

The Planning Commission of the City of Waynesboro, Virginia, held a regular meeting on the 17th day of August 2021, at 7:00 P.M., in Council Chambers, Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia:

PRESENT:                      Commission Members:                      Shannon Boyle, Chair  
   Stephen Arey, Vice-chair  
   Bobby Henderson, Council Liaison  
   Noelle Owen  
   W. Lowrie Tucker  
   Michael Gibson  
   Sarah Severs

   City Planner &  
   Clerk of the Commission:                      Luke Juday  
   Associate Planner:                                      Alisande Tombarge

**1. Call to order. Pledge of Allegiance.**

Mr. Arey called the meeting to order, and asked Mr. Gibson to lead the Pledge of Allegiance.

**2. Adoption of agenda**

Mr. Gibson made the motion to adopt the agenda; Mr. Tucker seconded. All voted in favor.

**3. Review and approval of minutes of meeting held July 20, 2021.**

Mr. Gibson made the motion to approve the minutes for the July 20, 2021 meeting; Ms. Severs seconded. All voted in favor.

**4. Public comment period for items not on the agenda.**

Don Coffey, 305 Maple Avenue, spoke in opposition to the rezoning of Jacob Turner's property located at 1040 Reservoir Street. Mr. Coffey owns a house across the street from a property Jacob Turner owns on Maple Avenue that is not well maintained. He stressed the other homes in the neighborhood are very well maintained. He has made complaints to the Building and Zoning office about Mr. Turner's property, and has had conversations with Mr. Turner about issues including mowing, trash, and rodents. Mr. Coffey shared pictures showing the current conditions of the property. Mr. Coffey concluded his remarks by encouraging the planning commission to vote against the rezoning.

**5. Reconsideration of a request by Jacob Turner, to change the zoning of 1040 Reservoir Street (Tax Map # 47-1-215-5) from RG-5, General Residential, to R-MF, Multi-Family Residential.**

Mr. Juday provided a recap of the presentation of the staff report (see the agenda packet for the August 17, 2021 meeting).

Mr. Tucker verified the locations of other townhomes and apartment buildings in the immediate neighborhood and the current zonings with Mr. Juday.

Mr. Henderson confirmed the number of townhome units with the current zoning and with the rezoning, and asked what the downsides were to rezoning to allow larger number of units. Mr. Juday responded that they would want to consider the impact the additional density would have to the neighborhood, and that generally you want larger areas to have consistent entitlements. However, an argument could be made that this rezoning is not inconsistent with the neighborhood because there is a multifamily structure across the street in Fairfax Hall. There are no concerns about the traffic or utilities in this area for the city.

Mr. Tucker and Ms. Severs commented on the need for additional details about the townhomes and the proffers offered by applicant.

Ms. Boyle invited the applicant forward to speak about the project. Jacob Turner, applicant, addressed the comments made by Don Coffey about his property on Maple Avenue, stating that he would be taking care of the landscaping. Mr. Turner then briefly described the current state of the subject property including past problems with tenants and with people breaking in. The project would include 15 units 1,500 to 1,800 square feet with two-stories and a third story that would be a rooftop terrace, which would be the primary outdoor space. The units would be individual homes to be sold in the \$220,000 to \$250,000 price point, though more research was needed.

Mr. Tucker clarified that the rooftop terraces would be private spaces for each of the units.

Ms. Severs asked what had been considered in regards to stormwater management. Mr. Turner replied that its expense is a primary reason for the increased density and that the engineers still need to design the stormwater management system. Mr. Juday mentioned that the stormwater management would be reviewed during the site plan review process.

Mr. Arey asked if the rezoning was approved and the property changed hands, the next owner could come in and build the full number of units allowed by-right. Mr. Juday responded that the proffers, which include language limiting the number of units to 15, would pass with the property after the rezoning. Anything that is not proffered and allowed by-right, however, could be possible.

Mr. Gibson stated that he drives past the property nearly daily and that the front door has been wide open and there are a couple people living in the house. He asked when was the last time the applicant had been to the property and if the door could be boarded up. Mr. Turner confirmed that he had been by last week and earlier that day, that there had been multiple people living in the house, and that he receives calls from the police a couple times a month about it.

Mr. Arey confirmed with the applicant that his intention is to sell the properties rather than rent.

Mr. Turner stated he was open to discussing the proffers further and giving them more detail.

Mr. Juday suggested that staff work with the applicant to clarify the proffer language. Mr. Turner said he would aim to use brick or hardy plank for the siding. The rooftops would provide the outdoor space and had done well in other localities. The landscaping would consist of buffers between the units and surrounding neighbors. Mr. Juday confirmed that Mr. Turner would proffer the rooftop decks.

Mr. Henderson asked if there would be a HOA associated with the residences. Mr. Juday said that the ordinance doesn't allow for separate land parcels that do not front on a public street so each unit could not be on a separate lot. As a result, the units would be sold under a condo agreement and be owned by a condo association. The city would review the condo agreement and verify it met the zoning ordinance requirements.

Mr. Gibson said the proposed density does not match the current neighborhood despite the townhouses and apartment nearby.

Mr. Henderson stated that City Council is hearing a lot about affordable housing and 15 more units in the \$220,000 to \$250,000 price point in this area of Waynesboro would be a good thing.

Ms. Severs commented that she supported keeping the current zoning to allow for the 7-8 units and this would be really good for the neighborhood. Mr. Gibson agreed.

Ms. Boyle stated that while she likes the current state of the neighborhood and understands that people do not want more people in their back yard. However, there is a need to consider what turning away development means for the city.

