Christiansburg Planning Commission
Minutes of May 21, 2012

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

Absent: Steve Huppert

Staff/Visitors: Nichole Hair, staff
Kali Casper, staff
Carol Lindstrom, 630 Depot Street, N.E.
Jason Underwood, McNeil Real Estate
Loy Burch

Chairperson Moore called the meeting to order at 7:00 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. No public comments were made.

Approval of meeting minutes for May 7, 2012.

Chairperson Moore introduced the discussion. Commissioner Dorsett asked for clarification regarding the Planning Commission's request for a narrative for the upcoming CUP at Harless Street and Depot Street. Mr. Wingfield stated staff drafted conditions to address the narrative. Commissioner Powers requested the final drafted conditions for Conditional Use Permits be included in their draft minutes. Mr. Wingfield stated he does send the adopted resolutions from Planning Commission to the Town Council with the minutes. Ms. Lindstrom stated the minutes online do not include those conditions. Mr. Wingfield stated he can have the final resolution added to the Planning Commission meeting minutes. Commissioner Powers suggested adding the conditions approved by the Planning Commission with the motion in the text of the minutes. Commissioner Sowers stated she would like a single page document that lists the conditions. Chairperson Moore stated resolutions to be signed will be attached with draft minutes. Commissioner Sowers made a motion to approve the May 7, 2012 meeting minutes. Commissioner Powers seconded the motion which passed 7-0. Commissioner Parsons abstained from voting due to her absence from the May 7, 2012 meeting.

Planning Commission public hearing for a Conditional Use Permit request by Carl McNeil for a planned housing development at the intersection of Depot Street, N.E. and Harless Street (former tax parcel 497 – ((A)) – 288; Lots 1-3 in the recently approved "Plat Showing Harless Corner") in the B-3 General Business District. The Town Council public hearing is set for June 19, 2012.

Chairperson Moore introduced the discussion. Ms. Lindstrom expressed concern regarding drainage on Depot Street with water coming from top of the hill above the Depot. Ms. Lindstrom added cars were hydroplaning through the intersection of Depot Street and Cambria Street. Ms. Lindstrom stated she is concerned the Town is creating additional stormwater issues when there are issues that have not been addressed. Ms. Lindstrom added she has concern for pedestrian traffic which does increase with higher density.

Jason Underwood indicated he is in attendance to answer questions regarding the request. Mr. Underwood stated the lot is vacant and currently overgrown. Mr. Underwood added he is proposing to develop three affordable homes. Mr. Underwood stated the property is zoned B-3 and can have far more extensive uses on the property. Mr. Underwood added Mr. McNeil has spoken with adjoining property owners and they are in favor of the proposal. Mr. Underwood stated he feels the development would be serving a need for affordable new construction. Commissioner Dorsett inquired if the Town requires sidewalks for a planned housing development. Mr. Wingfield indicated sidewalks would be required because the property is zoned B-3.

Commissioner Sowers inquired if the homes would be for sale. Mr. Underwood indicated they would be for sale. Commissioner Sowers inquired if the homes would have basements or crawl spaces. Mr. Underwood indicated crawl spaces. Commissioner Sowers inquired if the homes would be similar to the drawing presented to Planning Commission. Mr. Underwood stated the homes would be similar to the proposal. Mr. Underwood added the homes would be single-family, stick built homes. Commissioner Powers inquired if the applicant would have an issue with conditioning the development consist of homes that are single-family, stick built homes. Mr. Underwood is in agreement with that condition.

Commissioner Carter inquired about the location of sidewalks on Depot Street and where sidewalks would be required on this property. Commissioner Powers stated the sidewalks would be required on Harless Street. Mr. Wingfield added the provisions in the Town Code allows for the Town Manager's discretion to require sidewalks on both or one of the streets or pay into the sidewalk fund.

Commissioner Collins inquired about properties in the area being zoning business but consists of residences. Mr. Wingfield stated that has been the case for decades and was zoned that way before he came to the Town. Mr. Wingfield added he thinks the properties were zoned for business because Depot Street has a fair amount of traffic. Commissioner Powers added it is logical to have residences adjoining parks.

