to Be Revised

Planning Commission Minutes
May 12, 2004

Planning Commission Members Present: Daniel Talbot, and Thomas Schroeder, Troy Lester, Madelyn Dixon

Council Representatives Present: Wayne Printz, Cathy Murphy, Jay Dean, Randall Snow, and Rick Workman

Staff Present: Karin Eppard

Call To Order
Daniel Talbot called the meeting to order at 7 :05 pm.

Minutes
Thomas Schroeder moved, seconded by Troy Lester to approve the minutes for April 14, 2004 with corrections to the last paragraph. The motion was passed.

Business

A. The first topic discussed was the proposal brought to the Commission by McDaniel Brothers for a townhouse complex on North Street. Representatives from the Town council as well as Jerry Brunk of Brunk & Hylton engineering, and Sherry Hall of Four Star Realty, were in attendance to review the list of concerns that the Commission discussed at the last meeting. The following points were clarified for the Council:

1. Check utilities right of way preferences with the town
   Jerry Brunk requested that the Town appoint someone to supervise and advise the developer to ensure that all utilities requirements that the Town has will be met.
2. Explain duplex parking in comments section of preliminary plan.
   Jerry Brunk distributed copies of an enlargement of the preliminary plan showing the proposed parking with 24' wide driveways. He stated that easements will be included to ensure proper access to all units inn question, and that all of these units will have garages.
3. Concern over the width of North Street being only a 30' right of way.
   North Street currently has only a 30' right of way and there was concern over the capacity of the current width being able to handle the added traffic. Jerry Brunk stated that VDOT will be reviewing the street for compliance reasons and will advise the developer.
4. Section 110-709C of the town Code is interpreted to say that private streets only need to meet VDOT codes; therefore the preliminary plan is in compliance.
   The Commission decided that the streets would meet VDOT specifications so the Town will be able to access funds for street maintenance of the public streets once they become the domain of the Town.
5. The rules concerning cul-de-sac radius is interpreted to be a right of way of 100' not paved.
   According to the plans, the cul-de-sac does meet the VDOT codes.

6. Other concerns that were discussed were:

a. Steve Kite wanted further clarification on the plans provisions for proper drainage and retention ponds. Jerry Brunk stated that there are retention ponds in the plans and the complex will comply with the current flow reduction regulations that will be provided by the Department of Conservation and Recreation after an inspection by Rockingham County. He further stated that a property owners association would maintain these facilities. Further discussion was held on the topic of curbs and gutters, and if they would be required. Mr. Brunk informed the Commission that flow reduction rates must still be met whether curb and gutters were installed or not. Dan Talbot stated that further concern on this topic should be directed to the Town Council, as the Commission has already made it's recommendation to the Council.

b. Jerry Brunk recommended the installation of a 12" water line rather than 10" as proposed by Gerald Monger. The larger line will ensure proper hydraulics and adequate water pressure. Randall Snow stated that in past situations similar to this, the developer has been asked to provide the funding for installation of improvements to the water supply lines.

c. Procedure states that from this point the developer will need to submit a final plat, then the Commission will decide if a recommendation for approval will be sent to the Council. The council will then make a final determination on the viability of the plan.

B. The next topic of discussion was rezoning in the recently annexed areas. All phases have now been annexed and are currently listed as R1 zoning. The Commission will need to determine what areas should be rezoned and what the new zoning should be. The Commission will then submit their recommendation to Council for review and approval. Dan Talbot suggested to the Commission that each member should review the newest map and even drive in the areas, prior to the next meeting, as this will help direct future discussion.

Some points of concern that were brought up were:

1. Existing houses or businesses in Phase 1 may continue under the old zoning ordinances ~~until usage is changed by more than 25%. At that point the newest zoning regulations will apply.~~ BASED ON SECTION 110-708 OF THE CODE
2. The Commission will need to avoid "spot-zoning", and should look at areas rather than individual lots, when considering what the new zoning should be. Commission members should also consider what regulations would best apply in each area, to accommodate the current owners.

C. The Commission then discussed the Kite property briefly, and requested further information regarding the final disposition of the property. Cathy Murphy stated that the Council is considering several options for this and other Town owned properties. There may need to be a lot line adjustment if the town decides to purchase the Hiram Kite property that they have an exclusive option on.

D. Last the Commission reviewed a letter submitted by Elliot Diamond requesting rezoning of the property that he owns on East Summit Avenue. Mr. Diamond had envisioned an unassisted living retirement community for the 3.99-acre lot. The lot in question was taken into the town in the Phase 1-D of the annexation. The Commission again stated that they want to avoid any "spot-zoning" and would most likely postpone rezoning anything in that area until a determination can be made for the entire area. Mr. Gooden who owns the adjoining property was in attendance and expressed his concern over the proposed community. His main concerns were increased traffic, noise and the density of the proposed units.

As there was no further business the meeting was adjourned at 9:30 pm.

Signature-Chairman

Signature-Secretary