Christiansburg Planning Commission
Minutes of March 12, 2012

Present: Ann H. Carter
Harry Collins
M. H. Dorsett, AICP
Steve Huppert
Craig Moore, Chairperson
Ashley Parsons
Joe Powers, Vice-Chairperson
Jennifer D. Sowers
Randy S. Wingfield, Secretary Non-Voting

Absent: Barry Akers
Mark M. Caldwell, III

Staff/Visitors: Kali Casper, staff
Carol Lindstrom, 630 Depot Street, N.E.
Matthew Cheadle
Sue Farrar, Montgomery Museum and Lewis Miller Regional Art Center
John Neel, Gay and Neel, Inc.
Janice Hodge, 770 Liberty Street
Darrell Hinkley, 750 Liberty Street
Janet Hinkley, 750 Liberty Street
Craig Smith, 180 Jones Street, S.E. (owns 685 and 695 Park Street)
two others

Chairperson Moore called the meeting to order at 7:04 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia to discuss the following items:

Public Comment.

Chairperson Moore opened the floor for public comment. Commissioner Huppert stated he would like citizens to be aware of maps of Christiansburg that include hotels, restaurants and other attractions that are available. Commissioner Huppert stated that there were 10,000 printed several years ago and there are 5,000 of the newest version.

Approval of meeting minutes for February 27, 2012.

Chairperson Moore introduced the discussion. Commissioner Carter made a motion to approve the February 27, 2012 meeting minutes. Commissioner Dorsett seconded the motion which passed 7-0 with Commissioner Sowers abstaining.

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Planning Commission public hearing for Council's intention to adopt an ordinance in regards to a rezoning request by Natalie H. Cheadle for property at 175 East Street (an approximately 6.6 acre portion of tax parcel 528 – ((A)) – 23) from I-2 General Industrial to B-3 General Business. The property is scheduled as Residential and Industrial in the Future Land Use Map of the Christiansburg Comprehensive Plan. The Town Council public hearing is set for April 3, 2012.

Chairperson Moore introduced the discussion. Matthew Cheadle addressed the Planning Commission regarding the proposed conditions for the Conditional Use Permit. Mr. Cheadle noted he has concerns in meeting condition #4 "Storage of recreational vehicles and campers shall be allowed year round, however residential use of individual recreational vehicles and campers shall be limited to thirty (30) days total during any calendar year". Mr. Cheadle stated the intent is not for permanent residences but for visitors to Virginia Tech for football games or visiting their children, construction workers, and similar circumstances. Mr. Cheadle indicated he would like to propose the time limit be six months in a calendar year.

Commissioner Sowers inquired if the mobile homes would remain on this portion of the property. Mr. Cheadle stated the current mobile homes would remain and the recreational vehicles will supplement the vacancies in the mobile home park. Commissioner Dorsett questioned recreational vehicles being mixed in with mobile homes and inquired if that would be allowed and expressed concerns regarding accommodating the water service and sewer disposal. Mr. Wingfield stated that the mixing of vehicles could be allowed provided that the Health Department allows it. Mr. Cheadle stated the recreational vehicles will not be allowed to bring in gray water. Mr. Cheadle explained when the recreational vehicles come into the park, they would be able to hook up to existing water and sewer. Commissioner Powers asked about the number of current vacancies. Mr. Cheadle stated there are 14 vacancies in the park and 7 in this portion. Commissioner Powers asked if that would be the maximum number of recreational vehicles allowed. Mr. Cheadle stated he is unable to predict that as there may be more mobile homes moved out. Commissioner Collins asked for clarification regarding intermingling the mobile homes and recreational vehicles. Mr. Cheadle stated a recreational vehicle could be beside a mobile home.

