

Minutes of the Town of Bedford

PLANNING COMMISSION

The Planning Commission held a regularly scheduled meeting on Thursday, April 6, 2023, at 5:30 p.m. in the Town Municipal Building Council Hall.

Planning Commission members present: Jason Horne; Darren Shoen, Town Council Representative; Frances Coles, Secretary; Brock Malcolm; Cynthia Gunnoe; and Curtis Marshall

Planning Commission members absent: Lonne R. Bailey

Town Staff present: Mary Zirkle, Director of Planning and Community Development and Cathy Johnson, Clerk of the Commission

Town Staff absent: None

CALL TO ORDER:

Mr. Horne called the meeting to order at 5:30 p.m.

DETERMINATION OF QUORUM:

There was a quorum to conduct business with six members present.

ELECTION OF OFFICERS:

As this is the April meeting of the Commission, as noted in the bylaws Ms. Zirkle initiated the organizational meeting for election of officers.

Ms. Coles made a motion to nominate Jason Horne as Chair, and Mr. Shoen seconded. There being no further nominations, Mr. Marshall made a motion to close the nominations, and Ms. Coles seconded. The motion carried by acclamation vote of 6-0 of those present, to select Mr. Horne as Chair.

The meeting was turned over to the Chairman to continue the nominations.

Ms. Coles made a motion to nominate Lonne Bailey as Vice Chair, and Mr. Shoen seconded. There being no further nominations, the nominations were closed. The motion carried by acclamation vote of 6-0 to select Ms. Bailey as Vice Chair.

Mr. Shoen made a motion to nominate Frances Coles as Secretary, and Mr. Horne seconded. There being no further nominations, the nominations were closed. The motion carried by acclamation vote of 6-0 to select Ms. Coles as Secretary.

REMARKS BY CHAIRMAN & MEMBERS:

None.

APPROVAL OF MINUTES:

Upon a motion by Mr. Malcolm and seconded by Mr. Shoen, with 6-0 members voting aye, the February 2, 2023, minutes were approved as presented.

STAFF & COMMITTEE REPORTS:

Ms. Zirkle stated that the 2023 American Planning Association Virginia Chapter Annual Conference is scheduled July 17-19, 2023, in Roanoke, Virginia. She suggested that the Planning Commissioners register to attend all or part of the conference. She will provide more details when they are available.

PUBLIC HEARINGS:

The Chairman opened the public hearing to consider a request for a conditional use permit in zoning district PRD-GH for a “Bed and Breakfast lodging” located at 1313 Emerald View, Ct, Bedford, VA (Tax Parcel 231-5-18T). The owner is Joshua J. Floyd, 1252 Emerald Crest Dr., Bedford, VA 24523.

Mr. Floyd was present at the meeting and discussed the reasons he originally considered renting his former house as a “long-term rental” until it attracted the wrong people. He discussed he chose a short-term rental option over long-term for this reason and learned he needed a permit for that use. However, since applying, he and his wife found traveling nurses to rent long-term to for three years, so he wished to withdraw his request for “short-term rental” until perhaps next year. Staff received a letter dated March 28, 2023, from Ms. Judith Straight opposing the request, which was attached to the staff report.

The Chair stated that since the applicant had withdrawn his request the public hearing is closed.

Although the public hearing was closed, the Chair allowed citizens to speak against the request from the audience. Staff received a petition against the “short-term rental” from Ms. Sandra McCorkle at 1311 Emerald View Court and provided that at the seats of each Planning Commissioner. Mr. Jason Jones whose mother lives in Governor’s Hill was against the “short-term rental”. Ms. Cindy Watson, President of the Governor’s Hill Section 1 Homeowners Association, stated that the Phase 1 covenants states single-family dwelling for residential use only and not business. The Chair acknowledge the concerns and he stated that the Planning Commission doesn’t handle private covenants because it is a civil matter. Mr. William Pulkowski stated that the Town does not have a real definition for “Airbnb” or “short-term rental” so how would it be enforced. The Chair reiterated that the public hearing was closed and that the Board is not addressing future needs but is working on zoning ordinance amendments.

Next, the Chair opened the public hearing to consider a request for a conditional use permit in zoning district B-2 for "Travel Park" for property located behind 1508 and 1510 Longwood Ave along Independence Blvd – Tax Parcels 156-5-C-19T, 156-5-C-1T, and 177-2-C-33T. The owners are Amanda Marie Inc. and Christopher Blair, and James W. Andrews. The applicant is Christopher Blair of Bedford, VA. The plan requests 35 recreational vehicle lots with visitor amenities on 7.44 acres done in two phases with access from Independence Blvd.

Mr. Christopher Blair was present at the meeting and gave a presentation. He handed out his business proposal explaining his proposed project prior to the meeting. He discussed his ideas which includes buffers, stormwater runoff, one bathhouse, two pavilions, and a recreation site. He stated that the intent is to have people visit the area but not stay. Before continuing his presentation, Mr. Blair allowed Mr. Thomas to speak on behalf of the project.

Mr. David Thomas at 1615 Shady Knoll Avenue was present to speak for the "Travel Park" and asked the Commissioners to consider approving the conditional use.

Mr. Blair continued his presentation. Mr. Shoen asked Mr. Blair if he would be able to meet the special requirements (Section 609.03.i and j.) and the projected timeframe. Mr. Blair stated that he would be able and that the project will be in two phases with phase 1 completed in one-year.

