

PLANNING COMMISSION

MINUTES

December 1, 2015

The Rockingham County Planning Commission met on Tuesday, December 1, 2015, in the Board of Supervisors Room in the Rockingham County Administration Center. Members present were, Chairman Rodney Burkholder, Vice Chair Mr. Bill Loomis, Mr. Steven Pence, and Mr. David Rees. Staff members present were Director of Planning, Rhonda Cooper; Planner, James May; Code Compliance Officer, Kelly Getz and Secretary Amanda Thomas.

At 6:32 p.m., Chairman Burkholder called the meeting to order.

Mr. Loomis offered the Pledge of Allegiance and Invocation.

MINUTES

The approval of the November 4, 2015, minutes was postponed.

PUBLIC HEARING

REZONING REQUESTS

REZ15-280 Greenport Group, LLC, P.O. Box 1076 Harrisonburg, VA 22803, to amend 2.25 acres of the Greenport Subdivision Master Plan, parcels 125G-(A)- L133B, 125G-(10)- L1, and 125G-(14)- LA; and to rezone parcel TM# 125G-(A)- L133A, totaling 0.49 acre, from Medium Density Residential District (R-2) to Planned Neighborhood District (R-5) and to add it to the Greenport Subdivision Master Plan. Greenport is located north of Albert Long Drive (Rt 800) approximately 0.25 mile southwest of Reservoir Street. The Comprehensive Plan identifies this area as Mixed Use Center and Community Residential. The parcel lies in Election District 3.

Mr. May presented the request.

Mr. May stated that the original staff recommendation was to table this rezoning; however, being that VDOT's concerns were resolved, staff recommends approval.

In response to a question by Mr. Pence, Mr. May indicated the location of VDOT's earlier concerns.

Mr. Rees questioned if the amount of parking spaces allotted were shown, how close the asphalt will be to the property line and if there will be a vegetative buffer. Mr. May stated that the applicant would have to meet all parking requirements at the site plan level and that he was not positive on the distance

of the asphalt to the property line. Mr. May stated that he does not recall if vegetation buffer was proffered.

Chairman Burkholder questioned what issues had been resolved for VDOT. Mr. May stated that the two major concerns were a series of driveways which were converted to internal parking to lower the points of conflict along Greenport Drive and the entrance point has been reduced in size.

Mr. Pence questioned if a specific entrance would be a one-way. Mr. May responded that due to the size, the developer could put a one-way sign, or could choose to not include it in the roadway system.

At 6:43 p.m., Chairman Burkholder opened the public hearing.

At 6:43 p.m., seeing as there was no one to speak in favor of or opposition to the rezoning, Chairman Burkholder closed the public hearing.

Mr. Rees stated that with VDOT's approval, he believes this request is in order.

Mr. Loomis motioned for the Planning Commission to recommend approval of the proposed rezoning; Mr. Pence seconded the motion.

On a vote of 4-0, the Commission recommended the approval of this rezoning.

REZ15-281 Lakeview Development Corporation, 4101 Shen Lake Drive, Harrisonburg VA 22801, to rezone a portion of TM# 126-(A)- L43A, totaling 10.33 acres, located north of Lakeview Drive (Rt 1025) approximately 0.25 mile north of Shen Lake Drive (Rt 689), from General Agricultural District (A-2) to Medium Density Residential District with Conditions (R-2C). The Comprehensive Plan identifies this area as Community Residential. The parcel is located in Election District 3.

Mr. May presented the request.

Mr. Pence questioned if there was a proposed lot size. Mr. May stated that it would be no more than twenty one (21) units, so it would be approximately a half acre.

At 6:51 p.m., Chairman Burkholder opened the public hearing.

Mr. John Kidd, President of Lakeview Development Corporation, stated that this was a business decision. He stated that they are not supplemented by localities and there are struggles from time to time. Mr. Kidd stated that the proposal is to down size from thirty six (36) holes to twenty seven (27) holes, while keeping with the community and developing something that is pleasant to look at. At the time there are six (6) acres of R-2 land to the west of the club house, which will be sold, as well as the ten (10) acres that are part of this request. Mr. Kidd stated that the downsizing needs to occur in order for the golf course to remain at full profitability and secure a future.

Mr. Richard Blackwell, project engineer, stated that the reason for requesting a rezoning to R-2 is because the adjacent land is zoned R-2. It is proffered that there will only be single family detached and not duplexes. The plan is for twenty one (21) lots that would be 115' wide and 65' deep. The 115' would allow for an end-load garage and nice homes that are consistent with the surrounding homes. Mr. Blackwell stated that the lots in this location would be ten feet (10') to fifteen feet (15') lower in elevation. He also stated that the plan is to keep the existing tree line. Mr. Blackwell stated that the original plan of having the divided road come together to form a two lane road did not meet

Rockingham County zoning requirements, therefore the plan is to have a divided street with several crossovers and end the street with a cul de sac. Mr. Blackwell indicated that the lots would be 120' from the fairway and that the lots would be served by County Water and Sewer.