Commissioner Powers indicated a mobile home park in the B-3 District requires a Conditional Use Permit and he asked Mr. Wingfield if the Cheadles have a CUP. Mr. Wingfield stated the property is grandfathered as a mobile home park and does not have a Conditional Use Permit. Commissioner Powers stated if the use is changed on the property then the Cheadles would have to get a CUP. Mr. Wingfield explained the use of the property for mobile homes would be grandfathered as long as the mobile homes remain. Commissioner Powers stated the Town's Zoning Ordinance may need to be reviewed. Commissioner Powers explained property that is non-conforming cannot increase that non-conforming use. Commissioner Powers inquired who owns mobile homes. Mr. Cheadle stated his family owns the spaces, not the mobile homes.

DRAFT

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Commissioner Dorsett stated the fencing separating this property and the adjoining cemetery is in need of repair and asked if the applicant is willing to replace the fence. Mr. Cheadle stated he has spoken with Montgomery Museum regarding the fence since they own the cemetery.

Commissioner Collins asked if there will be an occupancy limit, including automobiles per RV site. Mr. Cheadle stated each site will be allowed 1 vehicle and the RV will not be pulled out until the lease is up. Commissioner Dorsett asked why this rezoning is not considered spot zoning and Mr. Wingfield stated the property adjoins B-3 across East Street.

Commissioner Dorsett inquired about access for the proposed site from Park Street as Park Street is fairly narrow. Commissioner Sowers expressed concerns over maneuvering an RV through that intersection of Park Street and East Street. Mr. Cheadle stated he has personal experience in using that intersection with an RV and that he did not have a problem. Commissioner Dorsett asked Mr. Cheadle if he planned to upgrade East Street at the intersection of Park Street. Mr. Cheadle stated he felt East Street it is wide enough to accommodate RVs. Chairperson Moore asked which way the mobile homes come in and out of the park. Mr. Cheadle stated they have not had any new homes move in lately so he is unsure which way they may come in. Commissioner Collins asked Mr. Wingfield why the Town has not taken over East Street as a public street. Mr. Wingfield stated East Street is a public street up to the rear property corner of the last single-family residence on the left. Mr. Wingfield added if the Town were to accept the private portion of East Street, the street would need 30 feet of pavement and 50 feet of right-of-way dedicated to the Town.

Commissioner Carter inquired how many hook ups and designated spaces will be for the RVs. Mr. Cheadle stated he does not know at this time as the number of RVs could go up or down. Ms. Lindstrom expressed concerns over the livestock market being held on Park Street and the vehicles parked on the street could be a problem for RVs.

Commissioner Powers stated Mr. Cheadle has mentioned managing the RVs and requested Mr. Cheadle write out the management provisions and what issues he is planning to address. Commissioner Powers expressed the need for a buffer between the RV park and the existing cemetery and inquired if Mr. Cheadle had any thoughts on addressing this. Mr. Cheadle stated the fence has always been there and currently it is falling down.

Commissioner Dorsett inquired about the storing of RVs on the property. Mr. Wingfield stated the applicant had mentioned the option of storing RVs when not in use for overnight park purposes. Mr. Wingfield added the Health Department requires permitting as a campground for 3 or more RVs on a property.

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Commissioner Collins inquired if the Code needs to be amended for the RV park. Mr. Wingfield stated overnight campgrounds are allowed in the A Agricultural and B-3 General Business Districts with a CUP. Commissioner Collins expressed concerns over RVS being intertwined with mobile homes. Mr. Wingfield stated the Planning Commission can condition to separate the mobile homes and RVs. Mr. Wingfield stated the Health Department considers it a campground with 3 or more RVs. Ms. Lindstrom inquired if combining the uses, do the mobile homes need to meet the requirements of a campground. Mr. Wingfield stated the Planning Commission can condition improvements to the mobile home park for the overnight campground approval. Ms. Lindstrom inquired if the mobile home park is being changed to a campground, would the mobile home park be eliminated. Mr. Wingfield indicated the Planning Commission can condition to do away with the mobile home park in the areas of the request. Ms. Lindstrom commented she has seen increased activity at the livestock market and produce stands, limiting the road width on Park Street.

