

**Planning Commission**

Chairperson

Hil Johnson

Vice-Chairperson

Jeananne Knees

Non-Voting Secretary/

Planning Director

Will Drake

Other Members

Thomas Bernard

Ashley Briggs

Felix Clarke

Mark Curtis

Jessica Davis

Johana Hicks

Ann Sandbrook

Jennifer Sowers

Town Manager

Randy Wingfield

Town Attorney

Sands Anderson P.C.

**Planning
Commission's
Next Meeting:**
Monday, August 31,
2020 at 7:00 p.m.

Town of Christiansburg Planning Commission Monday, August 17, 2020 Agenda

REGULAR MEETING

Planning Commission will meet in the Christiansburg Town Hall located at 100 E. Main Street on **Monday, August 17, 2020 at 7:00 p.m.** for the purpose of allowing the full Commission to review the following:

- 1) Pledge of Allegiance.
- 2) Public comments – 5 minute limit per citizen.
- 3) Approval of Planning Commission Minutes for July 20, 2020.
- 4) Presentation on the New River Valley Housing Study by Jennifer Wilsie and Kevin Byrd, New River Valley Regional Commission.
- 5) Discussion on potential amendments to Chapter 42, "Zoning" of the Christiansburg Town Code for the purpose of clarifying the allowance of architectural projections such as roof eaves, windows, porches and decks into minimum required yards.
- 6) Other Business.

Town Hall will be open and available to receive public comment in-person at the time of this meeting. Additionally, the Public shall have access to the meeting through live streaming as set forth below, and may submit comments by any of the following additional means:

- By e-mail to info@christiansburg.org.
- By voicemail at (540) 382-6128 ext. 1109.
- By mail to Town Hall, 100 E. Main Street, Christiansburg, VA 24073 ATTN: Planning Commission (please allow adequate mailing time).
- By using the Town Hall drop box and labeling your comments for ATTN: Planning Commission.

The meeting will be streamed live on the Town of Christiansburg's Facebook page at www.facebook.com/cburgvagov and will be uploaded to the Town's YouTube page once the meeting concludes.

For a description of the preceding items or to view the Town's Zoning Map, Zoning Ordinance, or Future Land Use Map, please contact the Planning Department in the Christiansburg Town Hall, 100 East Main Street during office hours of 8:00 a.m. - 5:00 p.m. Monday through Friday. Written comments may be sent to the preceding address; please allow adequate mailing time. Contact Will Drake, Planning Director at (540) 382-6120 ext.1117 or wdrake@christiansburg.org with any questions or if you require reasonable accommodations.

**Christiansburg Planning Commission
Minutes of July 20, 2020**

Present: Thomas Bernard
Ashley Briggs
Felix Clarke Jr.
Mark Curtis
Jessica Davis
Johana Hicks
Hil Johnson, Chairperson
Jeananne Kries, Vice - Chairperson
Ann Sandbrook
Jennifer D. Sowers
Will Drake, Secretary Non-Voting

Absent:

Staff/Visitors: Jude Cochran, staff
Jared Crews, staff
Lisa Dalton, 30 Weddle Way
I-Ping Fu, 50 Weddle Way
Tommy Kranz, Montgomery County Public Schools
Bryan Rice, 2440 Hitching Post Dr.
Steve Semones, Balzer & Associates, Inc.
Warren Rosborough, 107 College Street
Kenneth White, 50 Weddle Way

Chairperson Johnson called the meeting to order at 7:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia.

Public Comment

Chairperson Johnson opened the floor for public comment. With no comments, Chairperson Johnson closed the floor for public comment.

Approval of Planning Commission Minutes for the June 22, 2020 Meeting

Vice-Chairperson Kries made a request to amend the June 22, 2020 Planning Commission meeting minutes to clarify her proposal to have a member of Dialogue on Race speak to the Planning Commission. Mr. Bernard made a request to amend his question to Mr. Kranz, stating how MCPS allocates \$0.29 per square foot for facility maintenance, where most commercial businesses allocate \$1.50 per square foot, how would they maintain the building? Mr. Kranz's response was funds would be reallocated to other projects to make up the difference.

