Christiansburg Planning Commission
Minutes of March 25, 2013

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

Absent: Jonathan Hedrick

Staff/Visitors: Kali Casper, staff
Missy Martin, staff
Glen Cochran
Cliff Dowdy, Townside Realty
John Neel, Gay & Neel Engineering
Citizen

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. Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for March 11, 2013.

Chairperson Moore introduced the discussion. Commissioner Dorsett made a motion to approve the February 11, 2013 Planning Commission meeting minutes. Commissioner Franusich seconded the motion which passed 8-0 with Commissioner Sowers abstaining.

Public Hearing on Council's intention to adopt an ordinance amending Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to sidewalk requirements in the B-1Limited Business, B-2 Central Business, and B-3 General Business Districts.

Chairperson Moore opened the public hearing. No public comments were made. Chairperson Moore closed the floor for public comment. Commissioner Franusich commented that during the last meeting the Planning Commission discussed the language on a 10' path in the Central Business District and the path option should be eliminated from the B-2 District.

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Public Hearing on Council's intention to adopt an ordinance amending Chapter 30 "Zoning" of the *Christiansburg Town Code* in regards to sidewalk requirements in the B-1Limited Business, B-2 Central Business, and B-3 General Business Districts-(continued).

Ms. Hair responded the ordinance was advertised that way but after the public hearing tonight it can be changed i to what everyone feels is correct. Chairperson Moore stated it was a very good point. Ms. Hair stated the second draft included the suggested wording to require sidewalks if sidewalks existed on either side. Commission Dorsett commented she was going to ask the same question about the B-2 District. Chairperson Moore stated the ordinance was advertised as it previously was and the Commission had had a discussion before having a public hearing. Chairperson Moore commented the Public Hearing is closed but anyone could've spoken on the situation and the Commission will move forward presenting to the Town Council after approval. A citizen walked in and Chairperson Moore asked if he would like to address the Planning Commission before they moved forward to item number 4. The citizen replied no.

Public Hearing on Council's intention to adopt an ordinance in regards to a rezoning request by Loyal Order of Moose, Inc. for property located at 115 Farmview Road, N.W. (tax parcels 466-((1))-60A-64A and 436-((2))-65a-67A) from I-2 General Industrial to B-3 General Business.

Chairperson Moore stated he would like for the public to speak before the Commissioners have comments and internal discussions. Chairperson Moore added if the Commissioners have questions please ask to be recognized and please hold off on opinion or preference until the Commissioners move into voting on the issue. Chairperson Moore opened the public hearing. He asked if anyone was there to represent the applicant.

John Neel addressed the Commission and stated he would be representing Mr. Walter Potter, who it the contract purchaser for the property. Mr. Potter is out of town in Virginia Beach and has asked Mr. Neel to speak on his behalf. Mr. Neel also said Cliff Dowdy is present to represent Mr. Potter on the real estate perspective. Mr. Neel handed out a graphic map to show the generic location of the property and wanted to speak briefly. He stated there are no specific uses planned for this property. Mr. Neel stated Mr. Potter has the property under contract from the Moose Lodge and would like to rezone the property. Mr. Neel would like to make it very clear no specific use has been determined at this time. He added the rezoning is strictly getting the land use in keeping with the rest of what the surrounding properties which is the Spradlin Farm shopping center and the vacant piece to the west. Mr. Neel stated Mr. Potter will look at developing the property after the zoning is determined. Mr. Neel stated the property was probably zoned I-2 because of the Norfolk Southern railroad that goes beside the property. Mr. Neel said the property does not have the acreage to be used as industrial development. He added the railroad is not a main line and the railroad goes to Corning, which delivers about twice a week depending on Corning's production.

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Mr. Neel stated he has been driving past the railroad tracks for about 15 years and has only seen one train and it was about one engine and three cars attached which is taking raw materials to Corning. He said Corning employees actually walk beside the train because it goes at such a slow speed.

Mr. Neel sees no benefit for the Town of Christiansburg to keep the property zoned for industrial use and in keeping with the Spradlin Farm shopping center, the property should be zoned B-3. Commissioner Huppert commented at one time the site was Rowe Furniture with an outlet too and that may be why the property was zoned that way. Mr. Neel replied yes, Rowe Furniture was located to the south which is now adjacent to Cambria Self-Storage and Cambria Crossing. Commissioner Carter asked how much acreage is located on the property. Mr. Neel replied approximately 9 acres. Mr. Neel commented the property does not have and official survey at this time.

