

**MINUTES OF THE STRASBURG PLANNING COMMISSION MEETING HELD ON TUESDAY, JUNE 27, 2023 AT 7 P.M. IN THE COUNCIL CHAMBERS OF THE STRASBURG TOWN HALL.**

**PLANNING COMMISSIONERS PRESENT:** Chairperson Poling, Vice Chairperson Dean and Commissioners Foster, Nicholson, Rhodes, and Zeimet. Absent: Vice Chairperson Dean and Commissioner Rhodes.

**STAFF PRESENT:** Planning & Zoning Administrator Otis and Clerk of Council Keller.

**Chairperson Poling** called the meeting to order and reviewed the agenda.

***Approval of Agenda:***

**The agenda was approved as presented.**

**Public Hearings (if needed):**

- To receive public comment on a Special Use Permit application (SUP2023-0007) requested by FIDUM COMPANY, owner, for property identified as Tax Map 025A201B059 006 located at 395 Stonewall Street fifty feet north of the intersection of Stonewall Street and Thompson Street and containing 0.138 acres. The request is to permit short-term rental use within the existing detached single-family dwelling.

**P&Z Administrator Otis** reviewed the staff report by saying application is in conformance with the Short-Term Rental Ordinance approve by Council. The property is located in medium density residential zoning, listed as a three-bedroom detached dwelling, which requires a Special Use Permit for approval. The application shows the entire dwelling will be used as a STR. The applicant lives in Luray which is within the one-hour travel time required by the ordinance. The property currently shows two parking spaces which does not meet the required parking for the use. The ariel picture shows three cars parked, but the third is parked in the grass.

The Public Hearing opened at 7:04 p.m.

**Seth Newman, 404 Rose Lane, Strasburg, VA:** **Mr. Newman** asked what a short-term rental is and **P&Z Administrator Otis** said it is any rental less than 30 days. These are typically known as airBnBs.

Being no other speakers, the Public Hearing closed at 7:05 p.m.

- To receive public comment on a Special Use Permit application (SUP2023-0006) requested by TRI-J DRD LLC, owner, for property identified as Tax Map Numbers (025A201B052 010; 025A201B052 012; 025A201B052 014; 025A201B052 016; 025A201B052 018; 025A201B052 020; 025A201B052 022; 025A201B052 024; 025A201B052 026; 025A201B052 028; 025A201B052 030; 025A201B052 032; 025A201B055 011; 025A201B055 013; 025A201B055 015; 025A201B055 017; 025A201B055 019; 025A201B055 021; 025A201B055 023; 025A201B055 026) located along the unimproved portion of Mineral Street from John Marshall Highway to Pendleton Lane, approximately 430 feet west of North Massanutten Street on John Marshall Highway. The property is within the Medium Density

Residential District and contains 3.68 acres. The request is to increase the density from 8 dwelling units per acre to 16 dwelling units per acre and increase the number of units per building from 4 units per building to 8 units per building for a townhouse development.

**Planning and Zoning Administrator Otis** said the entire property is 5.16 acres and of this, 3.68 acres is the developable acreage.

**Roger Van Norton, 519 Burgess Street, Strasburg, VA:** Stated, "I am not against growth or construction. I realize a healthy community needs to balance the growth of its population with the growth of its businesses and jobs. Right now, I see an enormous growth in population. At some point in the past, a group of residents and planners got together to determine reasonable criteria for a medium density residential district within the town limits of Strasburg. What has changed to warrant granting an exception in allowing an increase in density in this case? What did those past residents and planners miss? If I understand correctly, and I talked to **Brian (P&Z Administrator Otis)** a little bit about the numbers so my numbers might be a little bit off, this builder wants a waiver in order to increase the number of individual housing units from roughly 192 to 320. They want to go from approximately 24 buildings to 40. That is an additional 128 living units beyond the current zoning guidelines." He asked for a correction if he was wrong. **P&Z Administrator Otis** said the total number of units would just be 40 dwelling units. Five buildings with eight units each for a total of 40 townhouses. **Mr. Van Norton** said they are looking at 40 townhouses and if the waiver doesn't go through, what would it be. **P&Z Administrator Otis** said it would be the by-right basis which would be four units per building and then it would depend on how they would fit onto the property. **Mr. Van Norton** apologized and said he thought they were looking at 320 townhouses, and that was worrying him, which is mainly why he was in attendance.