Janice Hodge, residing at 770 Liberty Street, addressed the Planning Commission stating the rear of her property adjoins the mobile home park. Ms. Hodge expressed concerns over the atmosphere of the property, the number of vehicles going in and out of the mobile home park, including speeding vehicles and the trash surround the mobile homes. Ms. Hodge inquired if there would be screening of the occupants for the RVs to insure there are no sex offenders or other criminals

Sue Farrar, residing at 145 Melody Drive, addressed the Planning Commission as a representative of the Montgomery Museum and Lewis Miller Regional Art Center. Ms. Farrar stated the Montgomery Museum owns the cemetery and in the past there has been damage and vandalism to the cemetery. Ms. Farrar requested a fence be installed around the property line.

Darrel Hinkley, residing at 750 Liberty Street, addressed the Planning Commission with concerns regarding the narrow roads, the livestock market and the railroad tracks with an occasional train. Mr. Hinkley stated his main concerns are safety issues and uncertainty as to what type of people may be in the park.

Janet Hinkley, residing at 750 Liberty Street, expressed concern with the way Cheadles manage the property currently and how the mobile home park is maintained. Mrs. Hinkley stated she has children and has concerns for their safety.

Ms. Lindstrom asked if the property would be subject to the transient tax. Mr. Wingfield stated there would need to be a Town Business License for the overnight park and that he thought the lodging tax would apply.

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Planning Commission public hearing for a Conditional Use Permit request by Natalie H. Cheadle for an overnight recreational vehicle park at 175 East Street (an approximately 6.6 acre portion of tax parcel 528 – ((A)) – 23) in the B-3 General Business District. This request is contingent on Item 3. The Town Council public hearing is set for April 3, 2012.

Chairperson Moore introduced the discussion. Chairperson Moore read the drafted conditions:

1. All recreational vehicles and campers shall be properly licensed and tagged.
2. This permit is subject to inspections and approval of the facilities by the Fire Marshall and Building Official.
3. All sewage disposal and water connections shall be compliant with Code of Virginia and Christiansburg Town Code to the satisfaction of the Town Engineer and Montgomery County Health Department.
4. Storage of recreational vehicles and campers shall be allowed year round, however residential use of individual recreational vehicles and campers shall be limited to thirty (30) days total during any calendar year.
5. The park office shall maintain a registry of all recreational vehicles and campers in the park and document owners, license plate numbers, storage dates, and occupancy dates for all recreational vehicles and campers. A copy of the registry shall be provided to the Town staff upon request.
6. Patrons of the overnight park shall be directed to utilize Park Street as means of exiting the property.
7. This permit shall be valid for the applicants only and is nontransferable.
8. This permit shall be subject to review by the Planning Commission in one year.

Mr. Cheadle stated he would like to address some of the concerns. Mr. Cheadle stated the livestock auctions are held once a week on Wednesday. Mr. Cheadle stated he and his mother live within the mobile home park and have not encountered issues with residents. Mr. Cheadle stated residents of the mobile home park are subject to background checks and the same would apply to the occupants of the overnight park. Commissioner Collins inquired what happens if someone wants to pull into the RV park on a Saturday night and how the background check will be handled. Mr. Cheadle stated occupants of the RV park will have to make reservations. Commissioner Collins inquired about the number of people allowed on an RV site. Mr. Cheadle explained that depends on the size of the RV. Commissioner Collins asked if Mr. Cheadle would be willing to limit the number of people per space. Mr. Cheadle stated he had not thought of limiting the number of occupants for the RV and is not comfortable doing that at this time. Commissioner Collins asked if there will be a quiet time. Mr. Cheadle replied the park is a quiet site. Commissioner Collins asked what type of on-site improvements the applicant has planned. Mr. Cheadle replied there would be no on-site improvements planned with the exception of possible waterline replacement.

