

The Planning Commission of the City of Waynesboro, Virginia, held a regular meeting on the 18th day of July 2023, 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
William Flory, Vice-chair
Michael Gibson
Hashim Halstead
Kenny Lee, Council Liaison

Director of Community Development:
Zoning Administrator

Leslie Tate
Laura Martin

ABSENT: Commission Members:

City Planner & Clerk of the Commission:

W. Lowrie Tucker
Alisande Tombarge

1. Call to order. Pledge of Allegiance.

Chair Boyle called the meeting to order at 7:00 P.M. and asked Mr. Flory to lead the Pledge of Allegiance.

2. Adoption of agenda.

Chair Boyle asked for a motion to adopt the agenda. Mr. Gibson made the motion, Mr. Flory seconded. All voted in favor.

3. Review and approval of minutes of meeting held May 16, 2023.

Chair Boyle asked for a motion to approve the minutes. Mr. Lee made the motion, Mr. Gibson seconded. All voted in favor.

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

None.

5. Public hearing for a zoning text amendment request by Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, to amend City Code Section 98-2.6.4. to remove part C, "Except in the C-B district, multifamily building parcels and upper-story residential units in nonresidential districts shall not exceed a density of 8 units per acre."

Ms. Tate gave the presentation on the request by Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, for a zoning text amendment. For details, see the staff report in the agenda packet for the July 18, 2023, Planning Commission meeting.

Mr. Halstead asked what that parking mandates are for new construction.

After confirming with Ms. Martin, Ms. Tate responded that multifamily developments require two spaces per unit, and that parking requirements are determined by the use of the property.

Mr. Halstead asked if that was a reasonable expectation for the development. He noted that a multifamily development at the Town Center Drive location makes sense given the access to food, transportation, work, and basic necessities, and that this location may not require all of that parking. He concluded by asking if the parking requirements would need to apply.

Ms. Tate responded that the parking requirements would need to apply in this case and that more flexibility would need to be built into the ordinance to allow for flexibility in parking requirements.

Mr. Gibson asked if the Fire and Public Works departments had signed off on the proposal.

Ms. Tate said that they did review the general concept and a recommended condition has been included that if developed, the project would be in general conformance with the concept plan. She noted that there will be a lot more scrutiny during the site plan review process, but the initial review allowed the applicant to address any immediate concerns those departments may have had.

Mr. Gibson asked if the Fire Department considered the timeframe for the construction of the new west end fire station.

Ms. Tate was not sure if they had gotten into that level of detail or not. She noted that fire flow requirements will need to be met and that would be reviewed during the site plan review process.

Mr. Gibson asked if Augusta County had already approved the plan for the development since the parcel straddles the city and county line.

Ms. Tate responded that City was required to notify the County that a public hearing was taking place along with the property owners surrounding the subject parcels, and that the City had done those notifications. No comments or feedback had been received.

Mr. Flory said that he had reviewed the current ordinance and that there may be some properties in the city that are non-conforming. He asked if a conditional use permit process was used to get around density requirements in the past.

Ms. Tate said that if a property is zoned for multifamily development, up to 20 units per acre are permitted.

Mr. Flory asked about how the Windigrove residential development was permitted.

Ms. Tate responded that that development was done through a Planned Unit Development rezoning where a mix of uses is permitted and the uses are laid out by acreage.

Mr. Flory said that in this case the ordinance is being changed rather than changing the over all zoning.

Ms. Tate confirmed this and said that the City's ordinance permits upper-story residential and standalone multifamily buildings but it is limited to 8-units per acre. The question is why that specific requirement was in there and that is not clear. She said that the way it is now seems to limit development.

Mr. Halstead asked if the development would be mixed use.

Ms. Tate said the concept plan does include some outparcels fronting on Rosser that would be commercially developed and that the main portion of the parcel would be for the residential development.

Mr. Halstead asked about the style of the proposed apartment buildings.

Ms. Tate said that she would be going over all of that next.

Mr. Gibson asked if it would change the use for the old Leggitt building that was approved for a COA to be demolished.

Ms. Tate said that she would need to go back and review that application and if there was a CUP approved.

Chair Boyle said that the only item that was approved was the COA for the building to be demolished.

Ms. Tate said that this text amendment would open up more flexibility in regard to upper-story residential.