Commissioner Briggs made a motion to approve the June 22, 2020 Planning Commission meeting minutes as amended. Commissioner Hicks seconded the motion, which passed 10-0.

Approval of Planning Commission Minutes for the June 29, 2020 Meeting

Commissioner Curtis made a motion to approve the June 29, 2020 Planning Commission meeting minutes. Commissioner Sowers seconded the motion, which passed 10-0.

Discussion/Action a Rezoning request by the Montgomery County School Board (applicant/owner) for an approximately 16.66 acre property located at 208 College Street NW (tax map no. 526- A – 175). The request is to rezone the property from the R-2, Two-Family Residential District to the B-3, General Business District. The property is designated as Downtown/Mixed-Use on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Discussion/Action on a Conditional Use Permit request – contingent on the preceding item - by the Montgomery County School Board (applicant/owner) for a commercial garage/maintenance shop and contractor storage yard on property located at 208 College Street NW (tax map no. 526- A – 175) in the B-3, General Business District. The property is designated as Downtown/Mixed-Use on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Chairperson Johnson opened the discussion.

Mr. Drake noted the update to the staff report included a brief overview of the MCPS site visit on July 13, 2020. Additionally, Mr. Drake noted staff provided possible conditions for the Commission to discuss based on the conceptual site plan provided by the applicant and typical conditions associated with commercial garages and contractor storage yards.

Commissioner Hicks stated she was unable to attend the July 13, 2020 site visit due to a Proposed Park PPEA Committee Meeting, but was able to take a tour the following day.

Commissioner Sandbrook stated her intention to abstain from discussion and action due to possible conflict of interest.

Commissioner Bernard noted his concern that the number of buses proposed on the site has differed multiple times. Additionally, Commissioner Bernard noted his

concern of the purchase of additional buses in the future. Commissioner Clarke stated no more buses will be parked on site than the parking spaces provided.

Commissioner Bernard noted the Town's Compressive Plan and how this proposed zoning change would not follow its intent. Commissioner Briggs noted the age of the Comprehensive Plan and the possibility of it being outdated for current needs. Commissioner Bernard agreed that the Comprehensive plan needs to be reviewed, but stated that its age does not necessarily mean the property's future land use designation would have been changed.

Commissioner Hicks stated her concerns and noted that there are alternative locations for the proposed bus garage that are not in the middle of the downtown area.

Vice-Chairperson Knies noted the tough decision the Commission has to make and whatever the decision may be, it will have both positive and negative outcomes for the Town and its residents.

Chairperson Johnson reminded the Commission of the Conditional Use Permit and the School Board must follow all conditions attached to the permit. Commissioner Briggs stated the Commission can be opposed the proposal and vote no or can work on discussing conditions to get to a comfortable agreement with the School Board.

Commissioner Curtis noted the property is currently in good condition and a bus garage would not be the best use of its potential.

Commissioner Hicks noted other locations in the town that could be better suited for a bus garage than the proposed location.

Commissioner Clarke noted the condition of current schools in the town and that the savings of the proposed bus garage would financially benefit the needs of the schools.

Commissioners Hicks and Curtis discussed the potential of the gymnasium being used for educational purposes rather than a bus garage. Chairperson Johnson stated his interest in investing into current schools rather than retrofitting the gymnasium.

Chairperson Johnson stated he had previously not heard complaints of bus traffic until this proposal was brought up, even though buses have been going to the site for years.

The Commission discussed the potential conditions.

Commissioner Hicks questioned stormwater management at the site. The Commission and Mr. Drake noted the site will be subject to town and state stormwater requirements.

The Commission discussed adding a condition to review the site in one year after approval.

Commissioner Sowers motioned to recommend approval of the rezoning. Commissioner Briggs seconded the motion, which passed 5-4.