**Mr. Van Norton** continued by saying, "If builders and real estate agents are using the proximity to I81 and I66 as a selling point, then the Town of Strasburg should be utilizing this value when it comes to builders making money in our town." Then these variances go in, he wants the town to be able to leverage the value for the town. Very rarely do big builders use local trades people and before we start providing variances to these builders, he would like for Strasburg to make the big builder make an investment to the town, and he doesn't just mean the hook-up fees as he doesn't think that is an investment. This is small scale, but there will be larger scale in the future, and he would like them to make an investment.

**Seth Newman, 404 Rose Lane, Strasburg, VA:** Said this is increasing density for no reason other than profit. There is a sheer drop-off on the property, so what will protect the buildings from that? Will there be a retaining wall and if so, will the town have to maintain it? He doesn't think the town should. He doesn't think the town should be in the business of maintaining builders retaining walls. This development is not on a massive scale, but what is the town getting for this? We are losing green space so what are we increasing density for? We have failures of infrastructure all over town. He has had four water breaks on his street in the past three years and his street is only one block long. Town employees have told him that is nothing compared to the other side of town. So, are we getting anything for the additional housing and vehicles and the green space we will be losing? Big builders will put complete infrastructure to their property, and he used Toll Brothers

as an example. What are we getting?

**Patrick Sowers, Dave Holliday Construction:** There are 20 existing parcels now. This presents itself as the completion of the loop for the Hupps Hill Townhouse development. It is extending Mineral Street as a public street, along with an eight foot trail. It will link the water main at the end of Pendleton Lane to Route 55 which will create another loop and having redundancy in your water system is important. This is zoned Medium Density Residential. A new zoning amendment was done, and they are not seeking the 16 units per acre which would be allowed, but only eight units per acre. Having eight units made sense in making the completion of the Hupps Ridge Development.

**Roger Van Norton:** There is a stop sign at the end of Route 55 and Massanutten street and more traffic will be created. Are the builders willing to invest the additional profit to the town? The building opportunities in Strasburg should be more than just a water and sewer tap. He concluded by saying if granting the variance will lower his taxes, he might be willing to do this.

**P&Z Administrator Otis** said he has heard from the property owner at the end of Mineral Street and he was interested in selling the property to the developer.

**P&Z Administrator Otis** said he received a comment from the resident behind the church and he did not have any negative comments.

Being no other comments, the Public Hearing closed at 7:19 p.m.

#### **Citizen Comments on non-agenda items:**

#### **Action Items:**

##### **1.) Approval of Minutes**

*Description: Approval of Minutes of the May 23, 2023 Planning Commission Meeting*

**Commissioner Zeimet moved to approve the minutes of the May 23, 2023 meeting; second by Commissioner Foster. With no discussion, the motion passed unanimously.**

##### **2.) Special Use Permit application (SUP2023-0007) requested by FIDUM COMPANY – Short-Term Rental**

*Description:* Special Use Permit application (SUP2023-0007) requested by FIDUM COMPANY, owner, for property identified as Tax Map 025A201B059 006 located at 395 Stonewall Street fifty feet north of the intersection of Stonewall Street and Thompson Street and containing 0.138 acres. The request is to permit short-term rental use within the existing detached single-family dwelling.

**Planning & Zoning Administrator Otis** showed the location and the zoning map and surrounding area. Staff does not recommend approval and it is strictly on the requirement of one parking space for each guest space; this application does not meet this. Being a three bedroom house, it would require three parking spaces and this lot does not have that.