Chair Boyle opened the public hearing.

Daniel Cyrus, applicant, 103 West Edge Way, Lynchburg, Virginia, approached the podium and spoke in support of the application. He noted that the conditional use permit requirement is still in place and that this text amendment allows for applications be judged on their own merit. He believed it was important to open up ordinances so that people who wished to do projects in different localities can do that but have the governing body retain control over those processes and that is what this text amendment does.

No other comments were received.

Chair Boyle closed the public hearing.

During a brief discussion, the Planning Commissioners agreed that the zoning text amendment made sense.

Mr. Halstead made the motion to recommend approval of the zoning text amendment request by Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, to amend City Code Section 98-2.6.4. to remove part C, "Except in the C-B district, multifamily building parcels and upper-story residential units in nonresidential districts shall not exceed a density of 8 units per acre."

Mr. Gibson seconded.

All voted in favor, 5-0. The motion carried.

WHEREAS, upon a zoning text amendment (22-017) application by Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, to amend the City Code Section 98-2.6.4. Residential Area and Dimensional Standards (in nonresidential districts) to remove part C., the Waynesboro Planning Commission finds that the change requested is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is in accord with the comprehensive plan of this City;

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 5-0, that a recommendation be forwarded to City Council that the request of Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, (ZTA 22-017) for a zoning text amendment be approved, in accordance with the application and staff report dated July 18, 2023.

6. Public hearing for a conditional use permit request by Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, owner of 651 Town Center Drive (TM# 60-1-56B), and agent for Virginia Tech Foundation, owner of 150 P Buckley Moss Dr. (TM# 59-1-1, portion), to allow for multi-family residential in the H-B (Highway Business) District at 651 Town Center Drive (TM# 60-1-56B) and 150 P Buckley Moss Drive (TM# 59-1-1, portion) Waynesboro, Virginia.

Ms. Tate gave the presentation on the request by Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, and the Virginia Tech Foundation, for a conditional use permit. For details, see the staff report in the agenda packet for the July 18, 2023, Planning Commission meeting.

Mr. Gibson said he noticed that Balzer & Associates were the architecture and developer for the property, and was familiar with that firm through his work with UVA, but had not been involved with the process of hiring them for any project. He asked if that would be a conflict of interest.

Ms. Tate said that there would not be a conflict of interest in this case, but it was good to note it for the record.

Mr. Halstead said that he calculated that each unit was about 1,500 square feet and asked if there were any affordable units being planned.

Ms. Tate responded that that would be a good question for the applicant but that she believed that these would be market rate apartments. She noted that the City does not have any requirements for affordable housing units in new developments.

Mr. Halstead followed up by asking if the City would be interested in exploring something like that in the future, noting that 18% of Waynesboro's citizens are below the poverty line.

Ms. Tate said that this is a conversation that is being had by City Council and continues to be had locally and regionally. She noted that the Central Shenandoah Planning District Commission is currently working on a regional housing study and that data from that will be coming out. This data

and further research may be used and become part of policies and procedures that may be implemented in the future.

Mr. Halstead asked if there was any speed mitigation being planned given that there will be a number of families living here.

Ms. Tate responded City staff provides general comments at this point, but noted that there is not a larger speed analysis being done. She said that the design of the development included parking islands and that the number of turning movements needed should help with the speed of the traffic within the development.

Mr. Lee asked what the impacts would be if the crosswalk was not approved by Town Center and if the crosswalk would be lighted.

Ms. Tate said that those questions would be best for the applicant.

Chair Boyle opened the public hearing.

Daniel Cyrus, applicant, gave a presentation on the application. He introduced himself and gave an introduction of who Thomas Builders of Virginia is. He described the project and discussed the buildings in more detail.

Mr. Cyrus then responded to some of the Commissioner's questions. Regarding the crosswalk, he said that Thomas Builders had received word that the crosswalk had been approved by Waynesboro Town Center earlier that day. He noted that the walkability of the location makes it a good location for high density residential. Regarding the question about housing affordability, Mr. Cyrus talked about the market study that was done indicating that 1,200 units would be needed in the region in the future and that 500 of those units would need to be multifamily and that this development would help with that need. He said that this project was market rate and discussed affordable housing and the situation in Waynesboro. He talked about the development hurdles this site has because of its limited frontage on Rosser Avenue, a public road, and that the majority of frontage is on a private road. He said that the 1-,2-, and 3-bedroom units would range in size from 1,300 to 1,800 square feet. Mr. Cyrus said that as far as the question of speed went, their projects tend to incorporate a lot of curb islands and landscaping that helps to visually narrow the width of the road and they will incorporate speed bumps as necessary.

