

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON JUNE 10, 2015
IN BOARD ROOM, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

I. CALL TO ORDER:

Mr. Miller, Chair, called the meeting to order.

II. DETERMINATION OF A QUORUM:

Ms. Disney established the presence of a quorum.

Present: Bob Miller, Chair
 Scott Kroll, Vice-Chair
 Cindy W. Disney, Secretary
 Steve Howard, Member
 Bryan Rice, Member
 Bryan Katz, Member
 Trey Wolz, Member
 Emily Gibson, Planning Director
 Brea Hopkins, Development Planner
 Dari Jenkins, Planning & Zoning Administrator

Absent: Coy Allen, Member
 Sonia Hirt, Member
 Chris Tuck, Board of Supervisors Liaison
 Candace Ross, Sr. Program Assistant

III. APPROVAL OF AGENDA:

On a motion by Mr. Howard, and seconded by Ms. Disney and unanimously carried, the agenda was approved.

IV. APPROVAL OF CONSENT AGENDA:

On a motion by Mr. Katz, and seconded by Mr. Wolz, and carried by a 7-0-1 vote (Kroll abstained), the consent agenda was approved.

V. PUBLIC HEARING:

Request by Gary and Linda M. Creed (Agent: Balzer & Associates, Inc.) to rezone approximately 2.42 acres from Agricultural (A-1) to Residential (R3), with proffered conditions, to allow the creation of seven (7) single family residential parcels. The property is located on the Northeast corner of the Roanoke Rd (Rte 11/460) and Crozier Rd (Rte 833) intersection; identified as Tax Parcel Nos. 059-2-1C, 1D (Parcel Nos. 035191 and 200068) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as

Medium Density Residential within the Elliston/Lafayette Village Plan with a proposed gross density of four (4) dwelling units per acre.

Mr. Miller introduced the request.

Mrs. Hopkins reviewed the location of the property and presented maps. The vacant property and surrounding properties are zoned Agricultural (A1) and are residential in nature. She presented photos of the property and the surrounding area. The proposed rezoning to Residential (R3) would allow the creation of up to seven (7) single family dwelling lots. The proposed subdivision would be served by public water and sewer. Bob Fronk, PSA Director has issued a letter stating the extension of a sewer main may be required. The applicant has proffered all lots will be served by a new street within the VDOT system. VDOT has issued a letter requesting additional information regarding connectivity and has stated an exception for the proposed entrance will be required given the distance to the existing intersection. She further stated there would be little to no impact on the school system given the schools in the area are currently below capacity. The property does lie in an area designated as Medium Density Residential in the Elliston/Lafayette Village Plan. The proposed subdivision complies with the Village Plan and the Montgomery County 2025 Comprehensive Plan. The village plan allows for a gross density of four (4) dwelling units per acre and the comprehensive plan discusses the need for growth to occur within in the village and village expansion areas where the infrastructure can support development. The owner has proffered to limit development to seven (7) single family residences, supported by public water and sewer. Mrs. Hopkins discussed the current allowed uses versus the uses allowed if the property is rezoned. Staff recommends approval with the proffers submitted by the owner based on the guidelines of the comprehensive plan. Mrs. Hopkins noted that staff had received calls and office visits regarding the request. Citizens were concerned regarding the small lot sizes, type of development, potential uses, existing driveway, loss of views, and the storm water management area. All adjoining owners were notified in accordance the Code of Virginia.

Steven Semones, Balzer and Associates, stated the smallest proposed lot size is $\frac{1}{4}$ of an acre. He stated the Comprehensive Plan supported the proposed development. Storm water requirements have changed and deal with quantity and quality of the discharge; therefore, there are not as many open ponds. VDOT is requiring an exception for the entrance. Relocation of the entrance has been considered and, if required, would likely result in the loss of one lot. A traffic analysis will be required for VDOT; however, cannot be completed until after the start of the school year in order to obtain accurate counts. Due to the delay in obtaining that information the owner has proffered that any new lots will be accessed from a street in the VDOT system. Timing for subdivision would be early fall at the soonest. The area is a good location for single family residential development. The proposed lot sizes are smaller than the existing lots; however, it would be considered medium density residential and meets the criteria outlined in the Village and Comprehensive Plan for rezoning.

Mr. Kroll asked if the owner proposed connectivity and/or pedestrian accommodations.

Mr. Semones stated connectivity through the development would not be beneficial and given the lack of other amenities in the area pedestrian access would be pointless. This area does not qualify for Safe Routes to School funding.

Mr. Rice questioned the status of the existing easement.

Mr. Semones stated the deed states that the easement is temporary for the use of Mr. Crozier's spouse or children. Access has been established to Roanoke Road so it is believed that the conditions requiring the easement are no longer applicable; however, an easement will be provided on the subdivision plat if required.

