

PLANNING COMMISSION
October 17, 2007

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, OCTOBER 17, 2007, AT 7:30 PM IN THE COUNTY MEETING ROOM.

Those present were:

- Graydon Lamb, Chairman
- Davis Lamb, Vice-Chairman
- Phyllis Woodfolk, Member
- Michael Skeens, Member
- Jimmy Davis, Member
- Clarence Peyton, Ex-officio Member
- Bart Svoboda, Planning Director
- Stephanie Golon, County Planner
- Marsha Alley, Secretary

Graydon Lamb called the meeting to order. He stated that there would be three public hearings tonight and asked that those who wished to speak sign up on the appropriate sheets.

PUBLIC HEARING

Stewart Wood/Sharon Lloyd/Vicki Hendrix/Kevin Wood request a rezoning from R-1, Residential, to B-3, Business on approximately 3.2 acres located on Seminole Trail/Lake Saponi Drive and identified on County Tax Maps as 66A-(A)-1. (RZ#07-003)

Graydon Lamb read the request and asked Mr. Svoboda for a report.

Mr. Svoboda stated that the request is to rezone property from R-1 to B-3. He reviewed the tax map and 911 map showing the location of the property. He explained that the request is supported by the Comprehensive Plan and that proffers have been submitted excluding some by-right uses. He added that staff recommended approval of the request as it is consistent with the Comprehensive Plan and with adjacent current and future development.

Sharon Lloyd, applicant, introduced herself and her sister, Vicki Hendrix, and addressed the Commission. She explained that her parents are deceased and that she and her siblings are trying to find the best use for property at this time. She added that the property is conducive to growth.

Graydon Lamb opened the public hearing.

Lee Estes addressed the Commission voicing his support for the request and the potential for business growth.

Larry Gay addressed the Commission voicing his concerns as an adjoining property owner regarding the need for more commercial property at this time.

There being no further public comment, the public hearing was closed.

Phyllis Woodfolk stated that the property seemed appropriate for business zoning at it is on Route 29 and public utilities are available nearby.

Mike Skeens asked how the availability of public utilities would affect the property.

There was discussion regarding the availability of public utilities and the nearest locations. It was determined that the property is near the line but is not currently served by public utilities. It was also determined that there is potential for six (6) single-family dwellings depending on the regulations and availability of public utilities.

Davis Lamb asked if the proffers excluded electrical substations and microwave towers, suggesting that this may be a good idea.

There was discussion regarding the exclusion suggestion. The applicant agreed that the items could be included as exclusions in the proffers.

Jim Davis asked if the property owners had a vision for the property.

Sharon Lloyd stated that the family does have an interested client for this property as well as the adjacent parcel in Albemarle County.

There was discussion regarding the Albemarle County parcel and the zoning thereof.

Jim Davis asked if landscaping and buffering had been addressed. He also asked if Low Impact Development (LID) techniques could be implemented.

Mr. Svoboda stated that those issues would be addressed at the site development plan review. He added that LID techniques have not been adopted as regulations and that some developers have included that as a proffer.

There was a review discussion regarding the zoning of the property and the number of single-family dwellings allowed under different regulations. There was also discussion regarding the VDOT requirements on private roads, etc.

Davis Lamb asked if the interested client was also interested in the Albemarle County parcel.

Ms. Lloyd stated that the client was interested in both parcels and may use the

existing home as an office area.

There was discussion regarding the uses listed in the proffers and the revision of the proffers to include the exclusion of electrical substations and microwave towers and to provide buffering and screening for the property at the rear of the parcel along the easement.

Ms. Lloyd agreed to the revise the proffers to reflect the suggestions made by the Commission.

Davis Lamb stated that the agreement to screen would address the concerns of Mr. Gay.

There was discussion on the motion.

Jim Davis made a motion to recommend approval of RZ#07-003 with the acceptance of the submitted proffers dated received on September 14, 2007 with concerns regarding electrical substations and towers being proffered out and the suggested provision of buffering at the rear of the parcel along the easement.

