

Minutes of the Town of Bedford

**PLANNING
COMMISSION**

The Planning Commission held a regularly scheduled meeting on Thursday, August 3, 2023, at 5:30 p.m. in the Town Municipal Building Council Hall.

Planning Commission members present: Jason Horne, Chair; Lonnie R. Bailey, Vice Chair; Frances Coles, Secretary; Darren Shoen, Town Council Representative; Curtis Marshall; and Cynthia Gunnoe

Planning Commission members absent: Brock Malcolm

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:

The Chairman called the meeting to order at 5:30 p.m.

DETERMINATION OF QUORUM:

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

REMARKS BY CHAIRMAN & MEMBERS:

Ms. Coles congratulated Mary Zirkle on her All-Around Incredible Champion Planner Award by the Virginia Chapter of the American Planning Association during its annual conference on July 18, 2023 in Roanoke, Virginia.

APPROVAL OF MINUTES:

Upon a motion by Ms. Coles and seconded by Mr. Shoen, with six members voting aye, the July 6, 2023, minutes were approved as presented.

STAFF & COMMITTEE REPORTS:

None.

PUBLIC HEARINGS:

The Chair opened the public hearing to consider a request for rezoning of Tax Parcel 233-A-19T and portions of Tax Parcels 232-A-3T and 233-A-6T located on Burks Hill Road and Tiger Trail from zoning districts PRD-TNO, Planned Residential-Traditional Neighborhood Overlay and PMP, Planned Memorial Park to B-2, General Business for a hotel and other B-2 uses. The request is being made by DDay Omstay LLC, Thaxton, Virginia.

The Chair asked for anyone present representing the development to speak. Mr. Amit Patel with DDay Omstay LLC was present to speak. He stated that the hotel is a \$13 million-dollar project. He stated that the hotel will consist of 85 rooms with a meeting room that holds 150-175 people. Mr. Patel stated that the hotel will provide up to 18 local jobs and it will help local tourism, retail, and restaurants.

Mr. Shoen asked what if the hotel/developer changes hand? Ms. Zirkle stated that part is covered in the Performance Agreement between the Town Council and the Developer.

The Chair opened the floor for any citizens present to speak for or against. Since there were no citizens present to speak, the Chair closed the public hearing.

Next, the Chair opened the public hearing to consider a request for the rezoning of Tax Parcels 198-A-3T & 130-10-8T located on Fuqua Mill Road, from M-1, Manufacturing and B-2, General Business, to R-3, High Density Residential for a single-family development with 123 units. The request is being made by DBI Capital Group, LLC, Lynchburg, Virginia.

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

Mr. Doyle Allen, consultant with Hurt & Proffitt and one of the contract purchasers, was present to speak on behalf of the Eastyn Crossing residential development. He asked the Planning Commissioners if they have received the revised conceptual plan dated August 1 from staff. He explained the history of how the Bank of the James obtained the properties by loan default and that the current zoning is not conducive to the Manufacturing (M-1) uses in the Town Ordinance. He stated that a private manufactured zoned property can not compete with Town or County incentives in industrial parks.

Ms. Gunnoe asked about the availability of on-street parking. Mr. Allen replied that there will be enough parking on the street to accommodate parking overflow for parties and visitors. Mr. Shoen asked about having a traffic study of Independence Boulevard and that based on the staff report a traffic light must meet VDOT requirements. Mr. Allen stated that he does not feel committed to install a traffic light on Independence Boulevard due to the actual installation costs involved.

Prior to the opening of the meeting, the Clerk gave the list of citizens signed up to speak to the Chair. The Chair stated that only the names on the sign-up sheet will be called forth to speak. He asked everyone listed to speak to state their name and address for the record. The Chair opened the floor for any citizens present to speak for or against.

Mr. Robert Goad at 1737 Fuqua Mill Road was present to speak against the residential development. He was concerned about the traffic impact on Fuqua Mill Road. He stated that majority of the traffic from the development will only use Fuqua Mill Road and not Independence Boulevard. He stated that the glare from headlights will shine directly into his house windows at night. He asked for those in the

audience who are against the development to stand up and seven from the community stood up. Mr. Goad stated that the Town needs industrial uses and jobs before adding more residential developments.