Mr. Creed, owner, stated that the easement was limited to use by Mr. Crozier's children; however, it has been used by others. There is an access on Roanoke Rd. which was developed after the easement was reserved.

Mr. Kroll asked what type of residential units Mr. Creed would build.

Mr. Creed stated he likely would not build spec houses, instead he would create lots and sell them for development by the new owners. The subdivision would be similar to Crozier Court. He is hopeful this subdivision will attract people to the area and help populate the schools.

Mr. Miller opened the public hearing.

Mr. Steve Carter, adjoining owner, stated the Village Plan requires consistency with existing development and large lots are part of the character in the existing neighborhood. Increased setbacks and larger lot sizes maintain distance between dwellings. The existing retention area in Crozier Court is not adequate and has caused issues with storm water runoff throughout several properties. He further discussed impacts to housing values, the number of dwellings currently offered for sale, and the development not conforming with the surrounding area.

Mr. David Chacon, owner of 4576 Crozier, stated the proposed plan is not in conformance with homes and lifestyle of area. In addition, his wife (daughter of Mr. Crozier) has an easement across the property and the proposed development would prohibit access. The existing access onto 460 is impassible, especially in poor weather conditions. He feels Mr. Creed's focus is to make money and sell lots.

Mr. Larry Nowlin, 8865 Roanoke Road, stated he currently has a clear view of baseball fields and had purchased his property because of the view. He noted that he was given permission by Mr. Chacon to also use the private access crossing the subject property since the access onto Roanoke Rd. is not adequate. He stated the proposed development will ruin the beauty of the neighborhood.

Ms. Betty Linkous, 4610 Crozier, stated her opposition to the request for the subdivision because of the beautiful views that will be ruined.

Mr. Michael Sandborn, 1330 Crozier Ct, stated his opposition to the request and noted that it was not planned properly given the unknown road status, existing flooding issues on Crozier Court, and the lack of conformity with the existing community.

Mr. Phillip Shepherd, 1331 Crozier Ct. stated he was opposed to the proposed development. He noted he has had problems with an existing retention pond for 10 years and had been trying to deal with county to correct issues.

Ms. Martha Brooks, 4630 Crozier Rd, noted her property floods with every rain and she did not want scenery ruined with dwellings.

Ms. Lisa Bond 1320 Crozier Ct, stated she was strongly opposed to the proposed development as it would detract from the existing neighborhood. There are already problems with water runoff in the area.

Ms. Vickie Sanders, 4600 Crozier Rd, stated she chose to live in the area for the beauty, views, and neighbors. She feels this proposed development is ridiculous and does not fit into the neighborhood. She noted concerns regarding density, and home values. She noted the County needed to pay less attention to increased tax base and more attention to planned development.

Ms. Carie Kingery, nearby resident stated Gary & Linda Creed are wonderful people but this is not the right thing for the community. She noted concerns regarding density, traffic, and water runoff.

There being no further speakers, Mr. Miller closed the public hearing.

Mr. Katz asked if there were any other residential zoning districts in the area.

Mrs. Hopkins confirmed there is a Residential (R1) zoning district which has been referred to as Crozier Court.

Mr. Katz noted his concerns regarding the proposed density versus the existing large lots.

Mr. Rice noted that the property has public water and sewer availability, lies in the village expansion area, and has a school nearby. All conditions justify smaller lots and the proposed seven (7) lots seem acceptable. Storm water regulations are more stringent than they were during the development of Crozier Court.

Mr. Miller stated the goal of the Village plans are to concentrate growth in villages where infrastructure is present. The Village plan proposes to make these areas denser.

Mr. Howard noted the need to correct existing storm water issues; however, that was separate from this request and noted he was in favor of the proposed rezoning request.

Mr. Wolz stated the proffers address concerns with access and storm water.

Mr. Kroll noted the request was in keeping with the Comprehensive Plan. One of the Planning Commission's responsibilities is to support development conforming to the Plan. Future development should not be encumbered by what is done in the past. This development will not exacerbate existing storm water issues.

A motion was made by Mr. Rice, seconded by Mr. Howard and carried by a 6-1 vote, to recommend approval of the request by Gary and Linda M. Creed (Agent: Balzer & Associates, Inc.) to rezone approximately 2.42 acres from Agricultural (A-1) to Residential (R3), to allow the creation of seven (7) single family residential parcels with the following proffered conditions:

1. The site shall be served by Montgomery County PSA sanitary sewer and water. The rezoning of the property does not allocate or reserve water and sewer capacity for the proposed development. Site plan approval for the development shall be conditioned upon adequate water and sewer capacity being available.
2. If the property is developed such that onsite storm water management or common open space is provided to benefit the project, a homeowners association will be established to permanently maintain these common elements. Documentation establishing the Homeowners Association and any associated bylaws and covenants and restrictions shall be reviewed and approved by the County Attorney.
3. Any subdivided lots must front on a newly created, publically maintained road with a single entrance on State Route 833, Crozier Road. Any new subdivision roads and/or entrances must be approved by the Virginia Department of Transportation prior to any site plan approval or subdivision plat approval.
4. There shall be no more than seven (7) single family residential lots developed on the subject parcels.

