

Mr. Lucas called the January 9, 2023 work session of the Botetourt County Planning Commission to order at 5:00 PM, in the Botetourt County Administration Center Conference Room 229 in Daleville, Virginia regarding proposed text amendments to the Zoning Ordinance.

PRESENT: Mr. Tim Lucas, Chairman
Mr. Brandon Nicely, Vice-Chairman
Mr. Steve Kidd, Member
Mr. Sam Foster, Member
Mr. Billy Martin, Ex-Officio Member
Mr. Mike Lockaby, County Attorney
Mrs. Nicole Pendleton, Director of Community Development
Mr. Drew Pearson, Zoning Administrator
Mr. Jon McCoy, Planner
Mr. Matt Lewis, Code Enforcement
Mrs. Laura Goad, Administrative Assistant

ABSENT: Mr. Nick Baker, Planner

Mr. Lucas welcomed those in attendance for the overview of forthcoming TND amendments in association with Harvest at Blue Ridge.

Mrs. Pendleton introduced Mr. Pearson, and turned the meeting over to him.

Others in attendance were Mr. Bobby Wampler, Mr. Dave Spigle, Mr. Dale Wilkinson, and Mr. Seth Wilkinson.

Mr. Pearson commenced his PowerPoint presentation [attached] with the slides depicting aspects of proposed text amendments for a proposed Traditional Neighborhood District.

Mr. Pearson displayed the Harvest at Blue Ridge Slide showing the proposed master plan, Core, Edge and Workspace areas, with a total of 442 residential units. He read the next slide regarding 71,544 square feet of commercial space with some located around the old Murray Cider buildings.

After reading the Traditional Neighborhood District (TND) slide regarding the purpose and development, Mr. Pearson discussed the Thursday meeting about the Traffic Impact Analysis, and then after that meeting, the applicants would finalize some of the comments and doing a resubmittal.

Mr. Pearson read the slides regarding the types of available housing.

Mr. Spigle then spoke up, noting their goal was to have diverse housing range of opportunities, providing a broad range of choices for people from entry level people and up.

Mr. Kidd asked about price points.

Mr. Wilkinson said the Village of Cheshire at the Black Mountain development in North Carolina charged upwards of \$400,000, and he was trying to create diversity, to make it affordable for the broad range and

cottages would not be priced at that.

On the next slide, Mr. Pearson showed where the applicants requested the addition of Residential R-4 permitted uses to the TND Use District. He then indicated that some encroachments would be allowed in all required yards for the TND Use District. Mr. Pearson reviewed dwelling types, with lot and building requirements. He noted there was not much room to allow 4,000 square feet, and he had worked closely with applicant on rezoning, in order to minimize the degree of change. He said there was not lot change necessary for single-family attached dwelling lot and building requirements, and multifamily detached, but the applicants requested a smaller lot width, which seemed to work for this. Mr. Pearson stated that Phase 2 at Daleville Town Center had 95 units total, and they could have gone with a larger amount of units by going below ground and parking decks, which was not really feasible. He further stated that lot width was controlled by type of development.

Mr. Pearson discussed commercial and industrial lot and building requirements. He mentioned they would have a type of a downtown feel, and would still have to comply with off-street parking requirements; the applicants would have to figure out parking in rear, shared parking, smaller and larger units.

Mr. Foster questioned the 6-foot rear setback and parking.

Mr. Pearson responded they would still have to have enough off street parking, maybe parking courts, and would have to meet parking requirements.

Mr. Foster and Mr. Pearson then discussed parking requirements. Mr. Pearson noted that wouldn't leave room in the back for parking.

Mrs. Pendleton commented that nothing that required a rear alley.

Mr. Pearson explained zero lot lines and rating walls from a building code perspective.

Mr. Foster stated that he was looking at the text amendments from a fire and rescue perspective.

Mr. Foster commented that he was looking beyond this and at future projects, as Mr. Lucas noted they needed to look at the worst case scenario.

Mr. Foster questioned how there could be two buildings, 12 feet apart, without any way to get to the back of the building, and that would be tough to get to the back if there was a fire.

Mr. Dale Wilkinson said this would be only for TND, not any other use district.