**Vice Mayor Reynolds** said when this ordinance was written, she felt that she heard from all involved that they did not want these in residential areas. All that have been approved

have been closer to downtown and the tourism area. She doesn't feel this is a good fit especially when you consider the sentiment of the ordinance. She is leaning to not approving.

**Chairperson Poling** said when this ordinance came before the Planning Commission, he missed the requirement of the local representative being within 60 minutes. Sixty minutes is not local. He somehow missed this.

**Vice Mayor Reynolds moved to recommend to Town Council the denial of SUP2023-007, FIDUM Company, Short-Term Rental; second by Commissioner Zeimet.**

***Discussion:***

**Vice Mayor Reynolds** said no one was extremely satisfied with this ordinance when it was passed, but they knew we needed something on the books because of the rise of AirBnB. There are sections that need to be tweaked.

**Josephine Surprenant**, applicant, said she actually has property in Woodstock and Front Royal so is closer than the 60-minute timeframe; she wanted to make this clear. They are asking for this SUP for instances when they accept a lease under 30 days. They like to provide housing for people that want to stay for less than 30 days. They specialize in furnished housing for professionals and insurance purposes.

**Vice Mayor Reynolds** thanked for the clarification. She asked if the SUP stays with the property and **Planning & Zoning Administrator Otis** said they will have to renew the application every year and if it does not maintain the use for a two-year period, the SUP is void.

**Vice Mayor Reynolds** asked if they only rent to professionals or do they have tourists and they do tourism, too, but mainly the professionals. They will work with what Strasburg wants.

**Chairperson Poling** asked if there were any other comments.

**The motion passed for denial unanimously.**

**Chairperson Poling** clarified that this is a recommendation to Town Council. The Council will have the final say on the issue.

**3.) Special Use Permit application (SUP2023-0006) requested by TRI-J DRD LLC, owner, for property located along the unimproved portion of Mineral Street, from John Marshall Highway to Pendleton Lane.**

*Description: Special Use Permit application (SUP2023-0006) requested by TRI-J DRD LLC, owner, for property identified as Tax Map Numbers (025A201B052 010; 025A201B052 012; 025A201B052 014; 025A201B052 016; 025A201B052 018; 025A201B052 020; 025A201B052 022; 025A201B052 024; 025A201B052 026; 025A201B052 028; 025A201B052 030; 025A201B052 032; 025A201B055 011; 025A201B055 013; 025A201B055 015; 025A201B055 017; 025A201B055 019; 025A201B055 021; 025A201B055 023; 025A201B055 026) located along the*

*unimproved portion of Mineral Street from John Marshall Highway to Pendleton Lane, approximately 430 feet west of North Massanutten Street on John Marshall Highway. The property is within the Medium Density Residential District and contains 3.68 acres. The request is to increase the density from 8 dwelling units per acre to 16 dwelling units per acre and increase the number of units per building from 4 units per building to 8 units per building for a townhouse development.*

**Planning and Zoning Administrator Otis** said this is a proposal to increase from four units to eight units per townhouse building. There are 20 lots that can be developed. It is not in a flood zone; it is adjacent to Town Run but does not affect it in any way. They are proposing a storm water pond, and the pipes will run underground so it will not dump directly to Town Run. He added that he is not sure if it ultimately goes into Town Run.

**Planning and Zoning Administrator Otis** said VDOT requested parking spaces be moved from the main entrance. They also identified that they would want a traffic study be done when a site plan comes in. They will probably say it is at least 400 trips per day for the development.

**Planning and Zoning Administrator Otis** discussed the density of the development. He said he is used to an actual definition of density. If you go by the 5.13 acres, they would be allowed 41 units. If you remove the right-of-way, you come down to 32 units with the 4.40 acres.

The retaining wall would be maintained by the HOA, as well as the retention pond.