Davis Lamb seconded the motion.

Graydon Lamb clarified that the suggested screening would take place at the rear of the property along the easement.

All member understood and agreed.

The vote was taken.

AYE

Mike Skeens
Phyllis Woodfolk
Jimmy Davis
Davis Lamb
Graydon Lamb

NAY

The motion to recommend approval of RZ#07-003 carried by a unanimous vote.

ORDINANCE REVISION: Cluster Area Setbacks (OR#07-008)

Graydon Lamb read the request and asked Mr. Svoboda for a report.

Mr. Svoboda reported that this request is regarding cluster subdivision setbacks only. He explained that the applicant, Fried Companies, Inc., requests that setback regulations for clustered single family dwellings found in Article 5 and 6 of the Greene County Zoning Ordinance be amended. This amendment would

provide an increased building envelope to accompany the current area regulation of 10,000 ft² for cluster developments. Staff also clarified and defined corner side yard for R1 and R2.

Mr. Svoboda explained that staff supports the identified need for larger building envelopes in order to provide building lots that are desirable in the current market. Staff did however consider the proposed building setbacks, shown in Tables 1-4 of the information packet not to be sufficient. He added that the purpose of requiring setbacks is to provide for yard area around structures to ensure adequate privacy, desirable and safe visibility, and outlook from nearby roads and buildings; natural light, ventilation, and sunlight; access to and around buildings; buffering between uses; and space for landscaping, gardening, and recreation. Staff has provided recommendations to provide adequate setbacks for the clustered single family subdivisions, as seen in Tables 1-4 of the information packet.

Steve Jones, Fried Companies, Inc., addressed the Commission stating that the proposed setbacks would give a more aesthetic look to the neighborhoods and make the property more marketable. He added that building codes had been addressed when considering the revisions.

Graydon Lamb opened the public hearing.

There being no public comment, the public hearing was closed.

Mike Skeens asked if decks would be allowed if the setbacks were decreased.

Mr. Svoboda stated that a provision is made in the Zoning Ordinance to allow the encroachment of like-architectural features.

Mr. Lamb asked if sidewalks would be included.

Mr. Svoboda stated that sidewalks would be exempt.

There was discussion regarding road right-of-way.

Jim Davis asked if this would apply to the Preddy Creek area.

Mr. Jones explained that all of their recent submittals are cluster subdivisions in order to provide a nicer neighborhood which includes Creekside, Oxford Hills, King's Court, and Pond's Edge.

There was discussion regarding cluster requirements.

Jim Davis asked if there are any other cluster subdivisions.

Mr. Svoboda explained that any R-1, Residential, property that has not been built out could be clustered if the requirements are met.

There was discussion regarding clustering as to improvements to homes in currently clustered areas, emergency services and building codes requirements being addressed, green space provisions, and how other localities handle clustering setbacks.

Graydon Lamb commended staff for their work and effort on the revision.

Phyllis Woodfolk made a motion to recommend approval of OR#07-008 as revised by staff.

Davis Lamb seconded the motion.

The vote was taken.

AYE

Jimmy Davis
Davis Lamb
Mike Skeens
Phyllis Woodfolk
Graydon Lamb

NAY

The motion to recommend approval of OR#07-008 carried by a unanimous vote.

ORDINANCE REVISION: Lighting & Landscaping (OR#07-009)

Graydon Lamb read the request and asked Mr. Svoboda for a report.

Mr. Svoboda reported that the Greene County Board of Supervisors requested that staff research and provide proposed language regarding lighting and landscape. He reviewed a PowerPoint presentation giving examples of the proposed revisions. He noted that screening is not the same thing as landscaping. He added that parking landscaping and several definitions were being added for clarification.

Graydon Lamb asked Stephanie Golon if she had any additional comments.

Mrs. Golon stated that she had noticed several inconsistencies in terms during the presentation and that she would clarify them for understanding.

Graydon Lamb opened the public hearing for the landscaping revision.