Mr. Spigle noted this concept would still have to be approved, as he explained they were trying to create a town community feel, such as Buchanan and Fincastle, that were the models for this.

Mr. Foster said he understood, as he restated his concern about the close proximity of buildings together.

Mrs. Pendleton commented that it was a lot harder to go in this direction from a legislative standpoint, as she noted the developers had to show how realistic this would be in making these numbers work.

Mr. Pearson stated that looking at the current ordinance, the front setback allowed for zero lot line, and

sides, and that it was designed currently to allow commercial strips.

Mr. Lucas remarked that commercial would have sprinkler requirements, as Mr. Wampler mentioned that the building code would kick in, and other items would be allowed by right.

Mr. Foster stated that he was looking at the worst case scenario, and he needed some understanding of what should the Planning Commission should do different.

Mr. Pearson stated that Staff wanted to discuss narrow alleys with Fire and EMS. He further stated that Private streets still required a SEP, and there was no change in that. He mentioned Including private alleys to mitigate any concerns to Planning Commission and Board of Supervisors.

Mr. Pearson displayed a slide regarding Property Owners' Association and the existing versus the proposed. He discussed accessory uses and structures, parcel limitations, noting that Daleville Town Center had a few accessory dwelling units, with couple that were above garages, and limited to 1,000 square feet. He noted the applicant proposed change to one accessory dwelling.

Mrs. Pendleton stated that Staff looked at from different angles and continued to look at the big picture versus the little picture, as she thanked everyone.

Mr. Spigle voiced his appreciation for Mr. Pearson throughout this process, particularly with the the amount of time dedicated to this.

Mr. Pearson stated the Board of Supervisors recommended at least one work session, to see if there were any other areas where we could reduce the amount of requests, as he also mentioned Fire/EMS and multifamily

Mr. Kidd stated that Fire/EMS, and VDOT would be key to looking at this in a future development worst case scenario, like Mr. Foster mentioned.

Mr. Pearson said he felt strongly that the county needed to look closely at the roads. One of the few areas, depending on the ADT, that we need to look at would be cross sections.

Mr. Wampler commented that he was working on cross sections, and looking at trips per day regarding alley access.

Mr. Martin stated that if changes were made to the TND, then density would be a problem.

Mr. Pearson responded that he didn't think so for this particular request. He further responded that they were trying to make a developed area more dense, with probably more open space than Daleville Town Center. Mr. Pearson also said the Planning Commission could take a closer look at that similar to the multifamily at Daleville Town Center, as Mr. Martin mentioned zero lot lines on some of those.

Mr. Pearson asked them to keep in mind that a commercial lot of any size could not be created because of parking, and that there were a lot of controlling factors beyond building setbacks.

Mr. Lucas brought up the possibility of a work session on Fire/EMS, as Mr. Kidd stated that something in writing would help the Planning Commission to navigate.

Mr. Pearson recommended a work session after each of the next public hearings to address Fire/EMS concerns, as well as other areas of concern.

When Mr. Kidd requested something in writing, Mr. Pearson said that Staff could do a memo to be included with the Planning Commission package.

On motion by Mr. Mr. Foster at 5:57 PM, seconded by Mr. Kidd, which was approved 4:0:0:0, the Planning Commission recessed until 6:00 PM with the following recorded vote:

YES:	Mr. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO:	None
ABSTAIN:	None
ABSENT:	None

Mr. Lucas called the January 9, 2023 meeting of the Botetourt County Planning Commission to order at 6:05 PM, in the Botetourt County Administration Center Auditorium in Daleville, Virginia.

PRESENT:	Mr. Tim Lucas, Chairman
	Mr. Brandon Nicely, Vice-Chairman
	Mr. Steve Kidd, Member
	Mr. Sam Foster, Member
	Mr. Billy Martin, Ex-Officio Member
	Mr. Mike Lockaby, County Attorney
	Mrs. Nicole Pendleton, Director of Community Development
	Mr. Drew Pearson, Zoning Administrator
	Mr. Jon McCoy, Planner
	Mr. Nick Baker, Planner
	Mr. Matt Lewis, Code Enforcement
	Mrs. Laura Goad, Administrative Assistant

ABSENT:	Mr. Nick Baker, Planner
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After Mr. Lucas opened the meeting and welcomed those in attendance, he introduced Staff and Planning Commission members, and then read the procedures for the public hearing, noting that anyone wishing to speak should complete a "Request to Speak" form and give it to a Staff member.

