

PLANNING COMMISSION

MINUTES

January 5, 2016

The Rockingham County Planning Commission met on Tuesday, January 5, 2016, in the Board of Supervisors Room in the Rockingham County Administration Center. Members present were, Chairman Rodney Burkholder, Vice Chair Mr. Bill Loomis, Mr. Brent Trumbo, Mr. Steven Pence, and Mr. David Rees. Staff members present were Director of Planning, Rhonda Cooper; Planner, James May; Zoning Administrator Diana Stultz; and Secretary Amanda Thomas.

At 6:31 p.m., Chairman Burkholder called the meeting to order.

Mr. Trumbo offered the Pledge of Allegiance and Invocation.

MINUTES

On motion by Mr. Pence, and seconded by Mr. Rees, the November 4, 2015, minutes, and the December 1, 2015, minutes were approved with a 5-0 vote.

PUBLIC HEARING

REZONING REQUESTS

REZ15-314 Go-Mart, Inc., 915 Riverside Drive, Gassaway, WV 26624, to rezone TM# 130-(A)- L9B, totaling 2.071 acres, located west of Mount Hermon Road (Rt 979) and north of Spotswood Trail (US 33), zoned General Agricultural District (A-2), to General Business District (B-1). The Comprehensive Plan identifies this area as Mixed Use Center. The property is located in Election District 5.

Mr. May presented the request.

In response to a question by Mr. Trumbo, Mr. May stated that this property is considered valid, non-conforming and this request, if approved, would bring the property into compliance. Mrs. Stultz added that in the previous zoning ordinance, a convenience store was permitted on A-2 property, by Special Use Permit.

At 6:40 p.m., Chairman Burkholder opened the public hearing.

Mr. Cooper Youell, present on behalf of the applicant, stated that the proposed change will be within the footprint of the building and that they are prepared to address the parking issues and other site concerns.

In response to a question by Mr. Rees, Mr. Youell stated that there would be very limited seating inside the property.

Mr. Patrick Beddou, an adjoining landowner, stated that he is concerned about trash that blows onto his property and feels that a restaurant will increase the amount of trash.

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

Mr. May presented the staff recommendation of approval.

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

On a vote of 5-0, the Commission recommended the approval of this rezoning.

REZ15-317 Lispen, LLC, 1346 Pleasants Drive, Suite 6, Harrisonburg, VA 22801, to rezone portions of TM# 123-(A)- L74 and TM# 124-(A)- L40, totaling 28.521 acres, located south of Cecil Wampler Road (Rt 704) and east of Interstate Highway 81, zoned General Industrial District with Conditions (I-1C), to General Industrial District with Conditions (I-1C). The Comprehensive Plan identifies this area as Industrial. The property lies in Election District 4.

Mr. May presented the request.

Mr. Trumbo questioned if, at this point, VDOT's concerns were resolved. Mr. May replied that VDOT has reviewed the amended proffers and resubmitted their comments. Their main concern was service to the property and the impact it would have on Cecil Wampler Road. The applicant has proffered that service to the property will be off of Crowe Drive, which will be built to VDOT standards, regardless if it is taken into the system or not. Mr. Trumbo questioned if VDOT reversed their comment on traffic impact. Mr. May stated that VDOT's concern was over the use of the words "Truck Terminal", however; their definition of Truck Terminal varied significantly from Rockingham County's definition of Truck Terminal. After discussing the proposed use with VDOT, it was determined that the use was closer to that of a warehouse without the storage. Thus was the reasoning that there would not be as much of an impact.

Mr. Rees questioned if there would only be twenty five (25) trucks going into and coming off of the property. Mr. May responded that that was VDOT's previous concern, but they have retracted that statement. Ms. Cooper added that the number of trucks and employees has not been proffered.

Mr. Loomis questioned if this use would essentially be a warehouse where trucks would leave their freight and come back for it at a later time. Mr. May stated that this would be like a transition station, moving freight from larger trucks to smaller trucks and vice versa.

At 6:54 p.m., Chairman Burkholder opened the public hearing.

Mr. Devon Anders, owner of Lispen, LLC, stated that their request is to add "Truck Terminal" to allowable uses and modify the proffers which are currently on that property. Mr. Anders clarified that there is no intention of having a travel center or truck stop on the property. The plan is for a cross dock warehouse facility. He also mentioned that the proffers are being revised to take into the account of the updated zoning ordinance, as many proffers on the property are now requirements. Mr. Anders indicated there is a contract purchaser for a portion of the parcel that has agreed to all proffers, but the

contract is subject to contingencies. He stated that it is his belief that this property is a prime location for a truck terminal use, due to the proximity to the interstate and the use is currently permitted on surrounding parcels. Mr. Anders stated that after speaking with staff and VDOT, he does not believe this use will be a strain on the immediate transportation infrastructure. In 2014 there was a privately funded \$500,000.00 road expansion to accommodate industrial expansion in that area. He feels this will allow further investment to widen the County tax base and allow for current County businesses to have services in close proximity to their manufacturing and distribution centers.

Mr. Rees questioned if the products that would be distributed from this location would be distributed locally. Mr. Anders stated that this facility would be for larger trucks to bring less than full loads which would be transferred to smaller delivery trucks and delivered in the area, and vice versa.

At 6:58 p.m., Chairman Burkholder closed the public hearing.