Commissioner Dorsett asked what type of projects Mr. Potter has been involved in. Mr. Neel advised Mr. Dowdy could answer the question better. Mr. Cliff Dowdy responded Mr. Potter has done mostly commercial developments, office buildings, and strip malls. Commissioner Huppert asked if Mr. Potter was into the hotel or motel business. Mr. Dowdy said he is not. Mr. Neel responded he didn't feel Mr. Potter would be opposed to being in the hotel business.

Commissioner Dorsett asked Ms. Hair about the zoning immediately adjacent to the property indicating the residential properties adjoining are zoned B-3 and will likely remain a residential use. Ms. Hair responded she cannot give a clear answer to that but the B-3 zoning was probably because of the frontage along N. Franklin Street before the 460 By-Pass was developed. Ms. Hair added properties maintain their zoning unless a rezoning is requested, like for Spradlin Farm shopping center.

Commissioner Dorsett asked if the Commission rezones the property and the owner does a by right use the Commission will not be able to ask for proffers. Ms. Hair responded correct. Commissioner Dorsett said she would like to see a buffer for the neighborhoods. Ms. Hair stated a proffer would need to be given before the Town Council public hearing.

Commissioner Collins asked if the Comprehensive Plan shows what the property will be changed to. Ms. Casper replied the property is proposed to be residential since it buffers residential but the piece right next to the property is also commercial so it's kind of a mixed use.

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Commissioner Powers asked Mr. Neel about access since whatever use might go into B-3 will obviously generate additional traffic. Commissioner Powers added when he looks at the access for this parcel he sees Ridinger Street on one side of the railroad tracks and Ridinger Extension on the other side of the property. Commissioner Powers would like to know if they are both private roads and what the right-of-way widths are. Mr. Neel replied that Ridinger Extension is not a public road and is in the mobile home park. Mr. Neel added Ridinger Street is a public street, however he feels like the access would be off of Farmview Road. Mr. Neel stated what could happen is a possibility that 3 lots could stay with the current building and the other parcels could be developed into some B-3 use. Mr. Neel stated an issue with the parcels is the railroad crossing is only for the Moose Lodge use. Mr. Neel indicated this is a private crossing so any change in use or traffic, the property owner would have to get Norfolk Southern permission to use the crossing. Mr. Neel feels the main access would be off of Farmview Street. Commissioner Powers stated currently the property is divided into 8 parcels with only has access to Farmview Street.

Mr. Neel stated from an investment perspective the owner would probably vacate the lot lines and subdivide the property but doing that investment today when the property is zoned I-2 and not B-3, is probably not the best idea. Mr. Neel added the developer would like to make sure the rezoning is approved before vacating and re-subdividing the property. Commissioner Powers asked if staff could look into how the 8 parcels were divided and what the access was when they were divided because usually parcels are not created that do not have public access. Ms. Hair responded those were the original subdivision platted lots and she contacted Montgomery County to ask how the property was listed in the tax parcels. Commissioner Powers asked Ms. Hair what the property's access was when the parcels were platted. Ms. Hair said the access looked to be Farmview Street and Ridinger Extension was used on the other side for the mobile home park. Commissioner Powers stated that Ridinger Extension is not a public right-of-way even though it was platted as a subdivision. Ms. Hair replied no. Chairperson Moore asked if the Town would have any control over the access to that road if the developer came to an agreement with the adjacent property owner to come out on that street. Ms. Hair replied we would not. Chairperson Moore replied the only way would be is if they proffer something that restricted to the use of Farmview Street or continue the access at Ridinger Street. Mr. Glen Cochran stated there is a fence along the boundary of the property and the road belonged to Carl McNeil. Mr. Cochran stated he had mentioned to Mr. McNeil about using Ridinger Extension and Carl said he would not let anyone use his road. Ms. Hair replied the road is very narrow. Chairperson Moore agreed and stated that would be one of the concerns of potential access. Commissioner Powers stated the potential would be to dedicate additional right of way on the parcel adjoining Ridinger Road so you could provide some through access at some point in the future.

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Commissioner Dorsett commented the Farmhouse Restaurant probably would not want to see Ridinger Street extended since it goes right through their parking lot. Commissioner Powers inquired if Ridinger Street is a public street. Mr. Neel replied yes. Commissioner Powers stated the Farmhouse does not have any say in it being a public street because they happened to put their business on one side of the street and their parking lot on the other side. Commissioner Powers noted Ridinger Street provides access to the propane dealership.