Mr. Lucas stated the Board of Supervisors would hear this request on January 24, 2023 at 6:00 PM at the Botetourt County Administration Center.

Mr. Lucas announced that the Planning Commission would meet in the Kroger parking lot for the next field review at 3:15 PM on Thursday, February 9, 2023.

Mr. Foster motioned to approve the December 12, 2022 Planning Commission minutes as written.

Mr. Nicely seconded the motion, which was approved 4:0:0:0 for the following recorded vote:

YES:	Mr. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO:	None
ABSTAIN:	None
ABSENT:	None

Public Hearing

Amsterdam District: Greenfield Partners LLC requests a Commission Permit in accordance with §15.2-2232 of the Code of Virginia for the construction of public road(s) and utilities, and also requests a rezoning of a 53.448 portion of a 78.948-acre parcel from the Agricultural (A-1) Use District to the Residential (R-1) Use District, with possible proffered conditions, in accordance with *Section 25-581. – Zoning Map Amendment—Owner Initiated*, and *Chapter 25 Zoning, Article II – District Regulations Generally, Division 4.- Low Density Residential District R-1* of the Botetourt County Code, for the purpose of creating a single-family residential development. The property is located on Greenfield Street (Route 673), Daleville, VA, and access to the development is proposed via Greenfield Street at the O’Hara Drive (Route 1155) intersection, approximately 0.5 miles northeast of the Roanoke Road (US Route 220)/Greenfield Street intersection and also to a driveway located across from the entrance to 925 Greenfield Street. It is identified on the Real Property Identification Maps of Botetourt County as Section 88, Parcel 94.

Mr. McCoy read the request aloud as he displayed the zoning map on PowerPoint. Mr. McCoy stated that he would focus on how this application differs from the previous applications for rezoning, rather than focus directly on physical aspects of the property. He stated that the proposed a single-family detached subdivision consists of a maximum of 117 single family dwelling lots accessed via two entrances on Greenfield Street, one directly across from O’ Hara Drive and one across from the entrance to the Ashley Plantation Golf Course and Pool.

Mr. McCoy said that frontage lots were proposed to access Greenfield Street via private driveway access, for a total of 24 private driveways, 26 total access points along the road, and unlike the previous application, there were no clear future connections shown on the concept plan, though a cul-de-sac was proposed adjacent to TM #88-95. He mentioned a stormwater management facility and existing wetlands were to be owned and maintained in fee simple subject to a court-recorded maintenance agreement, and that the concept plan, to which substantial conformance has been proffered, showed 117 single-family lots. Mr. McCoy reviewed the lot width for Residential R-1, and Agricultural A-1 use districts, and discussed comments received about the pedestrian pathway. He noted that there no details on the pathway width or if it intends to be in an easement or in the VDOT right-of-way.

Mr. McCoy displayed the aerial view highlighted in red, along with street views from Google Street view. He then showed the proffered Concept Plan, indicating accesses, open space, and the proposed walking trail.

Mr. Lucas asked about the walking path.

Mr. McCoy responded that the applicant proposed a paved sidewalk trail, as he showed the slide of proposed zoning areas, with cluster R-1 and conventional lots. He noted that VDOT reviewed and stated concurrence with the traffic impact analysis submitted with the application. Mr. McCoy noted the school system reviewed the application and commented, while comments regarding water and sewer were not received. Mr. McCoy further noted the Fire and Rescue, access points, and public comments received prior to the public hearing. Mr. McCoy displayed a slide with proposed proffers, and after discussing with legal counsel, if the Board voted to accept proffer "B" the County would be responsible for ensuring the covenants, conditions, and restrictions were recorded prior to final plat approval, but would not be responsible for enforcing the covenants, conditions, and restrictions themselves.

Mr. Lucas wanted to know if the proffers were similar to Ashley Plantation.

