

**PLANNING COMMISSION**  
**May 15, 2019**

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, May 15, 2019 AT 6:30 PM IN THE COUNTY MEETING ROOM.

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

Staff present:                Bill Martin, Ex-Officio Member  
                                 Jim Frydl, Planning and Zoning Director  
                                 Shawn Leake, Zoning Official  
                                 Cristy Snead, Secretary

**CALL TO ORDER**

The Chairman called the meeting to order.

**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE**

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

**DETERMINATION OF QUORUM**

Each Commissioner stated their name to establish a quorum, a quorum was established. Mr. Kruskamp was absent.

**PUBLIC HEARING # 1**

**Ms. Haley Yost requests a special use permit for Tourist Lodging as listed in Article 5-1-2.4 of the Greene County Zoning Ordinance. The subject property is approximately 0.64 acres, zoned R-1, located at 376 Sunset Drive, Stanardsville and Identified as County Tax Map Number 37C-(7)-47. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Rural Area". (SUP#19-002)**

Mr. Frydl addressed the commission and provided a description of the property. He stated the applicant is requesting a special use permit for Tourist Lodging. There were several maps of the property that he presented to the commission.

Mr. Frydl briefly went over the definition of tourist lodging, the Virginia State Code and Greene County Zoning Ordinance regarding special use permits.

Mr. Frydl reviewed agency comments. This is a private subdivision road, and off-street parking is available in the driveway. Public water is provided by Mountain Lake Water Company. Virginia Department of Health stated the existing septic system is adequate for the property and use.

The Comprehensive Plan supports this application Mr. Frydl stated.

Mr. Willer asked Mr. Frydl if he got a good definition from the county attorney for "owner occupied". Mr. Frydl stated the county attorney agreed that the proper wording is "owner occupied" because that is the language that is used in the Virginia State Code.

Mr. Willer stated to Mr. Frydl that Mountain Lake Water is not a public water company. Mr. Frydl explained to Mr. Willer private systems serving multiple people are considered public per the zoning definition.

### **Applicant**

Ms. Yost addressed the commission. She explained to the commission that she had a request from a neighbor to a condition outdoor sound amplification. Ms. Yost agreed to this condition and supports it.

Mr. Willer opened the public hearing. No one signed up to speak. The public hearing was closed.

Mr. Williams asked Mr. Frydl if the commission could make greater restrictions on outdoor sound amplification when there is already a county code in place. Mr. Frydl advised the commission that the sup request allows them to place conditions that are more restrictive.

The commission discussed outdoor sound amplification among themselves a little more. Mr. Saunders then stated that there has been a concern in the past regarding outdoor sound amplification. He reminded the commission the sup request is evaluated differently.

Mr. Saunders made a motion: In accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice; he moved to approve SUP#19-002 for Tourist Lodging as listed in Article 5-1-2.4 in the Greene County Zoning Ordinance. The parcel is approximately 0.64 acres, zoned R-1, located at 376 Sunset Drive, Stanardsville and Identified as County Tax Map Number 37C-(7)-47. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Rural Area". With the following three conditions:

1. To ensure the character of the neighborhood, and protect the welfare of adjacent property owners there shall be a review every three years by the board of supervisors.
2. To ensure the character of the neighborhood, the single-family dwelling shall be owner-occupied.
3. To ensure the character of the neighborhood, and protect the welfare of adjacent property owners, outdoor sound amplification shall be prohibited.

Mr. McCloskey seconded the motion

By a roll call vote of 4-0 special use permit (SUP#19-002) was approved.

## **PUBLIC HEARING # 2**

**Gallivanter, LLC/Kenneth, Kimberly & Mark Lawson request a special use permit for a Church listed in Article 3-1-2.14 and meeting places for clubs, fraternal and civic organizations listed in Article 4-1-2.15 in the Greene County Zoning Ordinance on approximately 21.94 acres, zoned A-1, located on Amicus Road approximately a quarter of a mile from Spotswood Trail. The parcel is identified on County Tax Maps as 50-(A)-38C. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Rural Area". (SUP#19-003)**

Mr. Frydl addressed the commission and provided a description of the property. He stated the applicant is requesting a special use permit for a meeting place for clubs, fraternal and civic organizations and a Church. He gave the definitions of club and church. There were several maps of the property that Mr. Frydl presented to the commission.

Mr. Frydl reviewed agency comments. There is already a commercial entrance to this parcel.

Mr. Frydl advised that the commission the applicant plans to work with the planning and zoning, and building department to ensure that the building meets all building code and site plan regulations. The applicant also stated that he will eventually have cattle back on the property.

The comprehensive Plan for Greene County encourages the development of niche farming, specialty crops, agriculture-based tourism opportunities, event venues and transient lodging facilities to add to revenue options for local farms.

