

PLANNING COMMISSION
April 21, 2004

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, APRIL 21, 2004, AT 7:30 pm IN THE COUNTY MEETING ROOM.

Those present were:

- Gary Lowe, Chairman
- Jim Davis, Member
- Michael Skeens, Member
- Brent Wilson, Member
- Mickey Cox, Ex-officio Member
- Susan Riddle, County Engineer
- Catherine Clossin, Planning Director
- Marsha Alley, Secretary

The chairman called the meeting to order stating that there would be seven public hearings this evening and that those who wished to speak must sign-up in order to move the meeting more quickly.

PUBLIC HEARING: Guildford Farm—Rezoning Request #04-148

Mr. Lowe read the request: The Guildford Farm Land Trust requests a re-zoning from M-2 to A-1 on a 218.84 acre tract located on Welsh Run Road and identified on County Tax Maps as 58-(A)-8B. (RZ#04-148)

Ms. Riddle gave a staff report in conjunction with a digital presentation including maps, site sketches, and photographs of the property. She stated that the request would propose a 36-lot subdivision with approximately 140-150 acres to remain as open space in the Agricultural & Forestal District. She noted that there are no public utilities serving the site currently and added that there are none planned for the future. She also noted that it is unlikely to have an industrial client similar to Technicolor interested due to the lack of public utilities. She stated that Parcel 6 is included in this project but that it is already zoned A-1. She described the proposed subdivision as 2-4 acre lots served by a public road off of Welsh Run Road. She added that there will be an open space buffer around the developed area. She explained that proffers are included with the request. She stated that staff recommends approval of the request with the acceptance of the submitted proffers.

Mr. Lowe explained the public hearing process to the public and opened the public hearing.

Rodney Kibler addressed the Commission as the applicant. He commended Ms. Riddle on her thorough presentation. He stated that there would be 218 acres rezoned from M-2 to A-1. He added that he wanted a unique development of this parcel. He stated that he met with Ted Kostich and Carl Schmitt and together developed this plan. He

stated that they spent time developing the design in order to protect the watershed and conservation areas. He noted that he did ask for 1 division right for a family division for the future. He stated that he planned to live there on site. He pointed out that he planned to enhance the watershed area and that there would be membership restrictions for the protection of the area.

Carl Schmitt addressed the Commission. He stated that this request would be protecting a significant piece of Swift Run and Welsh Run as well as preserving wildlife and water quality. He added that the design will also preserve the farm, noting that the development will not stand out as a development due to the low-impact development techniques.

Ted Kostich addressed the Commission. He distributed samples of house plans to the Commission. He described the homes as 3,000—4,000 square feet of living area in a price range of \$500,000--\$600,000. He added that the farmland and water quality must be protected and that the low-impact development will keep run-off on the property and not in the stream beds.

Patsy Morris addressed the Commission stating that she opposed the subdivision. She suggested leaving the property as it is until the new owner of the former Technicolor plant decides what will be done on that site. She stated that this project would cost the county and have an impact on the schools.

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

Mr. Wilson asked about the taxes on the property.

Ms. Riddle explained that the taxes would be paid at the current industrial rate until the taxes meet or exceed the amount when paid at the agricultural rate.

Mr. Cox stated that the tax payment is included in the proffers.

Mr. Kibler agreed that he will be paying the difference in the tax rate until houses are built.

Mr. Wilson asked if there had been any discussions with Mr. Capshaw, the new owner of the former Technicolor property, as to his intentions there.

Mr. Kostich stated that they had been unable to reach him. He stated that they had actually wanted to purchase that property and donate it to the county as a recreation center but that they were outbid. He added that he believes that the original rezoning of the entire property to M-2 may have been a mistake at the time.

Mr. Wilson stated that the house size seemed large for this area and asked if there is a

demand for these types of homes.

Mr. Kostich stated that the demand is there and noted that homes are selling in the \$400,000 price range in Willow Creek subdivision.

Mr. Wilson stated that he commends the approach of this development noting that there are many positive points.

Mr. Skeens asked if public utilities are available on former Technicolor site.

Ms. Riddle stated that they are not available and not planned for the future.

Mr. Lowe added that the former Technicolor plant has a package plant on the premises and a fire protection tank.

Mr. Skeens asked if the lots will be sold to other developers.

Mr. Kibler stated that they would not.

Mr. Kostich stated that the lots are under contract.

Mr. Davis asked if fire hydrants would be located in the area.