Mr. McCoy replied that he believed the developer made an effort to pull a lot of them in.

Mr. Bobby Wampler of Engineering Concepts Inc. and Mr. Brian McCahill of Greenfield Partners LLC were present to discuss this request.

Mr. Wampler noted that he had talked about this property a couple of times at previous rezoning hearings and with the neighborhood. He identified the walking path as a feature to address community wants. After receiving the public comments, Mr. Wampler said he wanted to clarify that he had not personally seen 18 junked cars on the property, and only saw one car on the property. This car was not owned nor placed there by the property owner. Mr. Wampler noted the many communications with County staff and members of the Ashley Plantation community. Mr. Wampler acknowledged that they may have engaged with the community differently than before, but he personally worked with the Ashley Plantation Homeowners Association, and provided written information to the community submitting this request, and then made revisions to plan based on the feedback. Mr. Wampler stated he reached out to leadership in the community to address comments and concerns, in terms of standards, VDOT code, and county codes.

Mr. Kidd asked about the water system from the last request, that had a loop going into the water system, and wanted to know if that was still in the plan. Mr. Wampler responded that that had not changed, the loop was still in the plan, and the water/sewer infrastructure had not changed.

Mr. Wampler addressed concerns over the speed limit on Greenfield Street. He stated that the applicant has no control or opportunity to amend the speed limits. He further stated that the multiple driveways on Greenfield Street and pedestrian walking path would serve as traffic calming element to reduce travel speeds.

Mr. Lucas opened the public hearing.

Mr. Dharmendra Patel of Daleville, objected to this request and said he had the same complaint of safety and security. He mentioned walking and jogging with speeding traffic, as he asked if the County was going to finish rest of the walkway. Mr. Patel said there was a lack of planning, and lack of resources for 128 houses, and that with traffic on Greenfield going to Trinity, there would be accidents.

Mr. Ali Khan of Daleville, cited road safety as his biggest concern while voicing his opposition to this request. Additionally, Mr. Khan said there had to be some form of compatibility, that the A-1 cluster would destroy this, there were not enough turns, and proffers were not compatible. He said they wanted houses, less traffic, and wider roads.

Mrs. Danielle Long, of Daleville, asked the Planning Commission to vote no on the rezoning, as she requested conventional R-1 lots, and no A-1 cluster homes. Mrs. Long referred to blind spots on Greenfield Street, concerns with curb cuts, noting the three already made by Fields Development. Saying that she could not go to her mailbox without almost being hit, she said the paved walking trail was important. Mrs. Long then brought up the lack of a recent traffic study.

Mr. Allen Long, of Daleville, requested making the Greenfield Street lots to a half-acre and R-1, in addition to requesting recording proffered conditions prior to final plat approval, and not connecting cul-de-sac. He brought up drainage concern at the tenth hole, which he said backed up into his yard, and that he agreed that speed along Greenfield Street needed to be studied and improved.

Mrs. Rebekah Wolfe, of Daleville, said that she was speaking for herself and Ms. Michelle Adkins. Mrs. Wolfe stated her appreciation for Mr. Wampler and the 50% brick proffer; however, she was disappointed to see A-1 cluster lots, noting that Botetourt County said they did not want numerous curb cuts. She also said the lots needed to be larger in width, and if A-1 was allowed inside the subdivision, they should increase the brick number to 75%, as she requested help from the County to get the speed reduced.

Mr. Jonathan Wolfe, of Daleville said he loved the county, and wanted what they paid for, and what was consistent. He asked why the development could not be a conventional R-1, since all three surrounding sides were like that. Mr. Wolfe said there was a tale of two streets using O'Hara as a connecting point, and the other side would be high density clustering. He requested half-acre sized lots, noting he has had to swerve to avoid hitting other vehicles, and he felt that infrastructure needed to be put forth.

Mrs. Tonya Poindexter, of Daleville, stated the importance of considering infrastructure, and being proactive in identifying risks, as she spoke of puddling and flooding that would be increased with more builds. Mrs. Poindexter said she was not opposed to more houses, but police, fire, and medical resources needed to increase. She brought up internet and power outages, fencing, a junked car, and accidents at Roanoke and Greenfield roads intersection.

