

**MINUTES
LURAY PLANNING COMMISSION
FEBRUARY 15, 2006**

The Luray Planning Commission met on February 15, 2006, at 7:00 p.m. in regular session. The meeting was held in the Luray Fire Hall at 1 Firehouse Lane, Luray, Virginia. Chairman Clifton Campbell presided over the meeting.

Commissioners Present:

Clifton Campbell, Chair
Peyton Baughan
Bob Borgie
Terry Dodson
Sam McNeely
Tom Potts
Judy Suddith

Others Present:

Rick Black, Assistant Town Manager, Assistant Zoning Administrator
Jerry M.Schiro, Town Manager, Zoning Administrator
Jason Spitler, Town Attorney

Chairman Campbell welcomed everyone to the meeting.

Approval of the Minutes of the January 11, 2006 Meeting:

There being no additions or corrections to the minutes, a motion was made by Judy Suddith and seconded by Sam McNeely that the minutes stand approved as written.

Chairman Campbell stated that we have a public hearing tonight on the rezoning request of David Mathews of property located between Oak Crest Drive and Ninth Avenue. He is requesting that this property be rezoned from R-1 to R-5.

Public Hearings: Rezoning

The purpose of this hearing is to receive public comments and to consider the following rezoning request presented by David Mathews. The applicant is requesting to rezone a parcel of land from R-1 to R-5 to allow for the construction of townhouses. The zoning staff has some concerns relating to the compatibility of the proposal with the adjacent existing developed properties.

Chairman Campbell asked Mr. Mathews if he would like to present what he has in mind. Mr. Mathews stated that he was requesting approval on rezoning 3.5 acres he owns from low density to high density residential to allow for 30 new townhouses. These townhouses would be built on a parcel of property bounded by Oak Crest Drive, Ninth Avenue and Seventh Street. There would be three buildings of 10 units each. Several Commissioners expressed concern related current and future drainage issues

Mr. Campbell then opened the matter to the public for comments:

Linda Minke: Her concern was an increase in traffic.

Robin Meadows: Her concern was an increase in traffic and water drainage.

Rick Black commented that this week the Town received a petition against the rezoning signed by 60 residents of the neighborhood. They would like this property to remain an R-1 low density area. Building townhouses surrounded by single family dwellings would adversely affect the value of the single unit dwellings and increase the amount of traffic and noise in the neighborhood.

Mr. Campbell commented if this was all the discussion, we would ask for a motion. Judy Suddith made a motion to deny the request to rezone due to non-compatibility with the area. Motion was seconded by Mr. Borgie. It was the unanimous decision of the Planning Commission to send this to Council for denial.

Rick Black read the second rezoning request:

The purpose of this hearing is to receive public comments and to consider the following rezoning request presented by Baker Development Partnership, LLC. Applicant is requesting to rezone adjacent parcels of land from B-1 to a Planned Neighborhood Development (PND). A PND is an overlay district that allows for a planned development on large tracts of land characterized by uniform site design for a variety of housing types and densities, clustering of buildings, common open space, and a mix of building types and land uses in which project planning and density calculations are performed for the entire development rather than on an individual basis.

A presentation was given by Mark Reed, attorney for Baker Development Partnership, LLC, the Project Engineer Pat Racey, Robert Good, and Rodney Jenkins, the owner/developer.

Plat shows tract divided up into 6 separate parcels and shows adjoining property owners. Lay out of entire development includes both the property in Town and the Perry Winston tract which is in the County. Through this application we will also ask the County to approve the land that is outside of the Town which will all be single family housing and still built on the same standards of the Town's PND. Once that is done, we'll be asking the Town to do boundary assessment with County and take that parcel of land into the Town. There are also nine commercial lots which are not part of the PND. The Master Plan calls for four different types of land use in the neighborhood. Single family homes, duplexes or villas, townhouses, open space and recreational areas such as baseball diamond or skate park. No commercial property in the PND.

Overlay shows open space areas. There are 12.40 acres dedicated to open space and recreational space. The common area we proposed would be owned by lot owners and administered and maintained by a Property Owners Association. There will be walkways to both shopping centers

Total area is 63.205 acres and there will be a total of 374 residences, 150 villas, 40 single family, and 184 townhouses. Total residential density per acre is 5.78 units per acre. Right of way takes up 11.26 acres, .6 acre in parking and the Town Council may permit the density to go up to six units per acre if they so desire.

General Specifications – There will be sidewalks, all utilities will be underground, all driveways will be paved or concrete and all roads throughout the subdivision will have a 50 ft. right of way width. The whole subdivision will be subject to a Declaration of Restrictive and Protective Covenants. A Property Owners Association will be established and they would enforce the covenants. Mandatory lot fees imposed on all lots for maintenance of common areas. The Ordinance for the density bonuses and also provisions for variances in the boundary lines and Code says boundary lines can go down to 20 feet if there is adequate fencing and screening.