Planning Commission public hearing for a Conditional Use Permit request by Carl McNeil for a planned housing development at the intersection of Depot Street, N.E. and Harless Street (former tax parcel 497 – ((A)) – 288; Lots 1-3 in the recently approved "Plat Showing Harless Corner") in the B-3 General Business District – (continued).

Commissioner Powers clarified the neighbors are in favor of this development. Mr. Underwood stated a lot of neighbors were nervous about a business use and multi-family uses there. Commissioner Powers inquired if Mr. Underwood is nervous about the potential of a business locating adjacent to these new homes. Mr. Underwood stated there is a risk but he does not feel it is a deterrent for residential use.

Commissioner Collins inquired what the setbacks would be for the property if it were zoned residential. Mr. Wingfield stated if the property were zoned R-3 the setback from the street right-of-way would be 30 feet, the rear setback would be 20 feet and the side setbacks would be 10 feet or 10 percent of the lot width. Commissioner Powers indicated the reason for the planned housing development request is to vary from setbacks. Mr. Wingfield stated the applicant is asking for a shorter setback from the streets as part of the planned housing development. Commissioner Powers commented the Town is retaining an easement for street widening purposes, which would make the setback 10 feet from the street if the street is widened. Mr. Wingfield stated the Town can accept an easement for right-of-way widening purposes but the Town is probably not going to widen the street in the near future.

Commissioner Parsons inquired about the listing price of the homes as Mr. Underwood as indicated they will be considered affordable housing. Mr. Underwood stated the max list price would be between $129,000 and $139,000.

Ms. Lindstrom inquired why the Town has allowed the property to continue to be unsightly and overgrown. Mr. Wingfield stated the Town operates on a complaint basis and if the Town receives a complaint, the property owner is contacted.

Commissioner Dorsett inquired about the style of the home and whether a Colonial or Cape Cod design would be considered. Mr. Underwood agreed that those would be nicer but could price out the affordability. Commissioner Powers inquired if there is a ranch in the proximity of this property. Mr. Underwood stated there are several ranches built on Harless Street.

Commissioner Collins inquired if those ranch houses are on the same side of the street as this development and if those homes have the same setbacks as proposed here. Commissioner Powers commented those other homes are in the center of the lots and these homes will line up in the center. Commissioner Dorsett added the average front setback of the homes on Harless Street varies from 19 feet to 26 feet based on GIS.

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Ms. Lindstrom inquired if this development will be required to have ditches since part of the street has ditches. Mr. Wingfield stated curb and gutter may not be required with the sidewalks. Ms. Lindstrom asked if ditches would be required. Mr. Wingfield stated there is nothing prohibiting them from using ditches. Chairperson Moore stated the development would have to meet minimum requirements that would be reviewed by the Town.

The public hearing closed at 7:34 p.m.

Review of a Conditional Use Permit request by L and R Burch Properties, LLC for property at 2000 Roanoke Street (tax parcel 499 – ((A)) – 14) for a flea market and auction house and amendment of a Conditional Use Permit approval for an auto auction in the B-3 General Business District. The Public Hearing was held and approval given on May 19, 2009.

Chairperson Moore introduced review. Mr. Wingfield stated the flea market is gone but the auto auction is still there. Commissioner Dorsett inquired if the Town has received any complaints. Mr. Wingfield indicated there have not been complaints. Commissioner Dorsett inquired if there have been issues with traffic. Mr. Wingfield stated there have been signs posted during the auctions for no parking along the street. Commissioner Powers inquired if the staff has reviewed the property. Ms. Hair indicated staff has reviewed the CUP and property on a monthly basis. Commissioner Powers inquired why it is reviewed monthly. Ms. Hair stated there are numerous CUPs reviewed on a monthly basis for compliance. Commissioner Powers stated if the CUP and property are being reviewed monthly, he sees no need for the Planning Commission to review it unless an issue arises.

Mr. Loy Burch indicated he is the property owner.

Commissioner Dorsett made a motion to recommend the Planning Commission only review the Conditional Use Permit if staff finds an issue. Commissioner Sowers seconded the motion which passed 8-0.