Mr. Kostich stated that they would be unable to locate hydrants there due to the lack of public water.

Mr. Lowe stated that he is a fan of low-impact development practices. He added that this development would set an example for other areas in the county.

Mr. Kostich stated that he could see this as a blueprint for the future, noting that the water and farmland will be protected.

Mr. Lowe stated that the M-2 zoning served a purpose at the time but noted that presently public utilities cannot be provided. He added that the project will generate a tax base for the county. He added that the project is commendable and that the developers seem to be good stewards of the land.

Mr. Wilson made a motion to recommend approval of rezoning request #04-148 with the acceptance of the submitted proffers.

Mr. Davis seconded the motion.

The vote was taken.

AYE

Mr. Wilson
Mr. Skeens
Mr. Davis
Mr. Lowe

NAY

The motion to recommend approval was carried unanimously.

Ms. Riddle introduced Catherine “Katy” Clossin as the newest member of the Planning Department staff.

Mrs. Clossin greeted the Commission.

PUBLIC HEARING: Guildford Farm—AFD Request #04-001

Mr. Lowe read the request: Guildford Farm Land Trust requests to have a portion of a 218.84 acre parcel, which is zoned M-2 (pending a rezoning to A-1) and located on Welsh Run Road, included in the Midway Agricultural and Forestal District (AFD). (AFD#04-001)

Ms. Riddle gave a staff report in conjunction with a digital presentation including maps, site sketches, and photographs of the property. She stated that this is the same project as previously discussed in the previous public hearing. She noted that there would be approximately 150 acres of 218 acres added to the Midway Agricultural & Forestal District (AFD). She added that the AFD Committee recommended approval of this application as it is submitted with the following conditions:

1. The pending rezoning application to rezone from M-2 to A-1 is approved, and
2. A right-of-way width to current VDOT standards along Route 629 is dedicated.

Mr. Lowe opened the public hearing.

Rodney Kibler stated that this AFD participation is the appropriate thing to do although it is not necessary. He added that he cannot subdivide the property, etc. through 2010. He added that this would be an assurance for the county.

Carl Schmitt stated that this participation is a bridge which is intended to eliminate development at least through 2010.

Patsy Morris addressed the Commission in opposition to the request. She stated that once the time elapsed, the developer could do another subdivision. She added that the parcel should remain zoned M-2 and asked why Greene County would want another subdivision for people from Albemarle County to live in.

Mickey Cox addressed the Commission as a farmer. He stated that he moved to

Greene County from Albemarle County because farmland was being developed. He added that this parcel is not used agriculturally and questioned its inclusion in the AFD. He also mentioned easement restrictions in conservation and how they would apply to this parcel.

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

Mr. Davis asked why the AFD term would expire in 2010.

Mr. Schmitt explained that the term was set by the County so that AFD's renew every 10 years noting that the previous AFD approval was in 2000.

Mr. Kibler stated that the proffers give up some division rights and that the approximate 150 acres would remain intact as it is currently.

Mr. Lowe asked for more information regarding the easement restrictions.

Mr. Schmitt explained that there are 10 restrictions of a conservation easement. He listed several as eliminating division rights, no signs, no character changes, no commercial uses, and no modification of water. He was unsure of the others without having them in hand.

Mr. Kostich stated that they intend to fertilize the field and yield hay.

Mr. Kibler stated that he had the pond stocked and had fertilized the field.

Mr. Lowe asked if there would be any cattle, etc.

Mr. Kibler explained that cattle would not be allowed because Technicolor had water rights to the property.

Mr. Wilson made a motion to recommend approval of AFD request #04-001 with the following conditions:

1. The pending rezoning application to rezone from M-2 to A-1 is approved, and
2. A right-of-way width to current VDOT standards along Route 629 is dedicated.

Mr. Davis seconded the motion.

The vote was taken.

AYE

Mr. Davis

Mr. Wilson

Mr. Skeens

NAY

Mr. Lowe

The motion to recommend approval was carried unanimously.