Mr. Rees questioned if there would be a minimum square footage on the homes. Mr. Blackwell responded that there are no proffers for home size, but that the lots would likely sell for \$100,000 which would dictate the size of the home being built.

Ms. Joanne Knauf, Principle Broker for Valley Reality, stated that she has concerns for two of her clients who are building on Hastings Court and in Cross Road Farms and expected to have beautiful golf course views. Ms. Knauf is also concerned over the lot pricing not dictating the size of the home, which could bring down existing homes property values. She would like to see a Property Owners Association be put into place that would set minimum standards on home size. Ms. Knauf believes the area needs homes that are in the \$200-300,000 price range as opposed to \$500,000 and up. Ms. Knauf also wanted to know how the green space and the road would be preserved.

Mr. Steven Owen, an adjoining property owner, has concerns over the wood line disappearing and not preserving green space. He is also concerned about the extension of Frederick Road as well as the quality of homes that will be placed on these properties. He feels Madison Village is a lower level quality than the homes in Cross Roads Farms and fears that the new development will be lower level quality. He fears this will lower his property value. Mr. Owen questioned if anyone had expressed interest in purchasing the land and preserving green space. Chairman Burkholder responded that he was unaware of any interest.

Mr. Asa Taylor stated that he is currently building a new home on Hastings Court. His concerns are loss of value of his property as well as the loss of the view he expected to have. Mr. Taylor requested that this request be tabled due to not all those effected have been notified.

At 7:13 p.m., Chairman Burkholder closed the public hearing.

Mr. Loomis questioned if the current zoning of the property was R-5 and what type of development is allowed. Ms. Cooper responded that it was zoned R-5 and that it is currently controlled by a master plan.

Mr. May presented the staff recommendation of approval.

Mr. Loomis motioned for the Planning Commission to recommend approval of the proposed rezoning; Mr. Rees seconded the motion.

On a vote of 4-0, the Commission recommended the approval of this rezoning.

AGRICULTURAL AND FORESTAL DISTRICTS

AFP15-297 Rockingham County to amend the total acreage of the Spring Creek Agricultural and Forestal District, consisting of seventy-eight (78) parcels, generally located south of Ottobine, west of the Town of Bridgewater, east of Windy Cove Road (Route 755), and north of the Augusta County line, totaling three thousand twenty-seven (3,027) acres, more or less. Spring Creek Agricultural and Forestal District is located Election district 4 and 2.

AFP15-298 Rockingham County to amend the Western Rockingham Agricultural and Forestal District consisting of one hundred fifty-two (152) parcels spanning six thousand twenty-five (6,025) acres generally bounded on the south by Rawley Pike (Rt. 33), ranging within three hundred (300) feet of the Harrisonburg city limits in the southeast to George Washington National Forest in the northwest. The amendment reinstates the description of the district that had been deleted in error. The Western Rockingham Agricultural and Forestal District lies in Election Districts 2 and 4.

Mr. May presented the request.

At 7:17 p.m., Chairman Burkholder opened the public hearing.

At 7:18 p.m., seeing as there was no one to speak in favor of or opposition to these agricultural and forestal district amendments, Chairman Burkholder closed the public hearing.

Mr. May presented the staff recommendation of approval.

Mr. Rees motioned for the Planning Commission to recommend approval of the proposed amendments; Mr. Pence seconded the motion.

On a vote of 4-0, the Commission recommended the approval of these agricultural and forestal district amendments.

ORDINANCE AMENDMENTS

OA15-287 Amendment to the Rockingham County Zoning Ordinance (Chapter 17), Article 2, Definitions, Animal Husbandry: after "The production of livestock or poultry," add "such as cattle, sheep, goats, llamas, poultry, ducks, geese, horses, and hogs."

Mr. Getz presented the requests.

At 7:21 p.m., Chairman Burkholder opened the public hearing.

At 7:21 p.m., seeing as there was no one to speak in favor of or opposition to the ordinance amendment, Chairman Burkholder closed the public hearing.

Mr. Getz presented the staff recommendation of approval.

Mr. Loomis motioned for the Planning Commission to recommend approval of the proposed amendment; Mr. Pence seconded the motion.

On a vote of 4-0, the Commission recommended the approval of this amendment.

OA15-288 Amendment to the Rockingham County Zoning Ordinance (Chapter 17), Table 17-606, Land Use and Zoning Table, and to add "Animal Domestic" to the land use table as a permitted use (P) in A-1 and A-2, and in the RV, RR-1, and PG as a special use (SU*) with supplemental standards. Remove "Agriculture" as a permitted use in RV, RR-1, and PG.

OA15-289 Amendment to the Rockingham County Code, Zoning Ordinance (Chapter 17), 17-607 Supplemental Standards for Certain Land Uses under "Animal, Domestic" add "In the RV, RR-1 and PG zoning district, animal, domestic shall be limited to personal use or casual sales only, limited to one (1) animal unit per acre, not to exceed four (4) animal units except that there shall be no more than five (5) birds or fowl per lot."