Review of a Conditional Use Permit request by Jeff Anderson (acting as agent for property owner L & R Burch Properties LLC) for a towing service at 2000 Roanoke Street (tax parcel 499 – ((A)) – 14) in the B-3 General Business District. The Public Hearing was held and approval given on November 2, 2010.

Chairperson Moore introduced the review and indicated that he lumped the two requests for the property at 2000 Roanoke Street together. Commissioner Dorsett requested discussion be held for the planned housing development request.

A Conditional Use Permit request by Carl McNeil for a planned housing development at the intersection of Depot Street, N.E. and Harless Street (former tax parcel 497 – ((A)) – 288; Lots 1-3 in the recently approved "Plat Showing Harless Corner") in the B-3 General Business District. The Town Council public hearing is set for June 19, 2012.

Commissioner Dorsett suggested requiring sidewalks for the development and all new development to aid in retrofitting sidewalks in existing neighborhoods. Chairperson Moore indicated Commissioner Dorsett is making a recommendation to condition sidewalks be required. Commissioner Dorsett indicated that is her recommendation. Commissioner Parsons agreed with Commissioner Dorsett that sidewalks should be added for this development along Depot Street and Harless Street. Commissioner Powers inquired if curb and gutters would be required with sidewalks. Mr. Wingfield stated the Planning Commission can add a condition to require curb and gutters with the sidewalks. Commissioner Powers inquired if the sidewalks would be behind the easement dedication. Mr. Wingfield indicated the sidewalks would be looked at by Engineering to verify location. Commissioner Dorsett stated a handicapped accessible ramp at the corner of Harless Street and Depot Street would be required. Commissioner Powers requested the Engineering Department review the site for sidewalk requirements and look at the sidewalks on Depot Street.

Mr. Underwood stated he is in agreement with sidewalks on Depot Street, but in terms of taking a sidewalk up Harless Street there will be a lot of grading needed. Mr. Underwood added there would need to be approximately 300 feet of sidewalk installed and within an affordable housing development, there is not a lot of budget to do this. Commissioner Powers stated the developer would be paying that amount one way or another by either putting in the sidewalks or paying into the sidewalk fund. Mr. Wingfield stated it is the Town Manager's discretion to require the sidewalks be built or the developer pay into the fund per Town Code, but that the Planning Commission can condition what they like. Commissioner Dorsett requested the Town's Engineering Department review the issue for practicality. Commissioner Powers added he would like to request the cost for sidewalks with the practicality. Mr. Wingfield stated the cost estimate is based on average costs, but that as far as he knows the cost is $25 per foot of sidewalks, though the Town allows factoring out entrances. Commissioner Powers inquired if topography is considered. Chairperson Moore stated the cost is based on linear foot and not grading. Commissioner Sowers inquired if the cost of construction of the sidewalks is compared to the feasibility and practicality of construction. Commissioner Powers stated if it is only $5,000 for the sidewalk fund, then he would want to require sidewalks be built.

Commissioner Powers requested the Engineering Department review the drainage on the property. Mr. Wingfield stated a stormwater management facility would have to be on private property but can discharge to an adequate channel. Chairperson Moore requested aerial mapping showing contours, culverts and drop inlets. Commissioner Powers stated there cannot be too many restrictions because affordable housing becomes unaffordable to develop. Commissioner Powers added he wants to have better understanding of issues and address those to enhance the development and neighborhood.

A Conditional Use Permit request by Carl McNeil for a planned housing development at the intersection of Depot Street, N.E. and Harless Street (former tax parcel 497 – ((A)) – 288; Lots 1-3 in the recently approved "Plat Showing Harless Corner") in the B-3 General Business District. – (continued)

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Commissioner Powers commented on this property being zoned business and affecting the residential character of the neighborhood. Commissioner Powers added with the surrounding parks and access to the Aquatic Center, he feels these properties that are zoned B-3 may be changed to residential. Commissioner Dorsett stated as part of the Comprehensive Plan process, the subcommittee is going through and realigning the zoning to match the use of the property. Chairperson Moore agreed with addressing zoning as a larger project by doing the Town as a whole instead of as smaller, individual pieces.