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Commissioner Huppert asked for further clarification regarding the RVs not being in a separate space but mixing in with the mobile home park. Mr. Cheadle stated the RVs will be individual lots. Commissioner Dorsett indicated Commissioner Huppert meant the RVs are not going to be adjacent to one another but adjacent to mobile home spaces. Mr. Cheadle stated they did not intend to move the mobile homes to have a separate RV park.

Commissioner Powers asked if the mobile home park has a current Business License. Mr. Cheadle replied he did not know if there was a Business License. Commissioner Dorsett inquired if an additional tax would be required for transient tax. Mr. Wingfield stated he believed the overnight campground would be subject to the lodging tax but that would go through the Business License process. Commissioner Carter stated the RV park would require a Business License. Commissioner Powers inquired if the mobile home park is required to have a Business License. Mr. Wingfield indicated the mobile home park does not require a Business License as it is considered a rental property and added that rental of property does not require a Business License; but that a property management company managing other people's property would and added that the overnight park would require a Business License for its operation.

Commissioner Carter stated she would like to request a site visit of the entire Planning Commission. Mr. Cheadle commented he cannot control the speeding other than speed bumps in the park, which they have done.

Commissioner Collins inquired where the RVs being stored year round will be located. Mr. Cheadle stated the RV will be stored in a space. Commissioner Dorsett asked is there a more accurate way to reference the request since there has been some confusion.

Commissioner Parsons asked the applicant how many spots are located in that section of that mobile home park. Mr. Cheadle stated 40 or 41 spots. Commissioner Parsons stated the applicant could continue to have fewer mobile homes and it is technically possible the requested area could be full of RVs. Mr. Cheadle agreed that hypothetically could happen but that he could not say that it would. Chairperson Moore stated the RVs could be limited by the conditions. Commissioner Carter asked the applicant how many mobile homes the Cheadle family owned. Mr. Cheadle stated there are three owned by them.

Commissioner Dorsett stated the request has been advertised as a recreational vehicle park but this is the minority of the use. Mr. Wingfield stated that he felt he had to advertise it that way as the wording in Town Code if for overnight parks with a CUP and that was essentially what was requested. Commissioner Dorsett stated she understood.

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Ms. Hinckley stated the Police Department patrols the mobile home park frequently. Mr. Cheadle stated he has seen a couple police officers come into the park since he has lived there.

Commissioner Collins asked the applicant if he would consider any on site improvements such as landscaping and clean up the property. Mr. Cheadle stated he is on the manager for cleaning the property. Chairperson Moore requested staff check with the Police Department regarding calls to the Cheadle Mobile Home Park. Mr. Wingfield stated he spoke with the Police Chief and the Police Department does respond to a number of calls in the mobile home park. Commissioner Dorsett indicated she would like a report from Police Department for the last three years and further report out from the Public Works Department regarding the hookups for RVs.

Review of the Christiansburg Downtown Historic District Preliminary Information Form (PIF) for the Virginia Department of Historic Resources.

Chairperson Moore introduced the discussion. Ms. Hair indicated the narrative is presented to the Planning Commission and if there are no comments, it is ready for submittal. Commissioner Powers inquired if any action was required and Ms. Hair stated not unless there were any comments. Several Planning Commissioners stated that they thought it looked good.

Discussion of Zoning Ordinance overall rewrite.

Chairperson Moore introduced the discussion. Commissioner Dorsett stated she did a quick check of State Code and retarded is not used in the State Code and she would like it removed from the Town Code. Mr. Wingfield stated mental retardation is used in the Code of Virginia under Sec. 15.2-2291. Mr. Wingfield added the Development Subcommittee has suggested just referencing the Code of Virginia Section. Mr. Wingfield detailed the proposed changes to the Zoning Ordinance including editing the definition of flea markets to remove “building” and add “or not otherwise within a fully enclosed building”; adding an allowance of a 12-month extension with Town Council approval before the voiding of CUPs after 2 years of inactivity; and amending the 10% reduction in parking for mass transit to either change “shall” to “may” or eliminating the last paragraph in regards to the requirement of provided the parking if mass transit service is ceased (which essentially leaves the developer on the hook to provide the parking indefinitely as drafted) and added that the Development Subcommittee did not necessarily make a recommendation on this but wanted input from the whole Planning Commission. Mr. Wingfield asked for comments on the changes. Commissioner Powers suggesting leaving the language the way it is now and allow the public to comment during the public hearing process. Commissioner Powers stated he has mixed feeling regarding the parking allowance versus mass transit since mass transit is not guaranteed to remain.