At 7:32 p.m., Chairman Burkholder opened the public hearing.

At 7:32 p.m., seeing as there was no one to speak in favor of or opposition to the ordinance amendments, Chairman Burkholder closed the public hearing.

Mr. Getz presented the staff recommendation of approval.

Mr. Pence questioned if larger lots would require a Special Use Permit for more than five (5) chickens, even with having a substantial amount of space. Mr. Getz responded that a Special Use Permit would be required, but this was a requirement in the old ordinance as well. Mr. Getz mentioned that this zoning was not meant to have a large amount of animals but this also allows the Board of Supervisors the flexibility if someone wished to have more animals than permitted. Ms. Cooper added that there are many developments that would fall into this zoning as well and there are many variables that would go into allowing more than a certain number of allotted farm animals.

Mr. Loomis questioned if a farm building could be built without a Special Use Permit on RR-1. Mr. Getz responded that it could not.

Mr. Rees stated that he is pleased that the flexibility is built in to the Special Use Permits.

Mr. Rees motioned for the Planning Commission to recommend approval of the proposed amendments; Mr. Pence seconded the motion.

On a vote of 4-0, the Commission recommended the approval of these amendments.

UNFINISHED BUSINESS

OA15-188 An amendment to Chapter 17 (Zoning), Article 7, Table 17-702.05 to change parking requirements for Dwelling, duplex and Dwelling, single-family detached to require one space for an efficiency or one bedroom unit.

Mr. Loomis motioned for the Planning Commission to remove the ordinance amendment from the table; Mr. Pence seconded the motion.

On a vote of 4-0, the Commission removed the ordinance amendment from the table.

Mr. May presented the update of the amendment.

Mr. Loomis stated that he is still concerned that even with a one bedroom unit, there will be the need for two spaces, as there will typically be two individuals and two vehicles.

Chairman Burkholder questioned if there is a history of too little parking. Mr. May responded that there is not a history of this, developers tend to provide adequate parking but this is a minimum. Mr. May added that this is to be off street parking and that visitor parking could possibly on street parking.

Mr. Loomis stated that this narrows potential of getting around cars.

Ms. Cooper questioned if there is currently only one (1) space allotted for per apartment. Mr. May responded that the current requirements for apartments are equal to what is being requested.

Mr. Rees questioned if developers tend to provide adequate parking. Mr. May responded that in his experience builders will provide as much parking as they think they need. The justification for lowering the minimum was to allow flexibility to the developers. Ms. Cooper reiterated that this was a minimum.

Mr. Loomis questioned if most developers build only to the minimum, which would currently be two. He feels like this is giving the developers a leeway which will short change residents.

Ms. Cooper stated that a developer will be sure that he can sell the housing and that the minimums would likely be exceeded in order to make the development marketable.

Mr. Loomis stated that the probability of exceeding the minimum is what he has concerns over. It is human nature to only meet the minimum. Ms. Cooper stated that a developer would have to be sure there is adequate parking for the anticipated amount of tenants. Mr. May stated that this would be for all zoning districts.

Chairman Burkholder questioned if land consumptive was the concern. Mr. May stated that it was one of the concerns but is also about flexibility.

Mr. Pence stated that his concerns are if these would be truly walkable areas. Ms. Cooper stated that that would be up to the developer to determine if a development was walkable or needed more parking.

In response to a question by Mr. Pence, Mr. May gave a comparison of other counties.

Mr. Loomis stated that requirement of two parking spaces would be comparable to the surrounding counties.

Mr. Rees motioned for the Planning Commission to approve the ordinance amendment; There was no second.

Mr. Pence motioned for the Planning Commission to deny the ordinance amendment; Mr. Loomis seconded the motion.

On a vote of 2-2 (Mr. Pence and Mr. Loomis in favor of the motion; Mr. Rees and Chairman Burkholder in opposition of the motion), the ordinance amendment was forwarded to the Board of Supervisors.

MISCELLANEOUS

Ms. Cooper presented the 2016 Planning Commission meeting schedule and inclement weather policy.

Mr. Pence motioned for the Planning Commission to accept the 2016 Planning Commission meeting schedule and inclement weather policy; Mr. Loomis seconded the motion.

On a vote of 4-0, the Commission accepted the 2016 Planning Commission meeting schedule and inclement weather policy.

CITY PLANNING COMMISSION LIAISON REPORT

David Rees gave a report for the November 11, 2015 Harrisonburg City Planning Commission Meeting.

Upcoming Harrisonburg City Planning Commission Meeting

The Liaison for the December 9, 2015 Harrisonburg City Planning Commission Meeting is Steve Pence.

SITE VISIT

There was a site visit scheduled for Friday, December 4, 2015.

STAFF REPORT OVERVIEW

Ms. Cooper reviewed the staff report.

ADJOURNMENT

At 8:17 p.m., having no further business, the Commission adjourned

Rodney Burkholder, Chair

Amanda Thomas, Secretary