Mr. Trumbo stated that his company, Trumbo Electric, occasionally works with Mr. Anders. Mr. Trumbo discussed this with Tom Miller, County Attorney, and it is felt that he can vote on this rezoning, unless someone opposes.

Mr. May presented the staff recommendation of approval.

Mr. Rees stated that there are concerns over the limited Fire and Rescue operations.

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

On a vote of 5-0, the Commission recommended the approval of this rezoning.

ORDINANCE AMENDMENTS

OA15-322 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Article 2 (Definition of Terms) to add a definition for agriculturally-related business, not otherwise listed.

OA15-323 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Table 17-606 (Land Use and Zoning Table) to allow agriculturally-related business, not otherwise listed as a special use permit with supplemental standards (SU*) in the A1, A2, & RV zoning districts.

OA15-324 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-607 (Supplemental Standards for Certain Land Uses) to set standards for agriculturally-related business, not otherwise listed.

Mrs. Stultz presented the requests.

Mr. Rees questioned how this will affect the current businesses. Mrs. Stultz responded that so long as they are legal, they will become legally non-conforming.

Mr. Pence questioned if there would be some small businesses that required more than 2,500 sq. ft. Mrs. Stultz stated that staff looked back through records into the early 1980's and were not able to find any businesses that had less than 1,800 sq. ft. or more than 2,500 sq. ft., other than seed and feed stores, which have been left separate because of that.

Mr. Rees questioned the limit of outside storage. Mrs. Stultz stated that many of the business owners she spoke to said that outside storage was not needed. Mrs. Stultz mentioned that the Commission could recommend approval without limited storage.

Mr. Pence questioned if a tracker dealer would fall into this category. Mrs. Stultz replied that it would.

In response to a question by Mr. Rees, Mrs. Stultz stated that this amendment is dealing with only limited agricultural related businesses.

Mr. Pence stated that items such as fence posts would not likely be kept inside. Mrs. Stultz responded that many of those types of businesses are on properties that are zoned business. She also stated that they want to be sure these businesses are smaller.

Mr. Trumbo stated that he agrees with the practical storage, but the issue with fence posts is that many of them are pressure treated which can cause stormwater problems. Mrs. Stultz replied that the Stormwater Manger looks at every site plan and would be able to determine what measures needed to be taken.

In response to a question by Mr. Burkholder, Mrs. Stultz stated that the outside storage would be limited by area, not by number of product.

Mr. Pence questioned if there were other examples of possible uses. Mrs. Stultz stated that some uses would fall under the farm bill, there was a request for a seed and feed store.

Mr. Loomis stated he knows of a current facility selling mulch and dirt in his district. He questioned if that would qualify under this amendment. Mrs. Stultz replied that it may, or the owners may need to go through the special use permit process.

Mr. Rees stated that he currently does business with an old order Mennonite who has a small shop and questioned if this gentleman would need a special use permit. Mrs. Stultz stated that he may already have one, and the use would have to be reviewed but many have individuals already have a special use permit.

At 7:11 p.m., Chairman Burkholder opened the public hearing.

At 7:12 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. Pence motioned for the Planning Commission to table the proposed amendments; Mr. Trumbo seconded the motion.

On a vote of 5-0, the Commission recommended to table these amendments.

OA15-325 Amendment to the Rockingham County Code, Chapter 17 (Zoning), Section 17-701.02 (Public Streets) to state that while R-3 apartment complex lots must front on a public street, there may be a private access easement from the public street to the parking lot, and it shall meet the requirements of Fire Department access roads as outlined in the Rockingham County Fire Prevention Code.

Mrs. Stultz presented the request.

At 7: 15 p.m., Chairman Burkholder opened the public hearing.

At 7: 16 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. Rees motioned for the Planning Commission to recommend approval of the proposed ordinance amendment; Mr. Trumbo seconded the motion.

On a vote of 5-0, the Commission recommended the approval of the amendment.

OA15-327 Amendment to the Rockingham County Code, Chapter 17, Zoning, to remove the term "final plan" and replace with the term "site plan" in Sections 17-400.02(d) Requirements; 404.02(c) Requirements; 405.02(d) Requirements; 702.07 Shared parking; 17-703.01(c) Landscape plan; 703.08(b) Utility easements; 17-1004.10(b)(2) Effect of acceptance: Map references; conformance to existing conditions.

Ms. Cooper presented the request.

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

At 7:17 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. Trumbo motioned for the Planning Commission to recommend approval of the proposed ordinance amendment; Mr. Pence seconded the motion.

On a vote of 5-0, the Commission recommended the approval of the amendment.

UNFINISHED BUSINESS

MISCELLANEOUS

Ms. Cooper presented the 2015 Annual Report.

The 2016 County Liaison Schedule was set.

CITY PLANNING COMMISSION LIAISON REPORT

Steve Pence gave a report for the December 9, 2015 Harrisonburg City Planning Commission Meeting.

[Upcoming Harrisonburg City Planning Commission Meeting](#)

The Liaison for the January 13, 2016 Harrisonburg City Planning Commission Meeting is Brent Trumbo.

SITE VISIT

A site visit would be available at the request of the Commissioners.

STAFF REPORT OVERVIEW

Ms. Cooper reviewed the staff report.

ADJOURNMENT

At 7:27 p.m., having no further business, the Commission adjourned.

Rodney Burkholder, Chair

Amanda Thomas, Secretary

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