Mr. Jaithan "Jai" Pacheco at 1680 Fuqua Mill Road was present to speak against because of traffic concerns. He stated that the concept map to surrounding property owners showed a park and a pavilion near his mother's property line. Ms. Bailey on the Planning Commission interjected. She stated that the concept plan given to the Planning Commission dated August 1 reflects changes and showed that the park and pavilion were removed. Ms. Gunnoe stated that the park and pavilion were relocated on the revised plan.

Ms. Betty Davis at 1680 Fuqua Mill Road was present to speak against because her driveway is adjacent to the proposed entrance to the residential development. She was concerned about sight distance, lighting standards, and traffic.

Mr. Michael Overstreet at 1668 Fuqua Mill Road was present to speak against because the development will cause an increase in traffic.

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

NEW BUSINESS:

The Chair opened discussion to recommend or not recommend consideration of rezoning of Tax Parcel 233-A-19T and portions of Tax Parcels 232-A-3T and 233-A-6T from zoning districts PRD-TNO, Planned Residential-Traditional Neighborhood Overlay and PMP, Planned Memorial Park to B-2, General Business for a hotel and other B-2 uses on Burks Hill Road and Tiger Trail.

The Chair asked for a motion. Ms. Gunnoe moved to recommend approval to rezone Tax Parcel 233-A-19T and portions of Tax Parcels 232-A-3T and 233-A-6T to B-2, General Business for a hotel and other B-2 uses. Ms. Bailey seconded.

The Chair asked for any discussion. Mr. Shoen was happy with the hotel proposal. Mr. Horne was concerned about the location and close proximity to the elementary school and the longevity of a business-class brand. Ms. Zirkle stated that based on the Performance Agreement, if the hotel changes ownership, it goes back to Town Council. Ms. Coles stated that the Town needs a business-class hotel and being near the D-Day is an ideal location.

By acclamation, the Planning Commission voted 6-0, to recommend approval to rezone Tax Parcel 233-A-19T and portions of Tax Parcels 232-A-3T and 233-A-6T to B-2, General Business for a hotel and other B-2 uses to Town Council. There were no proffers included.

Next, the Chair opened discussion to recommend or not recommend consideration of rezoning Tax Parcels 198-A-3T and 130-10-18T located on Fuqua Mill Road and Ole Dominion Blvd, from M-1, Manufacturing and B-2, General Business, to R-3, High Density Residential for a single-family development with 124 units.

The Chair asked for a motion. Mr. Shoen moved to recommend approval to rezone Tax Parcels 198-A-3T and 130-10-18T located on Fuqua Mill Road and Ole Dominion Blvd, from M-1, Manufacturing and B-2, General Business, to R-3, High Density Residential for a single-family development with proffers and the conceptual plan dated August 1, 2023. Ms. Bailey seconded.

The Chair asked for a discussion. Ms. Bailey asked why is the project being rezoned to R-3, High Density Residential, but includes proffers that the property will only be used for single family residential units and the other uses allowed in an R-1, R-1A, R-1E, R-2, or R-3 will not be utilized. Ms. Zirkle stated that the reason for R-3, High Density Residential, was to reduce the minimum lot size and setbacks and to seek smaller single-family residential lots.

Mr. Horne asked why the plans show 123 lots but is proffered for 130 lots? Mr. Allen stated he wanted to get the maximum of 130 lots by reducing the lot frontage. He stated that the plan is based on existing information pertaining to the topography of the land.

Mr. Shoen asked Mr. Allen if he can address the concerns mentioned earlier during the public hearing from the community. Mr. Allen gave his rebuttal about the traffic concerns mentioned by citizens against the project. He stated that 65% of the future development traffic would use the Ole Dominion Boulevard to Independence Boulevard ingress/egress and the remaining traffic would use Fuqua Mill Road. Mr. Allen addressed the matter that the subdivision would not be used by cut-through traffic. Mr. Allen explained that the development has three 90-degree turns with stop signs as shown on the conceptual plan presented and that this should deter cut-through traffic. He stated that if the properties remain M-1 and B-2 zoned there would be heavy truck traffic versus residential traffic on Fuqua Mill Road.

Mr. Marshall asked about the land proximity to Orange Street. Mr. Allen stated that neither the property nor Fuqua Mill Road connects to Orange Street.

Ms. Bailey stated that there is a demand for housing in the Town. Ms. Gunnoe liked the revised concept plan. Mr. Allen stated that the homes will be built by a hired regional building contractor. The houses will be sold at market-rate between the \$300,000 to \$350,000 price range.