The Commission asked questions regarding safety and Bedford Regional Water Authority (BRWA) connections. Mr. Blair stated a BRWA water study and hookup connections will be expensive but not a problem, the sewer connection will be per plan, and the stormwater system is in place. Mr. Blair stated that he is not planning to do anything now with Jimmy Andrews' property since he had not purchased it, so it will remain natural right now. Mr. Blair stated that the entrance is part of phase 1. The entrance will not come out on Longwood Avenue.

Ms. Gunnoe asked how long the guests will stay because it can not be more than 21 days. Mr. Blair stated that he does not want long-term. Staff stated Section 609.03.i.9. in the staff report that guests may stay no more than 180 days in any one calendar year and it cannot be more than 21 nights consecutively. Mr. Blair asked if he could come back to change that. Ms. Zirkle stated that would constitute an ordinance change. Other discussion among Commissioners related to consideration of a future ordinance change to the 21-day time limit.

The Chair opened the floor for any citizens present to speak for or against. The following were present:

Dr. Maurice Hansen, 140 Villa Oak Circle, supported the development.

Ms. Nancy Leighton, 750 Peaks Street, spoke about traffic impact and the need for a stoplight. Mr. Horne stated that traffic studies are conducted by VDOT.

Mr. Daniel Roberts, 414 Avenel Avenue, asked how would the project be enforceable and monitored, and would the operator log/records be made public. Ms. Zirkle read from the ordinance that "the operator shall provide the log to staff on a biannual basis".

Mr. Blair had further discussion and rebuttal to the citizens' concerns. He stated that 25-35 lots should not cause a traffic impact. He stated that lighting is needed on Longwood Avenue and a sidewalk to the Food Lion shopping center. He stated that he wanted to avoid a dump station since there would be sewer connections. He stated that the BRWA sewer line is expensive so the proposed additional 10 lots would not have sewer connections until they could afford to pump under Shady Knoll. Mr. Horne advised Mr. Blair that he must install a dump station per the ordinance if he does not provide sewer connections.

Mr. Marshall advised Mr. Blair about the open firepits on the plan and that the Fire Department must be called to get permission every time the firepits are used. Mr. Marshall asked about fire extinguishers onsite.

Since there were no further citizens present to speak, the Chair closed the public hearing.

NEW BUSINESS:

The Chair did not open discussion for consideration for a conditional use permit for a "Bed and Breakfast lodging" located at 1313 Emerald View, Ct, Bedford, VA (Tax Parcel 231 5 18T) because Joshua J. Floyd withdrew the request.

The next item of new business, the Chair opened discussion to recommend or not recommend a request for a conditional use permit in zoning district B-2 for "Travel Park" for property located behind 1508 and 1510 Longwood Ave along Independence Blvd – Tax Parcels 156-5-C-19T, 156-5-C-1T, and 177-2-C-33T. The plan requests 35 recreational vehicle lots with visitor amenities on 7.44 acres done in two phases with access from Independence Blvd. The owners are Amanda Marie Inc. and Christopher Blair, and James W. Andrews.

The Chair asked for a motion. Mr. Shoen made a motion to recommend approval for a conditional use permit for a "Travel Park" located behind 1508 and 1510 Longwood Avenue along Independence Blvd - Tax Parcels 156-5-C-19T, 156-5-C-1T, and 177-2-C-33T consisting of 35 recreational vehicle lots with visitor amenities on 7.44 acres done in two phases with access from Independence Blvd. Ms. Coles seconded.

The Planning Commission voted 6-0 to recommend approval for a conditional use permit for a "Travel Park" located behind 1508 and 1510 Longwood Avenue along Independence Blvd – Tax Parcels 156-5-C-19T, 156-5-C-1T, 177-2-C-33T, without additional conditions to Town Council.

UNFINISHED BUSINESS:

Mr. Todd Gordon, Senior Planner of EPR, PC, was present to discuss the zoning ordinance updates for the Planned Residential district. At its November 2, 2022, meeting the Planning Commission had a discussion of the PUD Elements and Examples. At the November meeting, Mr. Gordon agreed to return on a future date to continue the Planned Residential District discussion and he wanted the Commission to consider the PUD intent.

The Planning Commission reviewed the draft March 27, 2023 - Section 606. Planned Mixed Development District (PMD) with Mr. Gordon and discussed the recommendations presented by EPR, PC. The following were questions and/or concerns:

- Sec. 605.05-The Planning Commission wanted electrical and water and sewer utilities to be included and captured in the master plan prior to bringing an application for rezoning to PMD.
- Sec. 606.06 – Ms. Zirkle stated that lot sizes such as layout in plan or any guidance can be certainly included.
- Commissioners had consensus that they thought the draft from EPR captured their previous guidance and agreed there wasn't much to change.

Mr. Gordon stated that the next discussion will be the Special Provision section including landscaping and specific uses. The Commissioners asked Mr. Gordon to help regulate Bed & Breakfast versus “short-term rentals” requirements as a priority topic for Special Provisions.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:05 p.m. The next regularly scheduled meeting is Thursday, May 4, 2023.

Respectfully submitted,
Cathy Johnson, Clerk of the Commission

Approved on May 4, 2023.



Frances B. Coles, Secretary