**Chairperson Poling** said we will be looking at 40 units. **Planning & Zoning Administrator Otis** said they are proposing five, eight unit buildings.

**Commissioner Foster** said he owned the property on the top of Burgess Street. He assumes Mineral will connect to Pendleton Lane so this is an issue.

**Commissioner Foster** said he noticed a significant drop down to Town Run. **Planning and Zoning Administrator Otis** said there will not be any houses on the Massanutten Street side of Town Run.

**Commissioner Foster** said it is overgrown on the bank. He also questioned the increasing need for utilities and the amount of traffic on John Marshall Highway. There will be a traffic flow issue. His biggest concern was the Massanutten Street side of Town Run.

**Vice Mayor Reynolds** said this seems like a classic infill building project. It is a difficult area to develop. A recent change to the ordinance made it possible to increase housing in the town. She has heard talk about consistency in the UDO. The townhouse standards were very dense, but the rewrite helped make this more consistent and help make properties developable. We have a housing shortage here and that is why we are hesitant to approve STR and this seems like a good opportunity to get more housing.

**Planning & Zoning Administrator Otis** said in speaking to Public Works, it will close the loop on the water system. There were concerns in having multiple access points to all subdivisions and this gives that. The town has a concern with the cliff and the erosion, and the retaining wall will help that.

**Chairperson Poling** said he questions how many townhouses the core area of Strasburg

can maintain. He gave numbers in Hupps Ridge and Summit Crossing and said this will double the amount of housing proposed in the single family lots. He thinks there will be problems with the site plan when it comes before the Planning Commission. There will be no off-street parking except for the nine being provided. The rezoning next month will not be in the core area, so he does not have as much concern. With the number of townhomes in Summit Crossing, he thinks the density is too great.

**Vice Mayor Reynolds moved for recommendation of approval to the Town Council (SUP2023-0006) requested by TRI-J DRD LLC; Commissioner Foster offered the second.**

**The motion passed on a roll call vote with the following results:**

<b>Commissioner Nicholson</b>	<b>Aye</b>
<b>Vice Mayor Reynolds</b>	<b>Aye</b>
<b>Chairperson Poling</b>	<b>Nay</b>
<b>Commissioner Foster</b>	<b>Aye</b>
<b>Commissioner Zeimet</b>	<b>Nay</b>

**Staff Updates:**

**Planning & Zoning Administrator Otis** said he is moving along on the rewrite of the UDO. A public meeting was held earlier in the month, and his biggest take away was a focus on adding more pocket parks or tot lots throughout town.

He is trying to find solutions for industrial areas in the core area of town. Another meeting on July 13., and will focus on light industrial and the business park.

A draft of the proposed ordinance has been sent to legal counsel for review. Staff is still in line for adoption by July 1, 2024.

**Planning & Zoning Administrator Otis** said he found out that the financial backer for the townhouses on Summit Crossing has bought the property. He has heard that they want to come back with a redesign. He is hoping something better comes through.

Regarding the rezoning for the Village at Cedar Creek, this is the same lot they wanted to do an extended stay hotel on. The developer and **Planning & Zoning Administrator Otis** met with residents, and they realize this is the best use they will get from that property. The townhouse traffic will come down Hite Lane and through the development.

**Planning & Zoning Administrator Otis** had a meeting with the landscape architect for a project on Radio Station Road and Route 11. The project is moving along.

Initially, the Valley Health Medical Office building was approved but **Planning & Zoning Administrator Otis** said the applicant wanted to downsize so the site plan might change so they will be coming back before the Commission.

**Old Business:**

**New Business:**

**Chairperson Poling** commented that when we did the recommendation for the change to the townhouse ordinance, he never heard if Council approved it. He would like to receive updates on things such as this.

**Adjournment**

**Commissioner Nicholson moved for adjournment; second by Vice Mayor Reynolds. With no discussion, the motion passed unanimously, and the meeting adjourned at 7:58 p.m.**