Mr. Gibson said that Town Center had approved the crosswalk and asked if they had also approved the two entrances/exits.

Mr. Cyrus said that they have approved the main entrance to the apartments, but they are still working through the right in, right out entrance because it will be serving commercial properties as well.

Mr. Gibson asked about the reasoning to go from the flat roof to the pitched roof and if it had to do with maintenance.

Mr. Cyrus said it was and that with the pitched roofs, the equipment would be hidden, and that the buildings with the pitched roofs had a more residential feel and fit better in the area.

Mr. Gibson asked if the porches faced Town Center or Rosser.

Mr. Cyrus responded that it depended on the building's orientation and went on to describe the building's finishes and materials.

Mr. Gibson asked if the buildings would use a wet or dry sprinkler system.

Mr. Cyrus said that it was a dry system and noted that they had met with the fire department and worked with them on drive aisles and spacing, and noted that each building has two stairwells with a standpipe in each.

Mr. Halstead asked if there was room for bicycle parking.

Mr. Cyrus said there would be and that it was a requirement of the ordinance. He noted that there will be a bike storage room in the clubhouse.

Mr. Gibson asked if the maintenance staff will be on site.

Mr. Cyrus said that depending on the site, there will be a property manager on staff along with a maintenance team.

Mr. Gibson noted that it seemed like a good opportunity given the location and proximity to the interstate and nearby transit.

Mr. Flory said the architecture reminded him of Fairfax Hall.

Chair Boyle asked if there any members of the public that would like to speak.

Robert Brooks, 82 Willow Lane, Waynesboro, asked what the plan was regarding stormwater management. He said he did not want his property to be flooded if the drainage area behind his house backed up because of this project.

Ms. Tate responded that the project will undergo a stormwater management review during the site plan process and that all the stormwater would need to be retained onsite.

Mr. Cyrus said that all of the water generated by the project would be retained onsite and be released slowly over time, and that stormwater management will be something that will be worked through during the site planning process.

Teresa Brooks, 82 Willow Lane, Waynesboro, asked about the landscaping buffer.

Mr. Cyrus said that the buffer is intense and that there are a lot of trees in the buffer. He also noted that the porches are not facing south and offered to give his contact information to the Brooks to talk in more detail about their concerns and answer additional questions.

No additional comments were received.

Chair Boyle closed the public hearing.

Mr. Halstead mentioned the planned connection from U.S. 340 to Delphine Avenue, and asked if there was a way to revisit that project. He noted that it may not be in the best interest of the City.

Chair Boyle said that if there was no further discussion about this application, then was there a motion for approval or denial.

Mr. Gibson made a motion to recommend approval conditional use permit request by Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, owner of 651 Town Center Drive (TM# 60-1-56B), and agent for Virginia Tech Foundation, owner of 150 P Buckley Moss Dr. (TM# 59-1-1, portion), to allow for multi-family residential in the H-B (Highway Business) District at 651 Town Center Drive (TM# 60-1-56B) and 150 P Buckley Moss Drive (TM# 59-1-1, portion) Waynesboro, Virginia.

Mr. Halstead seconded.

All voted in favor, 5-0. Motion carried.

WHEREAS, upon a conditional use permit (23-014) application by Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, owner of 651 Town Center Drive (TM# 60-1-56B), and agent for Virginia Tech Foundation, owner of 150 P Buckley Moss Dr. (TM# 59-1-1, portion), the Waynesboro Planning Commission finds that a Conditional Use Permit should be granted for Multifamily Residential, in the H-B (Highway Business) District in which the subject property is located; and that the proposed use will have no more adverse effect on the health, safety, or comfort of persons living or working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in such District; and, further, that the request is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is in accord with the comprehensive plan of this City;