The Chair reiterated the motion on the floor to recommend approval with proffers and conceptual plan dated August 1, 2023.

By acclamation, the Planning Commission voted 6-0, to recommend approval to rezone Tax Parcels 198-A-3T and 130-10-18T located on Fuqua Mill Road and Ole Dominion Blvd, from M-1, Manufacturing and B-2, General Business, to R-3, High Density Residential for a single-family development with proffers and conceptual plan dated August 1, 2023 to Town Council.

Ms. Zirkle explained that both recommendations for the hotel and the subdivision will go to Town Council for its public hearings on Tuesday, August 22. Mr. Goad asked if everyone in the Fuqua Mill Road community will receive a notice. Ms. Zirkle stated that property owners are notified based on the Town Ordinance regulations and the posted sign on the properties will remain there for the Town Council public hearings meeting.

UNFINISHED BUSINESS:

Mr. Todd Gordon, Senior Planner of EPR, PC was present to discuss the continuation zoning ordinance updates. Mr. Gordon reviewed and discussed the draft zoning map with staff and the Commissioners.

The Planning Commissioners discussed the recommendations presented by EPR, PC. The following were questions and/or concerns:

- Mr. Gordon stated that the colors on the zoning map changed to conform with the general planning standards.
- The PRD, Planned Residential zoning district will change to R-1, Single Family on the zoning map, with the exception of the Governors Hill PRD-GH zoning. Staff realized that Oakwood Villa is zoned PRD by a rezoning action and the map should reflect the PRD district.
- The TNO, Traditional Neighborhood Overlay will be eliminated except for parcels on Burks Hill Road that were approved for Conditional Use Permits and will remain on the zoning map as “PRD-TNO Applied”.
- Discussed areas of Burks Hill Road zoned B-2, General Business with a lot of single-family residential homes that are now non-conforming.
- The July 1, 2023 boundary adjustment area has been included. Former County properties will come in as “R-1, Single Family” on the Town zoning map per Town Code. The Commission discussed that some of the parcels were industrial uses. It was suggested since these industrial parcels conform with the Town’s M-1, Manufacturing district instead of R-1, Single Family to consider changing the zoning from the required R-1.
- LP, Limited Professional district is a transition between R-1, Single Family and B-2, General Business districts.
- The Elks Home property on Ashland Avenue is currently zoned PRD, Planned Residential and will be zoned R-1, Single Family after the zoning map change.
- The SCOD, Special Corridor Overlay District pertains to landscaping.
- Any non-conforming uses after the July 1 reversion remain and agricultural uses are permitted.
- Commissioners asked were the businesses in the County legal before the reversion? If the areas along Forest Road within the annexation are zoned as businesses, will that make the residential uses non-conforming?
- Discussion to change the northside of Forest Road to B-1, Limited Business.
- The prime business area in the Town is zoned B-1.
- Mr. Horne suggested creating a Service Corridor Overlay along Burks Hill Road and Forest Road.
- Staff asked should the property on Maxwell Street, which includes a light industrial custom furniture business and residential cottages, be changed from M-1, Manufacturing to LP, Limited Professional?
- Tax Parcel 234-2-2T zoned M-1, Manufacturing on Edmund Street was set up as manufactured ready because there is an existing foundation from an existing business. However, the school is also partially zoned M-1.
- The Zoning Administrator asked what do the Commissioners want to attract to the Town of Bedford? The Commissioners agreed on smart growth.
- Discussion to change residential parcels on Ruff Drive and Earnhart Drive from M-1, Manufacturing to R-1, Single Family to allow houses to be conforming and built.
- Ms. Johnson asked about residential properties on Mill Street that are zoned B-1, Limited Business and residential properties on Macon Street that are zoned B-2, General Business.

Mr. Gordon stated that the zoning map will be finalized at the next meeting.

Ms. Johnson left the meeting at 7:00 pm. Discussion continued around the larger map about the specific areas described above. Commissioners were advised that they did need to have a resolution to these questions and encouraged to visit the areas, especially along the Route 221 / Forest Road corridor to decide what the desired uses may be.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:40 p.m. The next regularly scheduled meeting is Thursday, September 7, 2023.

Respectfully submitted,
Cathy Johnson, Clerk of the Commission

Approved on September 7, 2023.



Frances B. Coles, Secretary