Phasing - Designed to be done in seven phases. Each phase will have an equal number of mix in the units. Phase 1 – would have a certain number of townhouses, certain number of villas and single family and also recreational facilities.

Time Frame – Between 4 and 7 years, depending on market and interest rates.

Cost of Infrastructure: \$1,211,000 for installation of the new water main. Will redo water main, putting in a 12 inch water line which will increase the capacity for water in the west part of Luray and also be engineered so it would provide water for a new school out there. That's over a million dollars for that. To relocate and upgrade the existing on site water and sewer facility would be around \$790,000. To relocate and upgrade the existing sewage pump station and installation of an additional pump station would be around \$280,500 and to redo the storm drainage would be about \$500,000. Total estimated cost of all these improvements would be \$2.79 million.

Airport: There are concerns regarding this project and the airport. Right now the airport is a B-1 airport. B-2 is the top grade and cannot be upgraded any further. The airport had a number of concerns about the wet pond. Mr. Reed indicated that a dry pond would be incorporated into the plan. The airport under their B-2 plan will need six acres held out of project for potential development or purchase by the airport. Plans have been provided to the airport for their consideration.

Created Green Space – On the west side of the property there will be two strips also available to the airport if needed, but also have green space where they are talking about having baseball diamonds and that sort of thing.

Traffic Analysis Pattern - Basically there will be 4½ access roads. Street B would have approximately 4,600 vehicles per day. Internal Roads range from 41 to 288 vehicles per day. All roads have to be built to VDOT specifications.

Impact on Community Facilities – Population: 374 housing units x 2.31 average persons per household = 865 residents. School age population – 172 students, result in about a 6.2% enrollment increase. Fire calls will increase about 3.5% based on calls per dwelling. Rescue squad will increase 7.5%. Police force would increase. Water usage 300 gals. per day per unit would amount to 112,200 gallons per day.

Economic Impact – Estimated cost of project is over \$82 million, water and sewer tap fees \$1,415,590, real estate taxes, \$724,500. The economic impact of 865 new residents in the Town will have a significant economic impact on the community.

Questions and concerns were by Doug Atwood, Norman Burzynski, Ronald Shenk, Mr. Masana, Jan Vile, and Debbie Weaver. Rod Graves of Luray Caverns said they had concerns regarding water capacity, increased traffic and concerns related to the expansion of the Luray Airport . However, meetings between the parties resolved most of their issues. A letter was read by Rick Black from John Grassmick of Luray who proposed turning the property into a small shopping mall instead of a housing project.

Those who spoke in favor of the project were Gilbert Campbell, Paula Vile, Ron Williams, Buddy Cave, Jeff Judd, and Bob Brown. Rick Black also received a letter from Dr. Randy Thomas recommending approval of project.

Questions were asked by Mr. Potts regarding the Homeowners' Association and the traffic assessment. These questions were answered by Mark Reed and Robert Good.

Mr. McNeely asked if they could assure us that the concerns Mr. Shenk expressed will be addressed. Mr. Reed answered that his clients are proposing to solve this and they have a plan and working on engineering to move 2/3 of land mass currently draining into the Shenk property which will be moved to the west. All storm water will have to be engineered and approved and we will be submitting development plans to be reviewed by the Town. We are aware of these things and working on them.

Judy Suddith asked if they have a vegetative plan. Mark Reed said they will have to file a development plan with designs for architectural landscape.

Peyton Vaughan asked questions regarding density. Mr. Reed said the ordinance specifies that the density for B-1 is the same as for R-2.

Mr. Campbell asked Mr. Spitler if he didn't see a problem with this particular plan. Mr. Spitler replied that the only concern he had that wasn't answered when we discussed the concept plan was some assurance that we would have adequate dues and assessments to make people maintain the common areas.

Mr. Campbell asked if there was any more discussion. There being none, we are ready to act on a motion. Mr. Potts made a motion that we submit the Master Plan to the Town Council for review and motion was seconded by Peyton Baughan. It was a unanimous decision of the Commissioners present to send to Town Council.

New Business:

Mr. Campbell stated that the County and Town officials and the Planning Commission will hold a joint meeting next Thursday night, February 23, in the District Court Building at 7:00 p.m.

Luray Landing Business District – Preliminary Plat – Mr. Racey commented that the area represented by this preliminary plat has been discussed. Existing commercial property adjoining PND. You can see we have 9 parcels. Lots in this range are zoned commercial. Asking for your consideration of this preliminary plat to take a currently commercial zoned area and subdivide into smaller portions. Mr. Rick Black commented that there will be a buffer around the Caverns. As far as subdivision itself, the Town doesn't have a problem.

Mr. Campbell commented that we need a vote. Mr. Borgie moved that the preliminary plat be approved and motion was seconded by Mr. Dodson. It was a unanimous vote by the Planning Commission to approve the preliminary plat.

There being no further business to come before the Commission, the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Richard M. Black
Assistant Zoning Administrator
Luray Planning Commission