The following conditions were drafted:

1. The site shall be developed and used in conformance with the Overall Master Plan, "Old Christiansburg Middle School Redevelopment Master Plan" prepared by OVPR Architects and Engineers, dated February 14, 2020.
2. An 8-foot tall, dark-colored pvc-coated chain link fence shall be installed around the perimeter of the parking area to the extent and location as shown on the Overall Master Plan. Privacy slats shall be installed and maintained along the entirety of the fence.
3. A staggered, double-row of evergreen screening trees shall be installed around the perimeter of the parking area to the extent and location as shown on the Overall Master Plan. The trees shall be a minimum of 6-feet tall at the time of planting. Each row of trees shall be planted on 12-foot centers, with a staggered, equal planting distance maintained between the two rows.
4. The location of garage doors/service bay doors into the bus garage structure shall be limited to the southwest side of the bus garage, as shown on the Overall Master Plan.
5. The property shall be maintained in a clean, sanitary, and sightly manner.
6. Mechanical work shall be done inside the building and not outside.
7. All parts, including faulty parts, tires, etc. shall be kept inside the garage or a fully enclosed building (including a roof) until disposal.
8. All waste petroleum products and/or chemicals shall 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.

9. This permit shall be subject to review by the Planning Commission in one year and is subject to revocation for noncompliance with any local, state, or federal regulations.

Commissioner Briggs motioned to recommend the approval of the conditional use permit with the conditions as drafted. Sowers seconded the motion, which passed 5-4.

With no further comment, Chairperson Johnson closed the discussion.

Discussion/Action on a Rezoning request by Caldwell Construction (applicant) for an approximately 4.52 acre property owned by Sandra Hawks and Janice Blevins et al, located between the eastern and western terminus of Vinnie Avenue NW (100 Vinnie Avenue NW, tax map no. 435 -A - 45). The request is to rezone the property from the R-1A, Rural Residential District to the R-1, Single-Family Residential District with proffers. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Discussion/Action on a Conditional Use Permit request – contingent on the preceding item - by Caldwell Construction (applicant) for a planned housing development to consist of single-family homes at a density of development not to exceed 4.3 units per acre for property owned by Sandra Hawks and Janice Blevins et al, located at the eastern and western terminus of Vinnie Avenue NW (100 Vinnie Avenue NW, tax map no. 435 – A – 45) in the R-1, Single-Family Residential District. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Chairperson Johnson opened the discussion.

Mr. Drake noted the applicant provided updated plans for the Commission. Mr. Drake noted the change of the side yard setbacks along the Carma Heights Subdivision, the reduction to the maximum allowable density of development, and the addition of two new proffers. Mr. Drake provided an update on street connectivity with a brief history of Vinnie Ave.

The Commission discussed the road connectivity.

Mr. Semones provided a brief overview of the changes to the proposal.

Vice-Chairperson Kries requested a brief overview of topics from the previous meeting due to her absence. The Commission updated her on the public's setback and stormwater concerns.

Commissioner Hicks requested feedback from the adjacent property owners and asked if their concerns have been adequately satisfied. The adjacent property owners stated they were satisfied with the fruit trees being replaced if removed, but would still like the developers to install a privacy fence along the property. Mr. Semones noted a public utility easement runs along the property line, making it difficult to install a privacy fence.

Commissioner Hicks questioned the removal of existing trees on the site. Mr. Rice stated the number of existing trees to remain would be determined by how much grading would need to be completed, but the trees in question would be replaced if removed.

Commissioner Hicks questioned the grading of the site. Mr. Rice noted Ms. Dalton's home will be above the subject property.

The Commission discussed the traffic flow through the proposed connection of Vinnie Ave.

Commission Sandbrook noted she would like to see the property be rezoned to a residential use rather than a business use. Additionally, Commissioner Sandbrook recognized the traffic restrictions and the density in the area.

Commissioner Briggs expressed her opposition towards the density, lot sizes, and the space between dwellings. Mr. Rice noted the space between dwellings is larger than some similar developments in the town.