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 5-0, that a recommendation be forwarded to City Council that the request of Daniel Cyrus, representing Thomas Builders of Virginia, agent for Waynesboro Senior Living, LLC, owner of 651 Town Center Drive (TM# 60-1-56B), and agent for Virginia Tech Foundation, owner of 150 P Buckley Moss Dr. (TM# 59-1-1, portion), to receive a Conditional Use Permit (CUP 23-014) for Multifamily Residential at Tax Map Nos. 60-1-56B and 59-1-1 (portion), be approved, in accordance with the application and staff report dated July 18, 2023. The Planning Commission recommends the following conditions:

- 1. The development shall be developed in general conformance with the “651 Town Center Drive Conceptual Layout Plan”, prepared by Balzer and Associates, dated June 28, 2023.*
- 2. Pedestrian conductivity shall provide a safe, walkable route from all dwelling units and shall include a pedestrian crossing of Town Center, Drive, provided the crossing is permitted by Waynesboro Town Center LLC, or their successors. The applicant shall use all reasonable commercial efforts, to gain permission for the installation of the pedestrian crosswalk at the developer’s expense along Town Center Drive.*

3. *Building elevations shall be in general conformance with materials and architectural styles submitted in conjunction with the application.*
4. *Buildings shall not exceed a maximum building height, as measured per the City of Waynesboro Zoning Ordinance, of 64'-10", as depicted by the provided building elevations dated 6.28.23.*
5. *The property shall be subdivided in general conformance with the submitted concept plan prior to site plan approval, provided that all other subdivision regulations of City Code Chapter 74 are met.*
6. *The entrances shown on the concept plan are for conceptual plan purposes, approval of the conditional use permit, shall not necessitate approval of the entrances. Entrances shall be evaluated and approved through site plan approval as appropriate with appropriate agencies.*
7. *The maximum number of residential units shall not exceed 252 units.*

7. Public hearing for a text amendment to amend Section 98-7.2.5, Notice and Public Hearing, of the City's Zoning Ordinance and Section 78-38, Public Notice Prior to Preliminary Plat Review, of the City's Subdivision Ordinance.

Ms. Tate provided an overview of the proposed text amendment. For details, see the briefing in the agenda packet for the July 18, 2023, Planning Commission meeting.

Chair Boyle asked if this was to get the City's code in compliance with Virginia Code.

Ms. Tate confirmed that it was an amendment to ensure compliance with Virginia Code.

Chair Boyle opened the public hearing.

Someone in the audience asked for clarification on what the text amendment was for.

Ms. Tate explained the current noticing requirements and the new requirements required by the State Code.

Chair Boyle confirmed that this change was to bring the City's code into compliance with State Code.

Ms. Tate said it was.

Chair Boyle closed the public hearing.

Mr. Gibson made a motion to recommend approval of a text amendment to amend Section 98-7.2.5, Notice and Public Hearing, of the City's Zoning Ordinance and Section 78-38, Public Notice Prior to Preliminary Plat Review, of the City's Subdivision Ordinance.

Mr. Flory seconded.

All voted in favor, 5-0. Motion carried.

WHEREAS, upon a zoning text amendment (22-018) application by the City of Waynesboro, Virginia, to amend the City Code Chapter 98, Section 7.2.5 and Chapter 74, Section 38 addressing notice requirements for proposed actions related to land use, the Waynesboro Planning Commission finds that the change requested is consistent with good planning and zoning practice; is

justified by the public necessity, convenience, and general welfare; and is in accord with the comprehensive plan of this City;

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 5-0, that a recommendation be forwarded to City Council that the request of City of Waynesboro, Virginia, (ZTA 22-018) for a zoning text amendment be approved, in accordance with the application and briefing dated July 18, 2022.

8. Matters from Staff.

None

9. Commissioners' correspondence and communications

Mr. Gibson asked if Staff had started advertising for the vacant planning commissioner spot.

Ms. Tate responded that it had been advertised on the City's website and that applications had been received from some interested parties.

Mr. Halstead asked about the planned "Southern Connector" project connecting U.S. 340 to Delphine Avenue.

Ms. Tate said that the project had gone out to bid and that funding had been allocated by VDOT for the project.

Mr. Gibson said that he would like to give a shout out to Dwayne Jones and the Parks and Recreation Department for the Extravaganza and that they did an awesome job.

10. Adjournment.

Mr. Gibson made the motion to adjourn the meeting. Mr. Halstead seconded. All voted in favor.

Meeting was adjourned at 8:13 P.M.