells Disney, Montgomery County Planning Commission
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.

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.

1. The property shall be developed in substantial conformance with the masterplan submitted dated June 10, 2014 and revised July 17, 2014.
2. The property proposed for R-1 Zoning shall only be utilized for single-family detached residential use.
3. A maximum density of no more than three (3) units per acre shall be permitted within the area requested for R-1 Zoning.
4. Construction traffic shall be strictly prohibited from utilizing any private roads in the Villas at Peppers Ferry.

Ms. Hair spoke with the Theresa Fontana, Town Attorney about proffer #3. There will be density higher than three (3) units per acre. This was confirmed and explained by the applicant's representative, Steve Semones. Ms. Fontana suggests striking the third proffer and going with the wording in the Code. She noted that the Conditional Use Permit process will address the areas that have an increased density. Ms. Fontana went on to explain the Virginia Code and how the application triggered the CUP process. This is a mixed density development. Mr. Semones spoke to the design of the development and how it lends itself to a three (3) unit per acre average overall. Ms. Fontana and Mr. Semones clarified the density of the development; there are areas with more than three (3) units per acre.

Commissioner Huppert asked about the density of the proposed development. Mr. Semones responded with an explanation of the density within the development. Commissioner Collins asked about the size of lots within the development in relation to the R-1 zoning. Ms. Hair clarified what the applicant is proffering. The Type B lots will be 6,000 square feet rather than the normal 10,000 square feet. Type A lots will be greater than the 10,000 square feet. This development is single-family only. Mr. Semones clarified for Commissioner Huppert that there are 76 lots in the development.

Chairperson Moore asked for clarification regarding the third proffer. Mr. Semones agreed to strike out the third proffer and provide a revised proffer statement.

Commissioner Franusich asked for clarification on the revised master plan. Ms. Hair clarified the removal of Road B leading onto 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. The property contains 35.4 acres and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan – (continued).

Commissioner Hedrick asked Ms. Fontana for clarification on the cash proffers. Ms. Fontana stated that cash proffers could be addressed in the future with an amendment to the Town Code. She explained that cash proffers are not addressed in the Virginia Code and that there has been one case that states the Dillon Rule prevents the Planning Commission from conditioning a CUP for cash proffers. Commissioner Hedrick clarified that this prevents the Planning Commission from requiring the \$850 per lot in the conditions. Ms. Fontana confirmed.

Ms. Hair spoke to the timeline of development. If the development receives approval from the Planning Commission and Town Council in the next month, it would be another 12-18 months before roads, and water and sewer lines were added to the site. Sturgill Estates further down the road was rezoned in 2008 and Town staff recently approved the Certificate of Occupancy for their twentieth house.

Commissioner Dorsett believes it is a bad idea to widen Stafford Drive due to the commercial property not being developed at this time. When the commercial lot is developed the developer could be asked to realign the road. Commissioner Hedrick asked for clarification regarding the developer being required to do that for a commercial property as opposed to the current applicant. Commissioner Dorsett and Ms. Hair clarified that a commercial developer can be required to do so because it is part of the site development. Commissioner Hedrick noted where he stood on the application given that Stafford Drive will not be widened. Commissioner Dorsett noted that one cannot make a direct correlation between the proposed development and Stafford Drive. Commissioner Hedrick believes a direct correlation can be made.

Commissioner Dorsett spoke to the travel lanes on Depot Street. The travel lanes on Stafford Drive are 10 feet each and the travel lanes on Depot Street are 11 feet each. Depot Street has almost 9,000 cars trips a day. This is significantly higher than Stafford Drive.

Ms. Hair noted her experience with traveling on Stafford Drive. She has passed two vehicles and had no problem with the width of the road.

Commissioner Franusich asked about plans to improve Stafford Drive. Ms. Hair clarified there is none at this time due to the Town's lack of right of way. The improvements to Stafford Drive should be addressed at the time of commercial development on the lot fronting Route 114.

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 - (continued).

Ms. Hair noted that one cannot predict residents' behavior. When she travels on Stafford Drive she chooses to turn onto Route 114 via Quin W. Stuart Boulevard.

Commissioner Huppert asked if Route 114 improvements would be complete by the time the development is created. Ms. Hair believes it will be. From her understanding, by the time Stateson Homes has infrastructure in, the VDOT traffic study will be completed along with the Route 114 improvements.