The property is located on the Northeast corner of the Roanoke Rd (Rte 11/460) and Crozier Rd (Rte 833) intersection; identified as Tax Parcel Nos. 059-2-1C, 1D (Parcel Nos. 035191 and 200068) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as Medium Density Residential within the Elliston/Lafayette Village Plan with a proposed gross density of four (4) dwelling units per acre.

Ayes: Howard, Rice, Disney, Wolz, Kroll, Miller

Nayes: Katz
Abstain: None

The Commission members noted the owner/agent should address the private access easement issues prior to action by the Board of Supervisors.

VI. PUBLIC ADDRESS:

Mr. Miller opened the public address.

Mr. Jerry Borger, NRV Beekeepers, suggested some revisions to the proposed language for residential beekeeping;

- Setback reduced to 20/25 ft. make exception if flight barrier
- 3 hives per acre, easily to ¼ or ½ acre allow for flexibility to better manage
- Zoning permit should not be required to alleviate financial and administrative burden

There being no comments the public address was closed.

VII. OLD BUSINESS:

Potential Amendment to the Zoning Ordinance- R-3 Compact, Lot Frontage

Ms. Gibson presented proposed language discussed at the May meeting and noted she would like the Commission to approve advertising the amendment for public hearing.

Mr. Miller confirmed square footage of the lots remains unchanged.

Commissioners concurred advertising for the July public hearing.

Potential Amendment to the Zoning Ordinance: Beekeeping in Residential Districts

Mrs. Gibson reviewed the proposed language including; districts allowed, 1 acre minimum lot size, hives to be located in rear yard with 50 ft. setback, water supply required, no commercial sales, accessory to residence, and 3 hives/acre. She noted the requirements were written to be consistent with the residential chicken section under urban agriculture. She noted amendments were also made to the Animal Unit definition in order to define the number of beehives and to expressly allow them in A1, RR, and C1.

The Planning Commissioners discussed the number of hives, acreage requirements, zoning permit requirements, and front/rear yards. It was suggested that the text be amended to allow 2 hives per ½ acre plus an allowance for nuclear hives and revise the animal unit definition to specify 2 beehives being equal to 1 animal unit.

Staff will revise text and present at the next meeting.

VIII. NEW BUSINESS:

Potential Amendment Public Facilities

Mrs. Gibson discussed a potential ordinance amendments for public facilities. Currently allowed by right in Multi-family and PUD districts only. There are currently two public facilities being planned for construction. Public facilities are Federal, State, and Montgomery County projects. Federal and State projects are exempt by law and County facilities required a 2232 review. The amendment would allow public facilities by right al in zoning districts.

Agriculture Ordinance Amendments

Mrs. Gibson noted the state had revised definitions and regulations relating to farm uses, agri-tourism, breweries, wineries, distilleries, etc. Some things can be regulated and some cannot. After reviewing the ordinance it appears some amendments are necessary. Localities can regulate outdoor amplified music, and substantial impacts may be restricted. Staff is currently researching other locality ordinances.

Mr. Miller asked that this item be moved to a future meeting for more discussion

Mr. Katz asked if staff could incorporate guidance or lead a discussion regarding the various comprehensive/village plan designations and their associated meaning.

IX. LIAISON REPORTS:

Board of Supervisors: None

Blacksburg Planning Commission: None

Christiansburg Planning Commission: None

Economic Development Committee: Mr. Kroll stated the Committee had an excellent presentation by Mrs. Gibson.

Public Service Authority: Mr. Howard said the PSA Board discussed water connections from Belview to Plum Creek to Bethel to Mud Pike to Riner. They have received a grant; however, it will be a 20 year project.

Parks & Recreation: None

Radford Planning Commission: None

School Board: Mr. Katz stated the School Board met on June 2 and the big issue continues to be the change in start times.

Tourism Council: None

Planning Director's Report: Mrs. Gibson stated the first portion of a \$25k CDBG grant through Dept. Housing Community Development had been received for former Prices Fork Elementary School and the food/community element. A community meeting was held and was very helpful. Staff is waiting on contract for the Safe Routes To School grants. Revenue sharing projects at Exit 109 are moving forward.

X. ADJOURNMENT

There being no further business, the meeting was adjourned at 9.25 pm.

Chairman

Secretary