PUBLIC HEARING: Randolph Gibson—Special Use Permit Request #04-722

Mr. Lowe read the request: Randolph & Marsha Gibson request a special use permit for a manufactured home on a 5.00 acre tract, which is zoned A-1, located on Echo Lane and identified on County Tax Maps as 20-(A)-31A. (SUP#04-722)

Ms. Riddle gave a staff report in conjunction with a digital presentation including maps, site sketches, and photographs of the property. She stated that the request is needed as a medical hardship to have their son live near. She stated that the property is comprised of 5.0 acres and is zoned A-1. She noted that there is a residence located there and that this manufactured home would be the second residence on the property which requires a special use permit. She noted that the site is served by private septic and well and has road frontage along Middle River Road and Echo Lane. She added that the proposed manufactured home site is level with adequate room for the residence. She stated that staff recommends approval with the following conditions:

1. The mobile home shall be family occupied and shall not be a rental unit,
2. The applicant will submit a site plan showing the proposed location for approval by staff, and
3. The special use permit is valid for three (3) years from the date of the issuance of the Certificate of Occupancy.

Mr. Lowe opened the public hearing.

Marsha Gibson addressed the Commission as the applicant. She stated that her husband is handicapped and in a wheelchair. She added that she has been diagnosed with Crohn's disease which could limit the care that she can provide for her husband. She also noted that her son's child is deaf. She stated that they all need one another right now.

Richard Comfort, adjoining property owner, addressed the Commission. He stated that he generally has no problem with the request but would like to see a three (3) year expiration on the special use permit and a restriction limiting the occupancy to the son. He added that he does not want to see it become a rental unit.

James Martin, neighbor, addressed the Commission. He stated he shared in Mr. Comfort's concerns and would like to see the nature of the area maintained.

Mr. Lowe read a letter that he received from Matt Hodges regarding the request. Mr. Hodges asked for the manufactured home to be located on the west side of the existing tree line. Mr. Hodges also noted that he had no opposition to the request in regard to the need.

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

Mr. Wilson asked if the manufactured home could be located on the west side of the existing tree line as requested.

Mrs. Gibson stated that the site will accommodate Mr. Hodges' request.

Mr. Gibson stated that the stakes for the site are west of the tree line.

Mr. Skeens asked if the new home would be served by separate well and septic.

Mrs. Gibson stated that it would.

Mr. Skeens asked if there were any plans to use this home as a rental unit.

Mrs. Gibson assured the Commission that the home would not be a rental unit.

Mr. Skeens asked who monitored the renewal of special use permits.

Mrs. Riddle stated that the Planning Department staff would be responsible for monitoring the special use permit.

Mr. Davis asked the size of the lot.

Mrs. Gibson stated that the parcel is 5.0 acres.

Mr. Davis asked if the manufactured home could be seen from Middle River Road.

Ms. Riddle stated that it could be seen from Echo Lane but only seen in some areas from Middle River Road due to the topography.

There was discussion on the location of the manufactured home and the visibility.

Mr. Lowe asked what size the home would be.

Gaither Samuels, Marsha Gibson's father, stated that the home would be about 14' x 70'.

Mr. Lowe asked what model year the home would be.

Travis Gibson, son, stated that the model year would be a 1988 or 1989.

Mr. Lowe stated that he would like to see a site sketch of the location for approval but added that the location seems to have been determined tonight.

Mrs. Gibson stated for clarification that they actually planned on connecting the manufactured home to the current well because they can get 22 gallons per minute.

Mr. Lowe stated that they would have to comply with any current Health Department regulations.

There was discussion regarding the site sketch and specific location.

Mr. Skeens made a motion to recommend approval of special use permit request #04-722 with the following conditions:

1. The mobile home shall be family occupied and shall not be a rental unit,
2. The applicant will submit a site plan showing the proposed location for approval by staff, and
3. The special use permit is valid for three (3) years from the date of the issuance of the Certificate of Occupancy.

Mr. Wilson seconded the motion.

The vote was taken.

AYE

Mr. Davis

Mr. Wilson

Mr. Skeens

Mr. Lowe

NAY

The motion to recommend approval was carried unanimously.

Mr. Lowe removed himself from the Commission for the next public hearing due to his involvement with the EDA.