Commissioner Franusich spoke to the residential designation in the Comprehensive Plan. He noted the lack of pedestrian infrastructure and shoulders on Stafford Drive. Commissioner Franusich questioned if this rezoning is the responsible thing to do if there is not a plan in place to widen Stafford Drive. Commissioner Franusich stated he appreciated the removal of the Road B exit onto Stafford Drive. Commissioner Dorsett noted that there is no correlation between this development and Stafford Drive to require Stafford Drive be improved. With the entrance to the development on Quin W. Stuart Boulevard, one cannot assume everyone will use Stafford Drive. Commissioner Franusich agrees not everyone will travel that way but there will be some impact on Stafford Drive. Commissioner Hedrick believes that statement is like saying the Villas of Peppers Ferry do not have an impact on Stafford Drive, which is not true. Commissioner Franusich agreed with Commissioner Hedrick.

Commissioner Hedrick spoke about the widening of Stafford Drive and how the residents of Stafford Drive have voiced concern. He believes the Town should address this issue now rather than leaving it to another developer to handle.

Commissioner Dorsett made a motion to recommend approval of the rezoning to Town Council with the amended proffers. Commissioner Carter seconded the motion.

Commissioner Franusich stated his main concern is the impact on Stafford Drive. He mentioned the Villas of Peppers Ferry's impact on Stafford Drive and how one can assume the same for the proposed development. Commissioner Franusich also noted Ms. Hair's comment on the development timeline and commercial development that will occur on the property fronting Route 114.

Commissioner Dorsett noted the Route 114 improvements would be present at the time of the development. Commissioner Huppert asked the applicant about the rate of building. Mr. Robertson responded by saying 15 homes a year and would not break ground until Fall 2015. This means the first home would not be delivered until Spring 2016.

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 - (continued).

Mr. Robertson noted his business plan and how the market will dictate the building. Commissioner Franusich stated the rezoning follows the Comprehensive Plan but the Planning Commission also needs to address public safety and welfare. He added the Planning Commission cannot predict the impact on Stafford Drive. Commissioner Hedrick stated Stafford Drive should have been addressed when four other developments located off Stafford Drive. Commissioner Sowers and Ms. Hair noted the widening of the road when it was annexed. The road was built to the standard in 1988. Commissioner Dorsett added that the 1988 standard for residential roads was 10 foot travel lanes. The motion passed 7-2.

Contingent on Item 2, 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 read the drafted conditions:

1. The presented "Site Development Regulations of the Proposed Stateson Homes Planned Housing Development" prepared by the Balzer and Associates, Inc. dated June 10, 2014 and revised July 17, 2014, shall be considered as conditions of approval.
2. The development shall be in general conformity with the presented "Stateson Homes Planned Housing Master Plan" drawings dated June 10, 2014.
3. The applicant shall install an 8 foot wide, paved walking trail with a 2 foot wide vegetative buffer along "Road A", on the "Stateson Homes Planning Housing Master Plan" drawings dated June 10, 2014, adjoining the Villas of Peppers Ferry.
4. The developer shall install sidewalks along one side of the streets within the development. The sidewalks shall be divided from the street with a 3 foot strip of grass.
5. The developer shall install street lightening of similar design to what exists along Quin W. Stuart Blvd.
6. The developer shall provide active recreation within the development.

Contingent on Item 2, 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).

7. The developer shall install vegetative screening along portions of Road A that are adjacent to existing residential units located in the Villas of Peppers Ferry. A minimum of 75% evergreen trees or shrubs will be used in each screening location.
8. The developer of this property shall provide \$850 per lot, to be set aside by the Town for improvements to Stafford Drive right-of-way from Peppers Ferry Road, N.W. to Quin W. Stuart Blvd. This amount will be provided to the Town of Christiansburg at the time of applying for a building permit.

Condition #8 is not legally permissible and is stricken.

Commissioner Franusich asked about the permissibility of Condition #6. Ms. Hair clarified that it is permissible with on-site work as opposed to off-site.

Commissioner Dorsett stated she is concerned with the use of pines as vegetative screening and would prefer more water friendly trees and shrubs. She added the use of various trees and plants to make the screening visually interesting for the Villas of Peppers Ferry residents. Commissioner Dorsett stated she would like to shift the road centerline towards the other end of the right-of-way to provide more space between the road pavement and the Villas of Peppers Ferry. She stated this will create a visually interesting screening. Mr. Semones spoke to the desires of the Villas of Peppers Ferry residents and the focus of screening along Road A. Mr. Semones stated the applicant would like to do mass planting of the screening to help the critical areas

Commissioner Dorsett and Commissioner Sowers discussed the shifting of Road A in regards to the right-of-way. Commissioner Dorsett and Ms. Hair discussed revising the requirement to a maximum of 70% of evergreens be added to condition #7. The Planning Commission agreed to the change. Commissioner Collins asked about the residents' desires and Mr. Semones spoke to the screening desired along Road A.