Mrs. Pendleton clarified that proffers by applicant were two-fold, the first being substantial conformance to the site plan, and the other being that County staff will ensure that the covenants, deeds, and restrictions included in the application would be recorded prior to plat approval. County staff would not be responsible for enforcing those standards.

Mr. Lucas noted letter from Nathan and Jessica Stuart.

Mr. Greg Lowe, of Daleville, opposed this request. He stated his home was his biggest investment. And prior to buying here, he looked here because of the traffic. He said he was not against development as long as it was compatible with current taxpaying citizens, he did not want it to hurt their investment value, and this would negatively impact neighborhood already there.

Mr. Lucas invited applicant to come back to respond to the comments.

Mr. Wampler clarified that 90% of the stormwater would be below Greenfield Street. He noted that A-1 Cluster was a by-right use, and the rezoning was for R-1.

Mr. Lucas asked about future cul-de-sac connections.

Mr. Wampler responded that the last VDOT study was in 2021, and VDOT required them to show interconnectivity, and said they had no plans to connect.

Mr. Nicely asked about the walking path width.

Mr. Wampler said that while they did not discuss that, it would be a minimum of three feet wide.

Mr. McCahill commented that they had worked hard to do this, including incorporating community feedback.

Mr. Lucas wanted to know about the cutouts on Greenfield Street.

Mr. Wampler replied that this was the direction he was given, and while this was the third time this property has had a public hearing for a rezoning, this plan was more consistent with the first application, not the second.

Mr. Foster noted his concern of looking at back of houses on second application.

Mr. Patel requested to speak again, which was granted by Mr. Lucas.

Mr. Patel said if the traffic study was from 2021, a copy was not given to residents, and he wanted to look at that traffic study before approval.

There being no one else to speak, Mr. Lucas closed the public hearing. 654

Mr. Foster stated the applicants did their due diligence with the residents of Ashley, and since the property was zoned A-1, they could put houses right on the road. He further stated the did a good job trying to answer questions. He commented he voted to approve this the last time and had no reason to change his mind.

Mr. Nicely stated that yes, this property would develop, and that Ashley was unique for our area, as he agreed with Mr. Foster. He pointed out that houses on Antietam Hill were situated differently, and down the street had good infill. He understood that folks on O'Hara did not like the alignment, but VDOT would request that anyway. Mr. Nicely further stated the developers did well by reducing by about 60 homes.

Mr. Kidd stated the he agreed with Mr. Foster and Mr. Nicely. He further stated that the applicants could put in a pig farm by-right, and that was not compatibility. Mr. Kidd said that by looking at map, see he saw 17 houses on Greenfield, and understood the cost of development. He commented that with what we've got and what he has seen, the engineers did their due diligence to make it fit inside the community as close as you can get.

Mr. Lucas stated that he was excited to see the walking path and could see where this might address some of the safety concerns. He stated his appreciation for the developer trying to improve the connectivity and volunteering the proffers. Mr. Lucas noted his biggest concern was safety, and that curb cuts might help with safety by slowing traffic down.

Mr. Kidd motioned to approve the Commission Permit on the basis that the requirements of §15.2-2232 of the State Code:

Mr. Foster seconded, which was approved 4:0:0:0, with the following recorded vote:

YES: Mr. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO: None
ABSTAIN: None
ABSENT: None

Mr. Kidd motioned to forward the request for the Residential, R-1 rezoning, with a recommendation for approval with proffered conditions, on the basis that the requirements of Section 25-581 of the Zoning Ordinance have been satisfied with the following conditions:

Mr. Foster seconded, which was approved 4:0:0:0, with the following recorded vote:

YES: Mr. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO: None
ABSTAIN: None
ABSENT: None

Mr. Lucas announced the motion carried.

Other business

There was no other business.

Adjournment

There being no other business, on motion by Mr. Foster at 7:03 PM, seconded by Mr. Kidd, which was approved 4:0:0:0, the Planning Commission adjourned with the following recorded vote:

YES: Mr. Nicely, Mr. Kidd, Mr. Foster, Mr. Lucas
NO: None
ABSTAIN: None
ABSENT: None