Mr. Neel stated the goal here is that this property is zoned I-2 and there are a host of uses that are permitted by right. He said the question being brought before the Planning Commission is whether to rezone this property for business use and not industrial. Mr. Neel stated he knew the Commission has plenty of things to look and to consider but the question today is the rezoning. Mr. Neel stated the other issues can be addressed during the site development stage.

Commissioner Dorsett stated considering the fairly significant slope off the front end, the better developing part of the parcel is going to be back where the soccer field is toward the Moose building. Mr. Neel replied yes.

Commissioner Huppert asked if the Commission approved the rezoning would the owner have to come back to the Commission again when they have established what the property will be or is this it. Mr. Neel stated the developer would not come back if it was a use already permitted in the B-3 district.

Commission Franusich asked if the Huckleberry is going to be coming in to the left of Rowe Furniture. Mr. Neel replied yes. Mr. Neel added the Huckleberry Trail has a a railroad crossing. Mr. Neel stated this phase of the Huckleberry Trail is getting ready to be bid in a couple of weeks. Mr. Neel indicated he has met with Town staff and Norfolk Southern concerning the crossing to be constructed. Mr. Neel detailed the location of the Huckleberry Trail on the map. Commissioner Powers asked if Mr. Neel was able to work out with the railroad a pedestrian walkway crossing the tracks at that location. Mr. Neel replied yes, after 10 hard months.

Chairperson Moore asked for any more questions for the applicant on the rezoning request at this time. Commissioner Dorsett asked if the owner would you be willing to do a proffer on buffering. Mr. Neel stated he would have to check with Mr. Potter and said it was certainly worth considering. Mr. Neel stated he couldn't say whether Mr. Potter would be willing to do that or not but he will ask.

Chairperson Moore asked Ms. Hair what the future plans for this property is in the Town's future Comprehensive Plan and would the Town look to rezone this property moving forward with the Comprehensive Plan.

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Chairperson Moore clarified he would like to know what is proposed in the rewrite of the Comprehensive Plan and not what is currently written. Ms. Casper explained the parcels are proposed as residential and commercial. Chairperson Moore asked if the Town moved forward with a Town wide rezoning then the property would possibly be residential in a portion and commercial in another portion. Ms. Casper replied yes but the map has not been finalized in any way. Chairperson Moore clarified the Comprehensive Plan has not been written or approved yet. Commissioner Franusich asked if current Future Land Use Map has the property designated as commercial. Chairperson Moore replied yes that is the way the property is designated today. Chairperson Moore stated he was just curious what the Town is looking at in the future rewrite.

Chairperson Moore asked if there were any other questions for the applicant. Mr. Neel thanked the Commission for their time. Chairperson Moore asked if anyone else would like to speak on this issue. Chairperson Moore asked if anyone would like to address the Planning Commission about the public hearing. Hearing no further comments, Chairperson Moore moved to close the public hearing. Chairperson Moore asked how the Commission would like to handle the rezoning issue or wait until next meeting. Ms. Hair responded she would like the Commission to wait until the next meeting to discuss, giving the applicant time to provide any proffers they see fit. Chairperson Moore stated the public hearing was over concerning the rezoning request and it would not be discussed any further tonight. Chairperson Moore invited any public wishing to leave at this time may but they are also welcomed to stay.

Commissioner Huppert asked if the Moose Lodge is closed. Mr. Dowdy replied no and their hope was to stay open and maybe move to another location.

Work Session – Comprehensive Plan

Chairperson Moore opened the discussion.

Commissioner Dorsett moved that the Planning Commission go into work session. Commissioner Sowers seconded the motion which passed 9-0.

The work session on the Infrastructure Services chapter of the Comprehensive Plan was held.

Commissioner Carter moved that the Planning Commission close the work session. Commissioner Dorsett seconded the motion which passed 9-0.

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Other Business

Ms. Hair indicated staff has no other business. Commissioner Powers asked if the Commission is going to vote on the ordinance or were they coming back to vote. Ms. Hair replied that she would like to come back to it at the next meeting with a draft ordinance without the B-2 requirement and with the wording of the other two business districts about sidewalk being installed. Commissioner Powers ask Ms. Hair about the two options she had. Ms. Hair responded the first option is the original presented to the Commission and did not have the wording requiring sidewalks when there are sidewalks on adjacent properties and the second option includes that wording but needed to remove the B-2 requirements. Ms. Hair said she will edit the B-2 portion and bring the new draft to the next Planning Commission meeting for vote.