The following citizens addressed the Commission voicing their concerns regarding the setbacks for adjacent properties in regard to multi-family dwellings,

parking area buffer strip width, the use of natural plantings, the possibility of using LID techniques, maintenance of landscaping, existing commercial sites, shrub height in parking strips, and the use of no exotic plantings.

- Carl Schmitt
- Andrea Wilkinson
- Pat Wilczek

The staff was also applauded for their effort.

There being no further public comment, the public hearing was closed.

Graydon Lamb opened the public hearing for the lighting revision.

Carl Schmitt addressed the Commission noting that “disability glare” and “spillover light” are used but not defined.

There being no further public comment, the public hearing was closed.

There was discussion regarding the suggestion of LID implementation and incentives, barn exemptions, maintenance of landscaping, and shrub height not to exceed two feet (2’).

Davis Lamb made a motion to recommend approval of OR#07-009 with revisions to include LID implementation and incentives and shrub height maximums.

Phyllis Woodfolk seconded the motion.

The vote was taken.

AYE

Mike Skeens
Phyllis Woodfolk
Davis Lamb
Jimmy Davis
Graydon Lamb

NAY

The motion to recommend approval of OR#07-009 carried by a unanimous vote.

OLD/NEW BUSINESS

Kinvara Properties, LLC request a re-zoning from B-1, B-2, Business, and R-2, Residential, to PUD (Planned Unit Development) on a 38.00 acre tract and a 1.04 acre tract located on Seminole Trail/Cedar Grove Road/Deerfield Drive/Buck Drive and identified on County Tax Maps as 66-(A)-6 & 6C. (RZ#07-002)

Graydon Lamb read the request and reported that the applicant has requested a deferral until November.

Phyllis Woodfolk made a motion to defer the Kinvara request RZ#07-002 until the Thursday, November 15, 2007 meeting.

Mike Skeens seconded the motion.

The vote was taken.

AYE

Jimmy Davis
Davis Lamb
Mike Skeens
Phyllis Woodfolk
Graydon Lamb

NAY

The motion to defer RZ#07-002 carried by a unanimous vote.

Graydon Lamb reminded the Commission that the November meeting will be held on Thursday, November 15, 2007.

Graydon Lamb offered Andrea Wilkinson the opportunity to update the Commission on the Financial Impact of Composite Index of Local Ability to Pay.

Ms. Wilkinson explained that it appears be that the county will be paying more while the state will be paying less. She also gave a housing update in regard to the projected cost per residential unit or per student based on fiscal year 2007-2008.

APPROVAL OF MINUTES

The minutes for the September 19, 2007 meeting were approved as submitted by a 5-0 vote.

OTHER PLANNING MATTERS

Mr. Svoboda reminded the Commission that the November meeting will be held on Thursday, November 15, 2007. He stated that the sign ordinance will be reviewed at that meeting as well.

Mrs. Golon added that she would try to get the sign revisions to the Commission early for review.

Mr. Svoboda added that as of end of business today, there were no public hearings scheduled for December.

Mr. Svoboda updated the Commission regarding the outcome of the Jessica Roach decision appeal. He explained that on Monday, October 15, 2007, the judge overturned the Board of Supervisors decision to approve the Jessica Roach hardship request citing lack of evidence for a financial hardship and a comment regarding that we follow our ordinance as Boards and Commissions when we make our decisions.

There was a brief discussion regarding the county guidelines.

Mrs. Golon reminded the Commission to retain any information on deferred requests and any newly submitted information will be forwarded to them as it is received.

Graydon Lamb asked if any changes had been made in the Kinvara request.

Mr. Svoboda explained that some items had been revised such as a decrease in the number of residential units and an increase in commercial space resulting in areas being relocated on the concept plan.

Davis Lamb asked if Walmart had postponed building.

Mr. Svoboda and Mrs. Wilkinson agreed that they understood that Walmart plans to close on the property some time next week.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marsha Alley
Secretary