Mr. Willer asked Mr. Frydl if the proposed building is allowed by right, and that the special use permit request is only for civic events and church events being held there.

Mr. Frydl stated that was correct.

### **Applicant**

Mr. Lawson addressed the commission informing them that he and his family purchased this property together. He stated that he has applied for a building permit for the barn, and he stated he has read the zoning ordinance. Mr. Lawson went on to say most churches in Greene County are in rural areas. He stated that this use has no adverse effect on the surrounding properties, and will benefit the community.

Mr. McCloskey asked Mr. Frydl about outdoor sound amplification.

Mr. Frydl stated that the by right, agritourism use limits outdoor sound amplification from 10 a.m. to 10 p.m.

Mr. Lawson asked the commission to clarify that they are speaking of "outdoor" sound amplification.

Mr. Willer stated yes.

Mr. Lawson stated that he has no issue with a condition limiting outdoor sound amplification being from 10 p.m. to 10 a.m.

Mr. Willer opened the public hearing.

Mr. Willer closed the public hearing. No one signed up to speak.

Mr. Williams made a motion, in accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice; he moved to approve SUP#19-003 for a Church listed in Article 3-1-2.14 and meeting places for clubs, fraternal and civic organizations listed in Article 4-1-2.15 in the Greene County Zoning Ordinance on approximately 21.94 acres, zoned A-1, located on Amicus Road approximately a quarter of a mile from Spotswood Trail. The parcel is identified on County Tax Maps as 50-(A)-38C. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Rural Area". With the following condition, no outdoor sound amplification between the hours of 10 a.m. and 10 p.m.

Mr. Saunders seconded the motion.

By a roll call vote of 4-0 special use permit (SUP#19-003) was approved.

### **PUBLIC HEARING # 3**

**Greenstone Development, LLC/Shimp Engineering request a special use permit to allow for a maximum of 165 townhomes, and pending a rezone request to R-2 (Residential). (RZ#18-004) Listed in the Greene County Zoning Ordinance as Article 6-1-2.3 on 17.12 acres identified as County Tax Maps as 66-(A)-2A, 66A-(1)-1, 66A-(1)-2, 66A-(2)-D, 66A-(3)-B that is zoned R-1, (Residential), which is adjacent to the northbound side of Route 29 North of the Albemarle County line. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Mixed Use Residential". (SUP#19-005)**

Mr. Frydl addressed the commission and provided a description of the property. He stated this is a sup request to build townhomes at a density of 10/units per acre. Mr. Frydl advised the commission on May 14, 2019 the Board of Supervisors approved Greenstone Development, LLC's Ordinance Revision request. The Ordinance Revision allows townhomes to be built up to a density of 10 units per acre by special use permit.

Mr. Frydl then showed the concept plan, and two other maps of the parcels. He advised the commission that the comprehensive plan supports this request.

Agency comments were presented, RSA comments stated public water and sewer are available along route 29, and there is sufficient capacity for the proposed development. It was estimated that \$3.3 million in EDU fees may be collected to support the current infrastructure maintenance, and future construction and waterline upgrades.

VDOT determined the proposed development would not create a substantial traffic impact, Mr. Frydl stated.

Mr. Frydl stated that the school impacts still indicate that Ruckersville Elementary is over capacity, and there is a need to build an additional Elementary School.

Mr. Frydl advised the commission there is a nationwide demand for low density attached affordable housing. He then briefly went over the state code and zoning ordinance.

Mr. Frydl discussed with the commission staff recommendations to address impacts through conditions for this request. The suggested conditions are as follows:

- a) To ensure the character of the surrounding neighborhood, the sup shall only permit 165 townhomes on TMP 66A-(2)-A, 66A-(1)-1&2, 66A-(2)-D, and 66A-(3)-B.
- b) To protect the water quality and quantity of the adjacent stream and downstream water bodies, a 25-foot riparian buffer shall be established and maintained along the entire eastern boundary of TMP 66A-(2)-D.
- c) To ensure public safety and welfare, the 165 townhouses shall hook to public water and sewer infrastructure owned by RSA.

### **Applicant and Engineer**

Mr. Hall explained to the commission where the bicycle/walking trails (connectivity) are going to be. He also advised where the proposed soccer field will be located. The soccer field will be permeable, when it rains water will not run off, it will soak into it. Mr. Hall pointed out the location of the picnic area that will also house the playground area.

Ms. Kelsey Schlein of Shimp Engineering addressed the commission. She stated they agree to the conditions.

Mr. Willer opened the public hearing.

Mr. Willer closed the public hearing. No one signed up to speak.

Mr. Willer asked Mr. Hall about the proposed interconnectivity. Mr. Hall gave a description of what he is proposing, but then stated it would all be reviewed during the site plan.