Commissioner Dorsett asked Ms. Hair if the Town could look into adding sidewalks on Depot Street because the existing sidewalks are so narrow on the south side. Commissioner Dorsett stated customers are making complaints walking from the Aquatic Center about how narrow sidewalks are and the lack of sidewalks. Ms. Hair replied she would get with staff and see if it is part of any sidewalk projects. Ms. Hair added there may be a grant to fund a sidewalk project. Commissioner Franusich added there is not a sidewalk from the Aquatic Center to N. Franklin Street. Ms. Hair stated that a bike lane was installed specifically that way. She said there was an option to choose a recreational option and the bike lane was chosen. Commissioner Franusich asked if the time to bring up questions or random items would be during the other business session. Ms. Hair replied yes. Chairperson Moore advised the Commission to email Ms. Hair and copy Mr. Moore with items for the agenda. Chairperson Moore suggested having requests to Ms. Hair a week before the meeting. Commissioner Carter advised the agenda can be amended the night of. Commissioner Dorsett asked for an update on the proposed Downtown Historic District. Ms. Hair replied she had not received information on the adoption of the district and she would email Mike Pulice for a response.

Commissioner Powers asked for more information on Ridinger Extension, including the width. Mr. Powers also advised the Commissioners the Development Subcommittee meeting scheduled for Wednesday does not have anything urgent to discuss so the meeting will be canceled. Commissioner Powers asked Ms. Hair to send out a notice to cancel the meeting. Commissioner Carter agreed in cancelling the meeting.

Commissioner Franusich asked if the Commission's authority is over the Town Code as well, meaning advising about the Town Code. Chairperson Moore replied only if it is related to land use. Commissioner Franusich asked about the issue at Town Council concerning bow hunting. Ms. Hair responded that Ordinance had been developed by staff, Town Council and Town Attorney. Ms. Hair added the Planning Department enforces the bow hunting ordinance so that is why Ms. Hair was involved. Chairperson Moore commented the Town Council will redirect issues to the Planning Commission for consideration before making a decision.

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Other Business (continued)

Chairperson Moore stated the Commission normally deals with CUPs, rezoning's, and other land use issues. He also stated Town Council can take the issue up with staff or redirect back to the Planning Commission and in many cases the issue has been redirected back to the Commission.

Commissioner Dorsett commented the Planning Commission assisted in drafting an ordinance regarding air guns because of a request for a paint ball course.

Commissioner Franusich asked how to bring up zoning issues and what is the official way to handle it. Ms. Hair replied items can be brought up during the other business portion of the meeting or forwarded to her or Chairperson Moore.

Commissioner Parsons would like a description on bow hunting is in the Town. Ms. Hair indicated the Town participates in the states Urban Archery program. Ms. Hair added the ordinance has been revised to decrease the minimum acreage for urban archery to 3 acres or more and allows property owners to hunt where they wish on their property. Commissioner Huppert commented the bow hunting is only allowed on 3 acres or more.

Chairperson Moore asked for any other business. Commissioner Carter asked since the Moose Lodge will be continuing to use building, then what will prohibit anyone from using the railroad entrance to the Moose Lodge to go through onto Farmview Street. Ms. Hair replied if the Moose Lodge is operating out of this site they can still use that connection and she is aware of private citizens that use it also. Commissioner Carter asked if the property is rezoned will the Ridinger Street access still be used. Mr. Neel stated if the property is developed, along the Farmview Street and the Moose Lodge continues in the existing building, there would be a separation of the uses and would not likely have a connection existing anymore. Mr. Neel added that is if the Moose Lodge stays on site. Mr. Neel Norfolk Southern could pull the access permit and eliminate the crossing from being used if problems developed. Ms. Hair commented if the front piece was developed and the Moose Lodge stayed at the current location, the Town would require those front parcels to be subdivided into one large parcel leaving the Moose Lodge onto its own parcel.

There being no more business Chairperson Moore adjourned the meeting at 8:00 p.m.

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Craig Moore, Chairperson Nichole Hair, Secretary Non-Voting

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