Commissioner Hicks questioned whether or not the sidewalk would connect to Weddle Way. Mr. Semones stated the developers haven't reached that level of design yet and that they would need to discuss it with town engineers.

Commissioner Briggs stated her concern that the proposed sidewalk only runs along one side of the street rather than both. Mr. Rice noted the developers tried to match the Slate Creek development. Commissioner Briggs noted pedestrians would have to cross the street to reach the sidewalk to walk down Vinnie Ave.

Commissioners Sandbrook and Briggs noted their concerns with the density increasing along Peppers Ferry Rd. Vice-Chairperson Knies noted the current plan for that area, based on the comprehensive plan, is high density residential use.

Commissioner Sowers noted the demand of patio homes and that the demographic purchasing the proposed homes matches the demographics of the adjacent neighborhoods. Mr. Rice noted there are only a few single level homes on the market at this time, two of which are currently being built. Additionally, Mr. Rice noted

roughly 60 single level homes have sold in the last year. Mr. Semones stated the development has been designed to transition from the Carma Heights development to the Slate Creek development.

Commissioner Hicks questioned whether or not a Home Owners Association would exist within the development. Mr. Semones stated there would be a Home Owners Association to take care of maintenance of the development.

The Commissioners discussed possible conditions.

Commissioner Briggs expressed the need for a condition to ensure sidewalk is installed along both sides of Vinnie Ave.

Commissioner Hicks expressed concern with the connection of Vinnie Ave. with the roadway narrowing in width on the eastern side. Mr. Semones stated the roadways would connect seamlessly.

The following proffers were provided:

1. The property shall be developed in substantial conformance with the masterplan submitted dated May 6, 2020 and revised July 14, 2020.
2. The property proposed for R-1 Zoning shall only be utilized for single family detached residential use.
3. Any proposed residential unit on Lot 1 as shown on the masterplan shall locate outdoor areas such as patios or decks located along its western property line between proposed Lot 1 and Lot 2.
4. Any existing fruit trees as shown in the northeast portion of the property on Sheet Z2 that are removed during construction shall be replaced at a one to one ratio upon final construction of the proposed home on Lot 11.

Commissioner Briggs motioned to recommend approval of the rezoning with the updated proffers provided by the applicant. Commissioner Sowers seconded the motion, which passed 10-0.

The following conditions were drafted:

1. The presented “Rezoning Application and Conditional Use Permit Application for Vinnie Avenue Patio Homes Planned Housing Development” dated May 6, 2020, revised July 14, 2020 and “Vinnie Avenue Patio Home Master Plan” dated May 6, 2020, revised July 14, 2020 shall be considered the conditions of approval.

2. Sidewalk shall be installed by the developer along both the north and south sides of the proposed public road extension of Vinnie Avenue and connect to existing sidewalk segments on the western section of the existing Vinnie Avenue.

Commissioner Sandbrook motioned to recommend the approval of the conditional use permit with the conditions as drafted. Commissioner Hicks seconded the motion, which passed 9-1.

With no further comment, Chairperson Johnson closed the discussion.

Other Business

Chairperson Johnson opened the discussion.

Mr. Drake and Chairperson Johnson noted the intention to have staff from the Regional Commission present the findings of the regional housing study.

Commissioner Briggs questioned commissioner certification training during the Covid-19 pandemic. Mr. Drake noted an upcoming training in Richmond, but for safety reasons it is not expected of the Commissioners to attend.

With no further business, Chairperson Johnson adjourned the meeting at 8:58 p.m.

Hil Johnson, Chairperson

Will Drake, Secretary Non-Voting



Planning Department Staff Report

TO: Planning Commission
SUBJECT: Potential code change regarding structural projections
DATE: August 14, 2020

Purpose

Planning Commission is asked to evaluate potential amendments to Chapter 42, "Zoning" of the Christiansburg Town Code for the purpose of clarifying the allowance of structural projections such as roof eaves, windows, porches and decks into minimum required yards.