Mr. Tucker asked if the project was not feasible at the lower density. Mr. Turner confirmed it was not in part because of construction costs.

Mr. Juday mentioned that he wanted to clarify that his recommendation against the rezoning was not strong because he was on the fence as well. More development means more nuisance to neighbors, but as cities should gradually increase in density as they grow. However, his recommendation was based on the fact that the neighborhood is still primarily single-family and it did not need an increase in density to this degree yet.

By request of Mr. Tucker, Mr. Juday reviewed the proffers that the applicant had offered. The proffers included limiting the development to 15 units, using materials like brick and Hardiplank (fiber cement) for the siding but not vinyl, providing outdoor spaces, specifically the outdoor rooftop terraces, and for landscaping and screening. He stated that staff would work with the applicant to clarify if the landscape buffer would be a Class A, B, or C buffer.

The motion to consider a recommendation to City Council on the request by Jacob Turner, to change the zoning of 1040 Reservoir Street (Tax Map # 47-1-215-5) from RG-5, General Residential, to R-MF, Multi-Family Residential with the proffers as amended and any future proffers was made by Mr. Henderson and seconded by Ms. Severs.

Ms. Boyle called for a roll-call vote and short commentary.

**Ms. Severs: Nay**

Ms. Severs stated that the additional density is out of character for the neighborhood. The additional 7-8 units will not improve the housing in Waynesboro for that site, that less than an acre for the number of proposed units is not reasonable, and that the proffers are still too vague and not official yet.

Mr. Juday confirmed that he will be working with the applicant on the proffered items and will be making them official.

**Ms. Owens: Yay**

Ms. Owens stated that she would not disagree with the concerns mentioned, but the benefits of the development outweigh the concerns. She liked the additional information provided by the applicant about the proffers, and that this type of development is needed to add to the housing stock in the area and ensure general housing affordability.

**Mr. Tucker: Yay**

Mr. Tucker stated he does not want to take the risk of delaying something that would benefit the city.

**Ms. Boyle: Yay**

Ms. Boyle stated that she is in favor [of the rezoning] because the city is very good about waiting for the next thing to happen and here someone is willing to invest in the city. She did not think it extended beyond the bounds of what is suitable for the neighborhood and adds to the housing stock.

**Mr. Arey: Nay**

Mr. Arey stated he is voting no because of the proposed density; however, it will be nice to have the house torn down.

**Mr. Henderson: Yay**

Mr. Henderson stated that the city has been working to bring that neighborhood up and this project will help with that, and the price point is good.

**Mr. Gibson: Nay**

Mr. Gibson stated he was voting no because of the density and the number of units do not fit with the feel of the neighborhood.

The motion carried on 4-3 vote.

**6. Discussion of future city initiated rezonings.**

Ms. Tombarge gave a brief presentation of potential areas that city may want to consider rezoning.

The first area discussed was the parcels with single-family residences on the west and east sides of N. Poplar Avenue along Ohio Street, North Avenue, and New Hope Road. The identified parcels are currently zoned H-B, highway business, which does not allow for single family residences. This area also does not match the land use plan's designation of medium density residential and high density residential. This could cause potential future homeowners problems obtaining financing and having the ability to rebuild if the residence was destroyed. After discussion, it was determined that these parcels could be potentially rezoned to L-B, local business, to allow for the single-family residences and future business use.

A motion to initiate a rezoning of certain parts of the city was brought by Mr. Arey and seconded by Mr. Gibson.

Vote was 7-0 in favor.

The second area discussed was the area designated as Professional Office/Neighborhood Retail from Rosser Avenue along Cedar Avenue, S. Laurel Avenue, S. Linden Avenue, and S. Magnolia Avenue bounded by 13<sup>th</sup> Street on the south and 11<sup>th</sup> Street on the north. This area is a mix of zones and uses including single-family residences, duplexes, apartments, businesses, and offices. After discussion, it was decided this area needed further study because what it should be rezoned was unclear.

The final area discussed was along 11<sup>th</sup> Street at the corners of Pine Avenue, Maple Avenue, Walnut Avenue, and Chestnut Avenue. This area is made up of multiplexes, duplexes, offices, and a church. Some of these parcels have already been rezoned RG-5, General Residential, from RS-5, Traditional Residential and additional parcels in this immediate vicinity could be rezoned to RG-5 as well.

#### **7. Planning Department updates.**

Greenway Phase III public design hearing was held on August 4<sup>th</sup> and the public comments were due on August 13<sup>th</sup>. The received comments were mix with many negative and some positive. A summary of the comments will be provided to City Council.

Staff is working to get the consultant for the Port Republic neighborhood plan development under contract.

The next Brownfields meeting will be held in September.

Mr. Tucker commented that his house is on the current path for the Greenway Phase III proposed route along 14<sup>th</sup> Street. He voted for the 14<sup>th</sup> Street option as a resident of the area and feels the people he's talked to support the project and were surprised about the opposition it has faced.

#### **8. Other Business/Commissioners' Correspondence and Communication.**

General discussion of the development projects around the city including the new hotel off of Chicurel Lane, the former Ladd School site, and the new Dunkin Donuts.

Ms. Severs asked if there were any plans to do something about the fence located along Rosser in front of the Day's Inn and Wendy's near the Interstate 64, exit 94 interchange, mentioning it would be nice to beautify that area in some way. Mr. Juday said that there were not any plans he was aware of and said it was something to keep in mind in the future should the parcels be redeveloped at some point.

#### **9. Adjournment.**

Mr. Gibson moved to adjourn, and Ms. Owens seconded. All voted in favor. The meeting was adjourned at 8:35 P.M.