Commissioner Powers stated he is attempting to understand the Town's process with the Zoning Ordinance. Commissioner Powers stated B-3 allows any principal use allowed in the R-3 with a CUP. Commissioner Powers added dwellings in B-3 are subject to the same restrictions as in the R-3 and must get a CUP. Mr. Wingfield indicated this is correct that in the B-3 District, if an applicant is developing a single-family residential use they would be required to have 10,000 square feet and 80 feet of street frontage. Mr. Wingfield added this property was subdivided as potential business since B-3 does not require a minimum lot size or minimum street frontage. Mr. Wingfield commented the request for residential use came in after the subdivision was approved. Commissioner Powers stated he does not like the process of requiring a CUP for residential use in the B-3 with a smaller lot size and reduced setbacks. Mr. Wingfield commented the Planning Commission can condition the request have a minimum of 10,000 square feet and 80 feet of street frontage per lot. Commissioner Powers stated his issue is not with the conditioning but with the process. Commissioner Powers inquired why the applicant was not asked what they intended to do with the property and have it rezoned to R-3 for residential use. Mr. Wingfield stated if this property were zoned R-3; it could not have been subdivided as it was without CUP approval. Commissioner Dorsett stated the CUP for residential use could have been approved before the subdivision. Mr. Wingfield provided another example, if an older subdivision has smaller lots that are "grandfathered" a building permit would be allowed if meeting minimum setbacks. Commissioner Dorsett inquired why there is not a separate multi-family residential district. Mr. Wingfield stated the Zoning Ordinance is written as R-1 being single-family and most restrictive, R-2 allows for duplex and single-family homes and R-3 allows for single-family, duplex, and multi-family use. Commissioner Dorsett questioned why there is not a separate district for higher density.

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Mr. Underwood stated it was not the applicant's intention to circumvent the process by submitting the subdivision plat prior to the CUP request. Commissioner Carter stated the Town must have flexibility to allow infill.

Mr. Wingfield stated the Planning Commission can add a condition to limit the development to residential use only but that the applicant can walk away from the CUP if they decided to build a commercial use without a residential component.

Chairperson Moore stated the Planning Commission will take action on this request at the next meeting. Mr. Wingfield stated the next Planning Commission meeting date will be June 11th.

Review of the Capital Improvements Plan for the Fiscal Year 2012-2013.

Chairperson Moore introduced the discussion. Commissioner Dorsett stated this Capital Improvements Plan cannot be reviewed by a 2232 review. Commissioner Dorsett inquired if this Capital Improvements Plan needs to be approved by the time the budget is approved. Mr. Wingfield stated the Planning Commission should approve the Capital Improvements Plan before the budget is approved at the next Town Council meeting.

Commissioner Powers inquired about page 32, Depot Street Park design. Mr. Wingfield stated the Town is proposing to upgrade its trail system, stream bank restoration, and design of parks including Diamond Hill Park also. Commissioner Powers commented $50,000 is appropriated for the Parks and Recreation Master Plan. Commissioner Powers stated that is over $100,000 for Planning. Mr. Wingfield stated the total amount includes engineering and design of the parks. Commissioner Powers inquired how the Planning Commission can have a voice in the planning process for parks. Mr. Wingfield stated the Town is working with Branch and Balzer and Associates on the Diamond Hill Park. Mr. Wingfield added Branch is partnering with the Town and paying for the streambank stabilization project. Commissioner Powers requested work sessions for input on these projects. Chairperson Moore stated since the Town Council will be considering the budget in two weeks, the Planning Commission should take action on the Capital Improvements Plan.

Commissioner Dorsett made a recommendation to approve the presented Capital Improvement Plan. Commissioner Akers seconded the motion, which passed 8-0.

Commissioner Dorsett requested the Finance Director come speak to Planning Commission regarding the budget process. Mr. Wingfield stated he could ask Mrs. Tweedie to meet with the Planning Commission and added that he had asked about the inclusion of items of $5,000 or more in the CIP and stated that this is part of general acceptable accounting principles.

Other Business

Commissioner Powers stated the Development Subcommittee will be meeting on Wednesday at 11:00 a.m. and the PDC training is the same Wednesday. Mr. Wingfield requested all those attending meet at the Recreation Center at 5:30 p.m. to carpool.

There being no more business Chairperson Moore adjourned the meeting at 8:30 p.m.

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