

***Campbell County Planning Commission
Minutes
June 26, 2023***

The regular meeting of the Campbell County Planning Commission was held on Monday, June 26, 2023, in the Board of Supervisors Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The following members were present:

Michael S. Condrey
Trish R. Hedges
K. William Kirk
Tom Lawton
Dean Monroe
John Thilking
Steve Shockley, Board of Supervisors Representative

Members Absent:

Megan Witt

Staff Members present:

Paul E. Harvey, Community Development Director/Assistant County Administrator
Austin R. Mitchell, Zoning and Subdivision Administrator II/Deputy Director
Theresa P. Phillips, Staff Secretary

// Chairman Kirk called the meeting to order with the invocation followed by the Pledge of Allegiance at 7:00 p.m.

// Chairman Kirk asked for corrections or comments on the minutes from the May 22, 2023 meetings. With none, Chairman Kirk made the motion to approve the minutes from the May 22, 2023 meeting.

// **PUBLIC HEARINGS FOR CONSIDERATION**

// Chairman Kirk opened the public hearing at 7:06 p.m., stating these public hearings would go before the Board of Supervisors at the August 1 meeting.

// **PL-23-121 (Rezone – 21-A-48)**

// Chairman Kirk made the motion to recommend approval of PL-23-121, to rezone 6.50 +/- acres from Residential – Manufactured Housing to Residential – Multi Family in order to construct a townhouse development, stating good zoning. Commissioner Condrey seconded the motion.

- // Mr. Austin Mitchell, Zoning and Subdivision Administrator II/Deputy Director, stated this request is to rezone 6.50 +/- acres from Residential – Manufactured Housing to Residential – Multi Family in order to construct a townhouse development. The applicant is seeking to rezone the parcel to Residential – Multi Family in order to construct a townhouse development. The concept plan shows a development of seventy-one (71) townhouse units and associated parking. The development would be served by public water and public sewer. The entrance to the development would be from Pine Haven Drive.
- // Commissioner Condrey inquired with the existing zoning, would apartment buildings be a by-right use.
- // Mr. Mitchell responded apartments would not be allowed.
- // Commissioner Thilking inquired to the existing VDOT road.
- // Mr. Austin Mitchell responded 50 feet, approximately 25 feet from the center of the road on each side.
- // Commissioner Lawton asked if the zoning remained the same, what was the approximate number of single wide mobile homes that could be placed on the parcel.
- // Mr. Mitchell replied between 45 and 50 single wide mobile homes could be place on the parcel.
- // Mr. Norm Walton, Perkins and Orrison, 317 Brook Park Place, Forest, stated the proposed project would include building 71 townhomes on Pine Haven Drive. Mr. Walton indicated after meeting with VDOT, Pine Haven Drive would be widened but would not encroach on the neighbor’s property and a cul-de-sac would be constructed. He also stated with less than 100 units being proposed, a second entrance would not be required. Mr. Walton stated there have been discussions on connecting to the new sewer station near the end of Timberlake Road, which CCUSA is currently developing.
- // Chairman Kirk inquired to the estimated width of the current right of way.
- // Mr. Walton stated it was narrow, being between 16 feet and the proposed would be 18 feet at the minimum and 20’ at the most.
- // Commissioner Thilking inquired if Mr. Walton had met with the neighbors concerning this project.
- // Mr. Walton stated he personally had not, but Mrs. Moore, the owner of the property, had met with the neighbors. Mr. Walton also stated the developer is planning a neighborhood information meeting prior to the August Board of Supervisor’s meeting.
- // Commissioner Condrey inquired if there were plans to upgrade and or adding an additional fire hydrant.

// Mr. Walton stated one would be added at the cul-de-sac, and possibly more could be added.

// Chairman Kirk asked for those in favor, to come forward.

// Mr. Tom Dewitt, Dewitt Real Estate and Auctions, 8318 Timberlake Road, stated he is the contract buyer and never thought he would have to defend a townhouse development.

// Mrs. Kristin Moore, 210 Pine Haven Drive, stated she and her husband purchased their property approximately seven years ago to have a pig farm, learning they could not have a pig farm in that area. Mrs. Moore stated their intentions were not to hurt feelings or relationships with the neighbors but with the current zoning, they were trying to protect them from a mobile home park.

// With no one else to speak in favor, Chairman Kirk asked those in opposition to come forward.

// Mrs. Vickie Barrett, 506 Rolfe Avenue, Lynchburg, speaking on behalf of her Mother, Annie Zechini, 141 Pine Haven Drive, Lynchburg, stated she had sent a letter to the Planning Commission members, opposing the project due to increased traffic, noise, and heavy equipment.

// Mr. Patricia Dugger, 238 Pine Haven Drive, stated she did not want a mobile home park but indicated the townhome development would border her back and side yard and leave her with no views of Pine Haven Drive. Mrs. Dugger also stated she has concerns with the current waterlines being disturbed. Mrs. Dugger indicated she would rather see this property divided into single-family lots and a small subdivision built.