**PUBLIC HEARING: K & B Properties/Greene Co. EDA—
Special Use Permit Request #04-723**

Mr. Wilson read the request: K & B Properties/Greene County Economic Development Authority request a special use permit for a Temporary Fair (Civil War Reenactment) on a 184.42 acre tract, which is zoned A-1, located on Spotswood Trail and identified on County Tax Maps as 50-(A)-42B. (SUP#04-723)

Ms. Riddle gave a staff report in conjunction with a digital presentation including maps, site sketches, and photographs of the property. She noted that the request is for a civil war reenactment which falls under temporary fair. She added that a site plan approval would also be required prior to the event. She stated that public water and sewer is not available

on site. She added that the parcel has approximately 1,400 feet of road frontage along Route 33. She noted that parking will be provided on site in designated areas and the sheriff's department will assist with traffic control. She added that the proposal will provide some income for the property owner while providing an alternative to agricultural subdivision development. She noted that the EDA identifies the event as a tourism objective and is sponsoring the event. She stated that staff recommends approval of the request with the following conditions:

1. Parking areas will be clearly delineated to prevent the crossing of property lines, and
2. Health Department regulations for "temporary events" are adhered to.

Mr. Wilson opened the public hearing.

There were no comments from the public, therefore the public hearing closed.

Mr. Lowe stated that the co-chairs for this project are present and available to answer questions. He added that Ms. Riddle's presentation was thorough.

Mr. Davis stated that this is a wonderful event for the county. He asked how the vendors would be monitored.

Patti Wilson stated that the vendors will be allowed by application only in order to restrict vendors.

Mr. Davis asked if the vendors participate every weekend.

Matthew Woodson stated that some of the vendors do participate somewhere every weekend but noted that some vendors will be from local churches, etc.

Mr. Davis stated that the event had been previously held at Blakey field and added that he enjoyed it then.

There was discussion on the reenactments in the past.

Mr. Skeens stated that information seemed to be thorough and asked how many people would be camping there overnight.

Harry Daniel estimated about 500.

Mr. Wilson asked if there was an estimate for the number of spectators.

Ms. Wilson estimated about 500 re-enactors and about 1,000—2,000 spectators total.

Mr. Woodson stated that this would be a great location for this type of event and added that the site has been donated for this use for three (3) years.

Mr. Wilson asked if there would be any events in Stanardsville and if so, would there be a shuttle.

Ms. Wilson stated that she will be meeting with the schools regarding the buses. She noted that the battle will be at the Ruckersville site and at other times there will be some activities in Stanardsville.

Mr. Wilson commended the group on their efforts and wished them great success.

Mr. Skeens made a motion to recommend approval of special use permit request #04-723 with the following conditions:

1. Parking areas will be clearly delineated to prevent the crossing of property lines, and
2. Health Department regulations for "temporary events" are adhered to.

Mr. Davis stated that a third condition should be added requiring that the property lines should be properly defined.

The Commission agreed.

Mr. Davis seconded the motion with the addition of the third condition.

The vote was taken.

AYE

Mr. Davis
Mr. Skeens
Mr. Wilson

NAY

The motion to recommend approval was carried unanimously.

**PUBLIC HEARING: Ordinance Revision—Article 7 Planned Unit Development
(PUD) #04-013**

Mr. Lowe stated that there are proposed revisions to Article 7 of the Greene County Zoning Ordinance which concerns Planned Unit Development (PUD).

Ms. Riddle stated that the proposed revisions have been forwarded to the Planning Commission and that they are intended to make the ordinance more user friendly. She noted that they are generally complete with the need for some refining.

Mr. Lowe opened the public hearing.

There being no comment, the public hearing was closed.

Mr. Lowe stated that the Board of Supervisors requested that these revisions be made to prepare for the county's future. He added that the age restrictions would limit the children in the schools which could allow for less budget issues. He reminded everyone that the Board of Supervisors will make the final decision on the revisions.

The Commission reviewed and discussed the proposed revisions section by section and recommended the following:

1. Section 7-5-2: Leave as it is for now because there are no substitutions offered,
2. Section 7-7-8: Leave as it is, and
3. Section 7-11-3.1 b: Leave 5' spacing for contours.

Mr. Wilson made a motion to recommend approval of ordinance revision request #04-013 with the following amendments:

1. Section 7-5-2: Leave as it is for now because there are no substitutions offered,
2. Section 7-7-8: Leave as it is, and
3. Section 7-11-3.1 b: Leave 5' spacing for contours.

Mr. Davis seconded the motion.

The vote was taken.

AYE

Mr. Wilson
Mr. Skeens
Mr. Davis
Mr. Lowe

NAY

The motion to recommend approval was carried unanimously.

**PUBLIC HEARING: Ordinance Revision—Proposed Article 6A:
Senior Residential #04-012**

Ms. Riddle explained that this revision creates a new zoning district known as Senior Residential, Proposed Article 6A.

Mr. Lowe opened the public hearing.

