

**PLANNING COMMISSION
November 14, 2018**

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION
WAS HELD ON WEDNESDAY, NOVEMBER 14, 2018,
AT 6:30 PM IN THE COUNTY MEETING ROOM.

Members present: Jay Willer, Chairman
 William Saunders, III, Vice-Chairman
 Steve Kruskamp, Jr., Member
 John McCloskey, Member
 Ron Williams, Member

Staff present: Dale Herring, Ex-Officio Member
 Jim Frydl, Planning Director
 Stephanie Golon, County Planner
 Shawn Leake, Zoning Officer
 Cristy Snead, Secretary

CALL TO ORDER

The Chairman called the meeting to order.

DETERMINATION OF QUORUM

Each member stated their name on the record to determine a quorum.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mr. Willer led the group in the Pledge of Allegiance and a Moment of Silence

PUBLIC HEARING – Denstock, LLC. / Frank & Pearl Eways RZ#18-003

Denstock, LLC. / Frank & Pearl Eways request a rezoning of approximately 13.25 acres from PUD, Planned Unit Development with proffers, to R-2, Residential, with proffers located on Moore Road and identified on County Tax Maps as 60-(A)-34. (RZ#18-003)

Mr. Frydl addressed the Commission. Mr. Frydl explained that some of the material that was in the staff report had changed. The applicant has continued working with staff to make clarifications and respond to comments from the reviewing agencies.

The applicants are requesting rezoning from Planned Unit Development (PUD) with proffers to R-2, Residential, with an onsite proffer.

The parcel being discussed is 13.25 acres and 9 adjacent parcels (13.16 acres), totaling 26.41 was rezoned from R-1 to PUD in 2006. The current proffers associated with this PUD include:

- ~~69% of the acreage designated for 146 residential units and 31% of the~~

- acreage for commercial development
- \$73,000 in cash proffers
- Excluded some residential uses and commercial uses
- Proposed density not to exceed 146 townhomes
- Transportation improvements associated with the loop road concept, which is included in VDOT and Greene County's Comprehensive Plan

Mr. Frydl then defined Planned Unit Development (PUD). PUD zoning allows developers to plan and develop a large area as a single entity, with flexibility to mix land use, housing types and densities.

The proposed rezoning request by the applicants is R-2, Residential with the following Proffer:

- Thirty (30') strip of land dedicated for future road connecting Moore Road to neighboring parcels to the east

Mr. Frydl reminded the commission of Virginia State Code 15.2-2303.4, the Proffer Reform Bill:

This bill went into effect on July 1, 2016, it prohibits localities from requesting or accepting any unreasonable proffer in connection with a residential rezoning. Onsite it must be specifically attributable to the proposed development. Offsite which includes cash proffers, it must be specifically attributable to the proposed development and must also only address impacts to transportation, public safety, schools or parks. It will be deemed unreasonable unless the project creates a need or an identifiable portion of a need for the public facility improvement in excess of the existing capacity, and will be deemed unreasonable unless the development receives a direct and material benefit from the proffers.

Mr. Frydl stated that we can accepted proffers, however, we can't negotiate proffers, the applicant is here to discuss the proposed proffers.

Mr. Willer asked if they could only accepted proffers on the parcels specifically located on the property being considered under the rezone application.

Mr. Frydl answered no, the applicant can choose to offer offsite proffers. However, in the latest application they were they were just offering onsite proffers.

Mr. Frydl wanted to make it clear again that tonight's hearing is to rezone to R-2, although some of the slides will be about the long-term goal to build multifamily apartments. Tonight, we are talking about R-2 and the by right R-2 density. The concept plan shows the maximum density if the applicant would come back and request a Special Use Permit (SUP).

Mr. Frydl highlighted the consideration in the State Code for rezoning that apply to this rezone application:

- The existing use and character of the property

- The comprehensive plan goals
- The trends of growth or change
- The future land masses
- Transportation requirements of the community

These are the main points that were focused on.

Mr. Willer ask about the by right density for R-2 zoning.

Mr. Frydl explained By-Right single family detached is 4DU/acre and single family attached (duplex) is 6DU/acre. The maximum density by Special Use Permit (SUP) is multi-family units 16DU/acres for multifamily and single family attached (townhomes) 6DU/acres.

Mr. Williams and Mr. Frydl discussed the difference between a duplex and a townhome. Mr. Willer clarified that in R-2 you can only have single family detached or duplex, not twelve units tied to each other. Mr. Frydl said yes.