// Mr. Sam Adams Jr., 97 Lynette Drive, Lynchburg, stated he was concerned about the water drainage at the cul-de-sac of Lynette Drive and the increase in traffic.

// Mr. Christian Lafort, 141 Pine Haven Drive, stated he just moved into his wife's family home and the traffic is terrible on Timberlake Road.

// Ms. Dorothy Millner, 199 Pine Haven Drive, stated this is a quiet neighborhood and she is concerned about the traffic indicating the townhouses would create too much additional traffic. Ms. Millner stated she too would rather see single-family dwellings.

// Mr. Rennie Tomlin, IV, 100 Lynette Drive, Lynchburg, stated he too would prefer single-family dwellings rather than townhouses.

// Chairman Kirk closed the public hearing at 7:35 p.m.

// Chairman Kirk explained to the neighbors, the Planning Commission nor the Board of Supervisor's could change the proposal from the requested zoning change of Residential-

Multi Family to Residential-Single Family. They would have to make a recommendation to the Board of Supervisor's based on the request.

// Commissioner Thilking stated he felt the meeting with the neighbors prior to the Board of Supervisors meeting was a step in the right direction to address concerns.

// Commissioner Condrey asked Mr. Walton if he could address the concerns with the water meters and new water lines along with the sewer and septic lines and the buffers.

// Mr. Walton responded with the extended waterline, each lot would have a water meter set with the coordinated effort between the developer and CCUSA. Mr. Walton also explained that with the new pump station this would include existing houses that experience septic issues that did not have enough additional land for replacement septic systems; this project is not just for new development. Mr. Walton added he was not denying this would increase traffic but felt a townhome development was the best use for the land.

// Commissioner Lawton asked Mr. Walton to address buffering.

// Mr. Walton explained this would be addressed in the final site plans and discussed with the neighbors at the at the neighborhood meeting on a case-by-case bases.

// Commissioner Hedges questioned if there had been inquiries on additional access points.

// Mr. Walton explained there was no available land adjoining this project.

// Commissioner Condrey stated if the rezoning request was changed after meeting with the neighbors, what would be an approximate number of single family dwellings allowed.

// Mr. Austin Mitchell stated with public water and sewer, there could be approximately 30 single family dwellings.

// Commissioner Monroe stated the reason for that question, with the public water and sewer becoming available, there will be development on that parcel either by-right or rezoning and the neighbors would be looking at a mobile home park, approximately 30 houses or 71 townhomes.

The vote was: Aye: Condrey, Hedges, Kirk, Lawton, Monroe, and Thilking
Nay: None
Absent: Witt

// **SUBDIVISION MATTERS FOR CONSIDERATION**

SUBDIVISION MATTER #1

// Proposed is a 6-lot subdivision on Lewis Ford Road, to be known as Down Creek Estates – Section 2, in the Brookneal Election District. The parcel is zoned Agricultural and is owned by HMS Legacy Holdings LLC

// Chairman Kirk made the motion to approve Down Creek Estates – Section 2.

The vote was: Aye: Condrey, Hedges, Kirk, Lawton, Monroe, and Thilking
Nay: None
Absent: Witt

// Proposed is a 7-lot subdivision on Timberlake Road, to be known as St. Clair Station, in the Sunburst Election District. The parcel is zoned Business – General Commercial and is owned by St. Clair Station Associates LLC.

There are five existing parcels, and there will be seven total parcels with the proposed subdivision. There are currently two parcels that do not have road frontage on Timberlake Road. The proposed subdivision will create two additional parcels that do not have frontage on Timberlake Road. This plat includes the dedication of public right-of-way off Timberlake Road (St. Clair Station Drive) to serve two of the parcels so that there is no increase in the number parcels that do not have road frontage on a public right-of-way. The dedicated public right-of-way is to be privately maintained. The Planning Commission may approve privately maintained streets.

// Chairman Kirk made the motion to approve St. Clair Station.

The vote was: Aye: Condrey, Hedges, Kirk, Lawton, Monroe, and Thilking
Nay: None
Absent: Witt

// **MATTERS FROM THE COMMUNITY DEVELOPMENT DIRECTOR/
ASSISTANT COUNTY ADMINISTRATOR**

// Mr. Paul E. Harvey, Community Development Director/Assistant County Administrator, stated the code changes scheduled for the July meeting would be the beginning of discussions on the code changes, there would be more in the summer and or fall with the public hearing in December.

// **MATTERS FROM THE ZONING AND SUBDIVISION ADMINSTRATOR**

None

// **MATTERS FROM THE PLANNING COMMISSION**

- // Next scheduled meeting is July 24, 2023.
- // Commissioner Hedges stated she would be absent for the August meeting,
- // Chairman Kirk adjourned the meeting at 7:57 p.m.

K. William Kirk, Chairman