Mr. McCloskey made a motion, in accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice; he moved to approve SUP#19-005 to allow for a maximum of 65 townhomes and pending a rezone request to R-2 (Residential). (RZ#18-004) Listed in the Greene County Zoning Ordinance as Article 6-1-2.3 on 17.12 acres identified as County Tax Maps as 66-(A)-2A, 66A-(1)-1, 66A-(1)-2, 66A-(2)-D, 66A-(3)-B.

Mr. Frydl asked Mr. McCloskey to clarify that he said 165, because it sounded as if he said 65.

Mr. McCloskey corrected the motion, in accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice; he moved to approve SUP#19-005 to allow for a maximum of 165 townhomes and pending a rezone request to R-2 (Residential). (RZ#18-004) Listed in the Greene County Zoning Ordinance as Article 6-1-2.3 on 17.12 acres identified as County Tax Maps as 66-(A)-2A, 66A-(1)-1, 66A-(1)-2, 66A-(2)-D, 66A-(3)-B that is zoned R-1, (Residential), which is adjacent to the northbound side of Route 29 North of the Albemarle County line. The Greene County Comprehensive Plan, Future Land Use Map designates this parcel as "Mixed Use Residential". With the following conditions:

- a) To ensure the character of the surrounding neighborhood, the sup shall only permit 165 townhomes on TMP 66A-(2)-A, 66A-(1)-1&2, 66A-(2)-D, and 66A-(3)-B.
- b) To protect the water quality and quantity of the adjacent stream and downstream water bodies, a 25-foot riparian buffer shall be established and maintained along the entire eastern boundary of TMP 66A-(2)-D.
- c) To ensure public safety and welfare, the 165 townhouses shall hook to public water and sewer infrastructure owned by RSA.

Mr. Williams seconded the motion.

By a roll call vote of 4-0 special use permit (SUP#19-005) was approved.

#### **PUBLIC HEARING # 4**

##### **Agricultural Forestral District review and renewal**

Mr. Frydl explained the AFD's background, he stated there are now two districts instead of seven. The Rappahannock District is north of Spotswood Trail, and the James District is South of Spotswood Trail.

Mr. Frydl provided a map that showed the citizens that were removing their property from AFD and the citizens that are renewing their properties.

The current County Code – Appendix B Article III was presented, as well as a redline version making recommended changes to be more specific by adding each tax map number of parcels in each district. There was also some language changed better describing the uses, Mr. Frydl explained.

Mr. Frydl advised the commission that the AFD committee did recommend the proposed language, and the renewals and removals from the AFD.

Mr. Willer asked Mr. Frydl about adding broadband poles and removing telephone booth from the language.

Mr. Leake recommended to utilize E. which is shown as reserved at this time for Telecommunications Infrastructure.

Mr. Willer advised Mr. Frydl of a typo on number three beneath the uses in the second sentence. The word should be within not with.

Mr. Saunders made a motion, to conserve and protect and to encourage the development and improvement of the Greene County's agricultural and forestal land for the production of food and other agricultural and forestal products, I move to recommend approval of the renewal of the James AFD with the language as revised to the following:

Mark ups as received (red line version)

Section 2. E. changed from reserved to Telecommunications Infrastructure.

Section 2. G. Telephone Booth be removed.

Section 3. Second sentence the word "with" be changed to "within"

Mr. Williams seconded the motion.

By a roll call vote of 4-0 the planning commission recommended approval of these changes

Mr. Saunders made a motion, to conserve and protect and to encourage the development and improvement of the Greene County's agricultural and forestal land for the production of food and other agricultural and forestal products, I move to recommend approval of the renewal of the Rappahannock AFD with the language as revised to the following:

Mark ups as received (red line version)

Section 2. E. changed from reserved to Telecommunications Infrastructure.

Section 2. G. Telephone Booth be removed.

Section 3. Second sentence the word "with" be changed to "within"

Mr. McCloskey seconded the motion.

By a roll call vote of 4-0 the planning commission recommended approval of these changes

Mr. Willer stated that we forgot the public hearing, however no one has signed up and no one is here. The public hearing is closed.

Mr. Frydl stated that there is no old/new business.

Mr. Willer asked to vote on the approval of the April minutes. He stated that he had one change. On page two last paragraph the word "would" should be changed to "could".

Mr. McCloskey moved to approve the minutes with the requested change from Mr. Willer.

Mr. Williams seconded the motion.

By a roll call vote of 4-0 the April 17, 2019 minutes were approved.

## **OTHER BUSINESS**

Ruckersville Advisory Committee recently met and discussed the meet and greet that VDOT is having at Holiday Inn Express on May 21, 2019. The committee also discussed how they could make Ruckersville more physically attractive.

**ADJOURNMENT**

The meeting was adjourned.

Respectfully submitted,

*Cristy Snead*

Secretary

*Joe Wink*                      8.16.2019  
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Planning Commission, Chairman                      Date