Carl Schmitt stated that he is concerned about this process noting that he had requested copies of the revisions and they were not available. He added that the public had not had sufficient time to review the revisions. He asked why the process must be rushed.

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

Mr. Skeens stated that he agreed with Mr. Schmitt in that the process should not be rushed.

Mr. Wilson asked what was not available.

Mr. Lowe stated that the current Zoning Ordinance was available but that the changes were not available until Friday.

Mr. Davis stated that if the public had not had time to review the information, the Commission should consider waiting on making a decision.

Mr. Lowe stated that he had received the revisions on Friday and had reviewed them over the weekend. He added that the Commission could recommend approval, recommend denial, or defer the items. He added that the attached memo stated that the Board of Supervisors plans to review the revisions at their meeting on April 27, 2004 noting that there seemed to be a sense of urgency. He agreed that he was somewhat uncomfortable with the sense of urgency.

There was discussion on how to proceed and agreed to continue and forward their decision to the Board of Supervisors.

The Commission reviewed and discussed the proposed revisions section by section and recommended the following:

1. Section 6.1-1-1.1h: Use same term as in definitions.
2. Section 6-1-1-2.1h: Delete use and change of to and
3. Section 6.1-3.2: add square feet
4. Section 6.1-3.2.a & b: add) after each letter
5. Section 6.1-9.2: change reference from 6-14-7 to 6-8-1
6. Section 6.1-10.1: change reference from 6-14-13 to 6-9
7. Section 6.1-11.2: delete phrase "how about just bonding?"
8. Section 6.1-12.1: change or could be to and/or
9. Section 6.1-13.1: change 150 to 200
10. Section 6.1-13.3: change site plan ordinance? to as defined in Section 19-5

Mr. Skeens made a motion to recommend approval of ordinance revision request #04-012 with the following amendments:

1. Section 6.1-1-1.1h: Use same term as in definitions.
2. Section 6-1-1-2.1h: Delete use and change of to and
3. Section 6.1-3.2: add square feet
4. Section 6.1-3.2.a & b: add) after each letter
5. Section 6.1-9.2: change reference from 6-14-7 to 6-8-1
6. Section 6.1-10.1: change reference from 6-14-13 to 6-9
7. Section 6.1-11.2: delete phrase "how about just bonding?"
8. Section 6.1-12.1: change or could be to and/or

9. Section 6.1-13.1: change 150 to 200
10. Section 6.1-13.3: change site plan ordinance? to as defined in Section 19-5

Mr. Davis seconded the motion.

The vote was taken.

AYE

NAY

Mr. Davis
Mr. Skeens
Mr. Wilson
Mr. Lowe

The motion to recommend approval was carried unanimously.

PUBLIC HEARING: Ordinance Revision—Private Road Standards #04-014

Ms. Riddle stated that the proposed revisions are necessary to bring the current subdivision ordinance into compliance with the Virginia State Code.

Mr. Lowe opened the public hearing.

Carl Schmitt reiterated his concern with rushing this process noting that many of the revisions have no suggestions as to why they are needed.

Douglas Burke stated in reference to the previous public hearing that there is a definite need for senior housing in the area as he has been looking for something of that nature for family members.

There being no comment, the public hearing was closed.

Mr. Lowe read the Section 6-4-4.3 revision changing the requirement from 24' to 20'.

There was discussion on the revision.

Mr. Skeens made a motion to recommend approval of ordinance revision request #04-014 as presented.

Mr. Wilson seconded the motion.

The vote was taken.

AYE

NAY

Mr. Davis
Mr. Skeens

Mr. Wilson
Mr. Lowe

The motion to recommend approval was carried unanimously.

OLD/NEW BUSINESS

Mr. Lowe reminded everyone of the classes offered by Virginia Tech.

Mr. Davis plans to attend in June.

Mr. Lowe welcomed Mrs. Clossin to the Planning Department.

APPROVAL OF MINUTES

The minutes of the February 18, 2004 meeting were unanimously approved as submitted.

OTHER PLANNING MATTERS

Mr. Lowe asked Mr. Cox for an update on the Comprehensive Plan.

Mr. Cox stated that the Board of Supervisors reviewed 8 pages in 1 hour and 22 min. He added that at that rate, the review would take about 4 months.

Mr. Cox stated that he was glad to see the change in the Subdivision Ordinance and would like to see changes to the parking spaces as well.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marsha Alley
Secretary