Staff has drafted a proposed code section addition and definitions, which were amended based on direction from the Development Subcommittee. The draft code language and definitions are provided to the Planning Commission to facilitate discussion of the topic.

Background

The attached draft code language would set parameters for the projection of structural features into required yards. The language is applicable to both lots conforming to minimum yard requirements of the Zoning Ordinance as well as lots with nonconforming yards that were legally established (i.e. a home was constructed prior to the yard requirements of the Zoning Ordinance or the yard requirements have changed since construction).

The draft code language aims to accomplish the following:

- Establishing the distance roof features (eaves, gutters) and architectural features (bay windows, chimneys, fireplaces) may project into any yard and requiring a minimum yard width to remain.
- Establishing the distance awnings, canopies, porches, and decks may project from the existing building face and requiring a minimum yard width to remain.
- Allowing for a three-foot overhang over an entryway.
- Providing clear and distinct definitions for awning, canopy, deck, eave, and porch.

Please note the following:

- With the exception of the allowance for a three-foot overhang for entryways, all permitted structural projections will have a minimum yard width that must be maintained, regardless of the distance of the projection.
- The newly drafted definitions make a distinction between porches, which are covered structures, and decks, which are uncovered structures.
- Decks are allowed to project further into side and rear yards than into front yards. This is based on the current allowances in which decks (uncovered) adhere to setback requirements for accessory structures (three feet from side and rear property lines).
- Enclosed porches will be treated as additions to the main dwelling and will adhere to the base setback requirements for a home.
- At the direction of the Development Subcommittee, the draft code language was amended to include clarification that limits on projections from building faces shall not apply when a structure, including the projection, does not encroach on any required setbacks.
- The Development Subcommittee discussed the possibility of creating separate definitions for deck and patio to differentiate between the two structures based on height or construction materials. Based on discussion with the Town Building official, Staff has not added a separate definition for patios, as the State Building Code does not differentiate between decks and patios based on height or materials in its definitions of the terms. Staff would recommend patios continue to be treated as accessory structures and not be defined separately or considered as structural projections per the draft code amendment.

Attachment included with staff report:

1. Draft Code Language – dated 8/04/2020
2. Development Subcommittee Meeting Notes – 7/20/2020
3. Development Subcommittee Meeting Notes – 8/03/2020

Sec. 42-15. - Permitted structural projections into required yards.

- (a) For any yard, including front yards, either as required by this chapter or as currently existing and legally established on a lot, the following structural projections shall be permitted, provided applicable sight distance and fire safety requirements are met and maintained and provided no part of the structure is located within any easement or right-of-way:
 1. Awnings or canopies projecting no more than eight (8) feet from the building face, provided such projection does not reduce the side yard to less than five (5) feet or front or rear yard to less than ten (10) feet.
 2. Overhanging eaves or gutters projecting no more than three (3) feet from the building face, provided such projection does not reduce the side yard to less than three (3) feet or front or rear yard to less than ten (10) feet.
 3. Architectural features such as bay windows, chimneys, fireplaces, or the like projecting no more than three (3) feet from the building face, provided such projection does not reduce the side yard to less than five (5) feet or front or rear yard to less than ten (10) feet.
 4. Decks projecting no more than ten (10) feet from the front building face, provided such projection does not reduce the front yard to less than ten (10) feet. Decks projecting into a side or rear yard provided such projection does not reduce the width of a rear or side yard to less than three (3) feet.
 5. Porches projecting no more than ten (10) feet from the building face, provided such projection does not reduce the width of a side yard to less than five (5) feet or front or rear yard to less than ten (10) feet.
 6. Protective hoods or overhangs over a doorway projecting no more than three (3) feet from the existing building face.
- (b) Limits set forth in this section for maximum structural projection from an existing building face shall not apply if minimum yard requirements are met by the entire structure, including the projection.
- (c) For lots with street frontage along more than one public street, any yard adjoining a public street right-of-way shall adhere to the front yard requirements set forth in section 42-15(a).