Commissioner Dorsett stated she would like to see the sidewalks on the outside lots rather than the inside lots. The sidewalks will provide access to active recreation such as a pocket park. Commissioner Huppert and Commissioner Carter asked about the definition of active recreation. Commissioner Dorsett gave examples of active recreation and Mr. Semones confirmed. Commissioner Sowers asked about the maintenance of the active recreation. Mr. Semones explained that the maintenance would be handed over to the Home Owners Association once the development is complete. Condition #6 is revised to include pocket park.

Contingent of Item 2, 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 explained her idea regarding sidewalks on the outside with the use of the map. The description of the outside lots was discussed by the Planning Commission and Ms. Hair. Commissioner Collins asked about the past conversation regarding sidewalks on both sides of the road. Mr. Semones stated that the applicant's original proffer statement included the sidewalks on both sides. Commissioner Dorsett spoke to the design of sidewalks on one side of the street. Mr. Semones noted that the original application met the current zoning ordinance. Commissioner Dorsett and Commissioner Franusich discussed the sidewalks and trails along Road A. Commissioner Collins stated this sets the wrong precedence for future development.

Commissioner Huppert is concerned about the development of the pocket park and suggested it be built when fifty percentage of the development receives a Certificate of Occupancy. Ms. Hair and Mr. Semones noted that this has been done in the past.

Commissioner Huppert asked for clarification regarding Road B's connection to Stafford Drive. Mr. Semones clarified that Road B no longer connects to Stafford Drive.

Commissioner Franusich and Commissioner Dorsett asked about stormwater development. A condition was added to include the current stormwater regulations are met by the applicant. Chairperson Moore spoke to the impervious area being added to the site and how it can create issues regarding stormwater. The more asphalt present on the property results in more stormwater on the property. He noted it may intend to do the environmentally friendly thing but the Planning Commission needs to consider other impacts. Commissioner Dorsett noted the use of a vegetative strip along the trail to allow water to infiltrate and minimize the impact. Commissioner Carter noted the water tax for the runoff that could be implemented by the Town.

Commissioner Carter asked Commissioner Dorsett to clarify where sidewalks will be. Chairperson Moore asked Mr. Semones to show the trail and sidewalk on the site. Mr. Semones showed Planning Commission where the trail and sidewalks would be located on the site. Chairperson Moore clarified that this would modify Condition #4. Ms. Hair clarified that sidewalks will be along lots 1-22, 39-48, and 67-76.

Chairperson Moore asked for clarification of revised Condition #6. Ms. Hair read the revised condition #6. The developer shall install active recreation within the development, such as a pocket park, after 50% of the lots have received a Certificate of Occupancy.

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Commissioner Beasley made a motion to recommend to Town Council the Conditional Use Permit be approved, with the amended conditions and Commissioner Dorsett seconded. The motion passed 9-0. Commissioner Hedrick abstained from the vote because the condition regarding requiring the applicant to pay for off-site improvements was stricken. Ms. Hair and the Town Attorney advised Commissioner Hedrick this was not a sufficient reason to abstain and suggested he vote in opposition of the motion. Commissioner Hedrick maintained his vote.

Other Business:

Commissioner Huppert noted Town Council's appreciation of Planning Commission's work on this application.

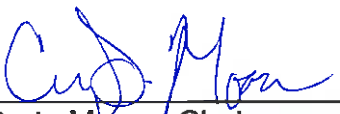
Commissioner Carter noted her appreciation of the Town Attorney being present.

Commissioner Dorsett would like the Planning Commission to look at cash proffers and amending the Town Code. She spoke to Montgomery County's experience with cash proffers in relations to the 2005 Comprehensive Plan. The development subcommittee will look at this issue in coordination with Town Staff and the Town Attorney.

Commissioner Franusich would like the Town to look at roads in Town that need improvement in relation to funding.

Commissioner Collins asked about the width required by VDOT in regards to Stafford Drive. Ms. Hair explained that with a new development, the Town requires 50 feet of right-of-way and 30 feet of pavement. Chairperson Moore clarified Stafford Road had been in Montgomery County and when annexed into the Town, it was then paved to the standard of the time.

There being no more business Chairperson Moore adjourned the meeting at 8:01 p.m.


Craig Moore, Chairperson


Nichole Hair, Secretary Non-Voting