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Discussion of Zoning Ordinance overall rewrite. – (continued)

Commissioner Dorsett inquired about the changes to the definition of flea market. Commissioner Powers stated the Development Subcommittee did edit the definition. Mr. Wingfield read the edited drafted definition: *Flea market* means any person or aggregation, congregation or assembly of vendors, whether professional or nonprofessional, that offers for sale, trade or barter any goods, regardless whether they are new, used, antique or handmade; and where offered for sale in open air areas, temporary structures, or not otherwise within a fully enclosed building. This term shall not include "farmers' market" as defined in this Chapter and shall not include "garage and/or yard sale" as defined in Chapter 13 "Flea Markets and Garage and/or Yard Sales."

Mr. Wingfield continued with reviewing the proposed changes including amending the parking requirements in retail to 1 per 250 square feet of floor space. Mr. Wingfield indicated he would like some guidance on this provision for shopping plazas. Commissioner Powers stated the same provision should apply. Mr. Wingfield stated "designated" has been added for motorcycles and compact vehicle space provisions. Mr. Wingfield reviewed the parking revision adding the compact car parking space size is proposed to be reduced to 16 feet in length. Mr. Wingfield detailed the two-way driving aisle widths with parking only on one side being allowed at 18 feet, 90 degree parking being allowed at 24 feet, 60 degree parking being at 20 feet, and 45 degree parking being at 18 feet.

Commissioner Dorsett asked if the parking requirements for the retail would be required in the Cambria District and the Downtown area. Commissioner Dorsett commented the Depot would be hard pressed to meet that requirement. Commissioner Powers stated the Development Subcommittee is looking at accommodating the downtown area but can broaden this to the Cambria area. Mr. Wingfield added he has suggested holding a separate public hearing for the downtown area parking changes as they did not want to hold up the overall rewrite and the changes in the overall rewrite are perhaps a little less controversial. Commissioner Dorsett stated there is the chance of losing historic buildings in these areas in order to meet parking requirements.

Other Business.

Mr. Wingfield stated he has signed up three Planning Commissioners for the Plan Virginia Certified Planning Commissioners Program that will be held this summer in Roanoke and if any other would like to attend to let him know. Commissioner Powers stated he would like to bring Commissioners Collins and Parsons up to speed regarding the Zoning Ordinance update at the next Development Subcommittee meeting.

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Other Business. – (continued)

Commissioner Carter stated she would like to do a site visit for the Cheadle request. Commissioner Collins requested meeting earlier than 7:00 p.m. Chairperson Moore suggested 6:30 p.m. The Planning Commission agrees to meet on site at 6:30 p.m. on March 26th.

Commissioner Powers asked how long the mobile home park has been in operation. Mr. Wingfield stated he is unsure but knows it has been there for decades. Commissioner Carter added she would like to see the Police Report for that property.

Mr. Wingfield added the Planning Commission will have some other public hearing items at that meeting and can set those for 7:30 p.m.

Commissioner Collins asked if the Planning Commission will vote on the rezoning of the property and the CUP request separately. Chairperson Moore stated the Planning Commission should vote on both items because the Town Council could vote opposite of the Planning Commission recommendation.

There being no more business Chairperson Moore adjourned the meeting at 8:20 p.m.

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Craig Moore, Chairperson Randy S. Wingfield, Secretary Non-Voting

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