Definitions

Awning means a permanent roof like structure that projects from the wall of a building, covered with any material designed and intended for protection from the weather or as a decorative embellishment including those types which can be retracted, folded, or collapsed against the face of the supporting building.

Canopy means a structure made of permanent construction without pillars or posts, which is totally or partially attached to a building for the purpose of providing shelter to patrons or motor vehicles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure and cannot be raised or retracted.

Deck means a structure with an elevated floor and no solid roof usually attached to or part of and with direct access to or from, a building.

8/4/2020

Eave means the underside of the projection of a roof beyond the outer wall of a building.

Porch means a roofed open area usually attached to or part of and with direct access to or from, a building.

Development Subcommittee Meeting Notes – July 20, 2020

Attendees:

Ashley Briggs
Felix Clarke Jr.
Johana Hicks
Hil Johnson
Jeananne Kries
Jennifer Sowers
Jude Cochran (Staff)
Jared Crews (staff)
Will Drake (staff)
Amy Southall (staff)

Items for discussion:

1. Discussion on potential amendments to Chapter 42, "Zoning" of the Christiansburg Town Code for the purpose of clarifying the allowance of architectural projections such as roof eaves, chimneys, windows, stoops, patios and decks into minimum required yards.

Projections

- Mr. Drake gave an overview of the current ordinances regarding setbacks, projections and an explanation of the suggestions provided by citizens and developers working in the Town.
- Mr. Drake provided example code language from adjacent municipalities that address typical projections.
- Mr. Drake illustrated several scenarios depicting different types of setback projections.
- The Committee expressed concern with the ambiguity regarding the current code.
- Mr. Drake and the Committee discussed the intent to address allowances for existing and new development.
- The Committee discussed the different types of projections (porches, stoops, chimneys, sunshades, bay windows, eaves, etc.) and how they might be impacted by current and future code interpretations.
- Commissioner Briggs questioned grandfathered legal non-conforming structures. Mr. Drake stated alterations to existing legally non-conforming structures can be replaced, but cannot increase an existing nonconformity.
- Mr. Drake suggested staff draft the proposed allowances and the Committee can review and provide more specific input.
- Commissioner Briggs questioned the interpretation of stairs and ramps in regard to setbacks. Mr. Drake stated current code allows stairs to encroach into setbacks and that accessible ramps are permitted to encroach into all setbacks.

Development Subcommittee Meeting Notes – August 3, 2020

Attendees:

Ashley Briggs
Felix Clarke Jr.
Hil Johnson
Jeananne Kries
Jennifer Sowers
Christine Waltz
Jude Cochran (Staff)
Jared Crews (staff)
Will Drake (staff)

Items for discussion:

1. Discussion on potential amendments to Chapter 42, "Zoning" of the Christiansburg Town Code for the purpose of clarifying the allowance of architectural projections such as roof eaves, chimneys, windows, stoops, patios and decks into minimum required yards.

Projections

- Mr. Drake gave a brief recap of the prior Development Subcommittee meeting and presented the Chapter 42 amendments drafted by staff.
- The Committee expressed its comfort with the majority of the language proposed, but noted additional clarification may be necessary.
- The Committee discussed and altered the proposed allowable projection distances of some items defined including:
 - Amending the allowed projection of overhanging eaves and gutters from four feet to three feet
 - Amending the allowance for a protective hood over an entryway from two feet to three feet
- The Committee discussed the proposed language regarding deck and porch projections. The Committee requested that the code language clarify that there would be no limit on the projection of a deck or porch from an existing structure if the projection did not enter any required setbacks.
- The Committee discussed the difference between patios and decks and the possibility of adding a definition for patio. The Committee discussed potentially differentiating between decks and patios based on features such as height or materials and whether these definitions would conflict with State Building Code.
- The Committee discussed appropriate front porch setback encroachments and required front yards and determined a ten-foot projection from a building face would be appropriate so long as a front yard is not reduced to less than ten feet in width.
- Mr. Drake stated staff would amend the draft code language as suggested and reach out to the Building Department regarding possibly defining patio.