Mr. Frydl said with the current Planned Unit Development (PUD), the applicant can only have 8 units per acre.

Mr. Frydl then went over agency comments in regards to water/sewer, traffic impacts and school impacts.

Mr. Frydl explained the Multi Modal Study, and how there are plans in the future to have connectivity to Rt. 29 and Rt. 33 from this parcel.

Mr. Saunders asked if the proposed re-zoning were approved would the existing proffers go away for this parcel, while knowing the proffers intact for the remaining parcels. Mr. Frydl said we would be re-zoning the parcel, so the proffers that apply to the old zoning would no longer apply, but the proffers would still apply to the remaining parcels that the applicant is not requesting to re-zone.

There was discussion about the thirty (30') strip of land proffered with this re-zone by the applicant. Mr. McCloskey asked what the current proffers are with the Planned Unit Development (PUD). Mr. McCloskey said that the thirty foot (30') strip is not up to VDOT's standards. Mr. Willer stated that thirty (30') strip is half of VDOT's standards.

STAFF RECOMMENDATION

Mr. Saunders asked Mr. Frydl if there is a Staff recommendation. Mr. Frydl stated we have been working with the applicant to address some issues that came up in the staff report. We believe it is clear what parts of this fit the goals of the comprehensive plan in flux.

QUESTIONS AND DISCUSSION

The Commission and Mr. Frydl discussed connectivity again to give the them a better understanding of the locations of the proposed roadways.

Applicant/Denise LaCour

Ms. LaCour introduced herself and explained to the Commission about her business, Denstock LLC. We have six (6) apartment complexes similar to the one we are proposing to build. We like to do very high-quality materials. Ms. LaCour explained the lay out of the proposed complex and all of the amenities that the complex offers.

Ms. LaCour showed that the two (2) bedroom luxury apartments rent for \$1,300.00 a month and the three (3) bedroom luxury apartments rent for \$1,450.00 a month.

Ms. LaCour stated that they want the connector road from Moore Road to Rt. 29. This is why they have talked to the Eways and the adjoining property owners. They are willing to have the connector road because then they will have commercial corner lots. Ms. LaCour stated she has negotiated with the property owners and she will build and pay for the entire width of the road.

Ms. LaCour concluded her presentation

OPENING THE PUBLIC HEARING:

No one signed up to speak during the public hearing.

MORE DISCUSSION PER CHAIRMAN

The Commission and Staff discussed in more depth the proffers as well as the current Planned Unit Development (PUD) zoning. It was also discussed what would happen if the parcel is re-zoned R-2 (Residential) and the apartment complex doesn't happen.

The Commission asked the applicant Ms. LaCour why they needed the parcel re-zoned. She stated that the current Planned Unit Development (PUD) only allows townhomes and she builds apartments, and that most of the potential uses were proffered away.

Mr. Williams make the motion – to approve Denstock, LLC. / Frank & Pearl Eways request a rezoning of approximately 13.25 acres from PUD, Planned Unit Development with proffers, to R-2, Residential, located on Moore Road and identified on County Tax Maps as 60-(A)-34. (RZ#18-003) with the proffers offered on 11/13/2018.

Mr. Kruskamp seconded the motion

All members vote / Aye 5-0

OLD/NEW BUSINESS

There was no old business and most of the new business was covered in other planning matters.

APPROVAL OF MINUTES

Minutes approved by the Commission from October Ayes 5-0

OTHER PLANNING MATTERS

Ruckersville Advisory Committee update -

Mr. Frydl explained to the Commission: at the previous Ruckersville Advisory Committee meeting they worked together to set a schedule for them and how they will plan their meeting agendas.

Town of Stanardsville Information

Mr. McCloskey or Mr. Frydl had nothing to pass along from the Town of Stanardsville.

Capital Improvement Plan

Capital Improvements Plan for the County was brought up, Mr. Frydl and the Commission discussed the process of updating the plan for 2019.

NEXT MONTHS AGENDA


Denstock, LLC/Frank & Pearl Eways request a **Special Use Permit** for up to 212 apartment units in multifamily apartments as listed in Article 6 of the Greene County Zoning Ordinance. This project is proposed on of approximately 13.25 acres proposed as R-2, Residential, located on Moore Road and identified on County Tax Maps as 60-(A)-34. (SUP#18-003)

ADJOURNMENT

The meeting was adjourned.

Respectfully submitted,

Cristy Snead
Secretary



Planning Commission, Chairman

12.19.18

Date