

**MINUTES OF THE STRASBURG PLANNING COMMISSION MEETING HELD ON TUESDAY, SEPTEMBER 26, 2023 AT 7 P.M. IN THE COUNCIL CHAMBERS OF THE STRASBURG TOWN HALL.**

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

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

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

***Approval of Agenda:***

**The agenda was approved unanimously with a motion by Vice Mayor McCornyn and the second by Commissioner Foster.**

**Public Hearings:**

- 1.) *To receive public comment on a recommendation to the Town Council of a Comprehensive Plan Amendment (CPA24-0001) requested by Landmark Atlantic Holdings, LLC, owner, for property identified as Tax Map 016 A 169A located on Fort Bowman Road, approximately three hundred feet east of the intersection of Fort Bowman Road and Old Valley Pike and containing 1.334 acres. The request is to recategorize the Highway Commercial Development Area to a Residential Development Area.*
- **Staff Report: P&Z Administrator Otis** said all are familiar with this site as we just did the same thing on the opposite side of Homewood Way. The property owner was not aware this was part of the sale, so they now have to do the Comp Plan amendment and rezoning to get this piece of property to residential. It was decided the easiest way to handle this would be to this is to basically do an amendment to the original comp plan and rezoning approved earlier. It is being proposed to shift the road over to get more usable land. The terrain isn't too great and there is a gas easement through the site. This will be the same conditions and staff does recommend approval for the following reasons:
  - Since the adoption of the Future Land Use map VDOT has identified the access to Fort Bowman Road as a right-in/right-out only onto northbound Old Valley Pike with no southbound access. This would challenge any future commercial use from developing this location.
  - Adequate transportation access to this location would be from Hite Lane and Homewood Way through the existing single-family residential development. Residential uses would create a reduced impact on these roadways.
  - Residential uses have a reduced light-shed, noise and traffic impacts on the vicinity's residential and parkland parcels.

- Residential uses are in high demand with limited undeveloped land zoned residential. Higher density residential uses typically provide better opportunities for workforce housing.
- Location and residential use will not adversely affect any viewshed of the valley east of town for existing or future development.
- SWOT analysis of the I-81/Route 11 corridor does not identify concerns with inclusion of residential uses.
- **Public Hearing: The Public Hearing opened at 7:05 p.m. and with no speakers, closed immediately (7:05 p.m.).**
- **Discussion/Recommendation: Vice Mayor McCornyn** said she had emailed questions to **Planning and Zoning Administrator Otis** about complications of buffering and screening between the property and I81. He explained that the nature of the property would make it difficult to allow for that without a reduction of units.

**Vice Mayor McCornyn moved to recommend approval of the Comprehensive Plan Amendment (CPA24-0001) requested by Landmark Atlantic Holdings, LLC, owner, for property identified as Tax Map 016 A 169A; second by Commissioner Foster. With no further discussion, the motion passed unanimously.**

- 2.) *To receive public comment on a recommendation to the Town Council on a Rezoning application (REZ24-0001) requested by Landmark Atlantic Holdings, LLC, owner, for property identified as Tax Map 016 A 169A located on Fort Bowman Road, approximately three hundred feet east of the intersection of Fort Bowman Road and Old Valley Pike and containing 1.334 acres. The request is to rezone the subject property from the Highway Commercial District to the Multi-Family Residential District.*
- **Staff Report: P&Z Administrator Otis** said the biggest thing is the change in the design of the road. The original road ran straight to Fort Bowman Road; now they have curved it over. He spoke with the design team to add cul-de-sac to meet the requirements of a turnaround. They shifted things to ensure there was enough area outside of the gas easement. The common area was shown. Staff feels this is a better design than what was proposed before. The gate will still be at the same location, but there will be a concrete apron which will have the gate across it. Parking was shown which was centered to the property which would make it easier to access.
- **Public Hearing: Opened at 7:09 p.m.**  
**Michael Gross, 122 Signal Knob Cottage Drive, Strasburg, VA:** He is not representing the HOA and only speaking on his own behalf. He said there had been confusion when he spoke several months ago and he is not representing the HOA as it is still in the hands of the developer. He has a slight issue with the density

increase and the elimination of the access via Fort Bowman Road. He said he had spoken rather heatedly about the gate concept and the elimination of their (residents) access from a safety standpoint. A long discussion was held regarding this when it changed from Homewood to a different kind of development and this was a key point. The long discussion centered on the safety of access via Hite Lane hill in adverse conditions, particularly regarding school buses and children. He referred back to a comment made by **Mayor Boies** regarding greenspace and protecting children's access to the greenspace. This density change will directly affect Homewood Way and the only safe access to the greenspace. The only greenspace the community has is located along Homewood Way. He agrees with the additional parking which will help prevent parking along Homewood Way. The biggest thing was how did this even get changed to a cul-de-sac. Originally, it was a through to Fort Bowman Road which they knew would not be accessible; now there is a cul-de-sac which he does not think is necessary as a turnaround would be just as effective. He asked why the gate exists in the first place. He asked if VDOT had seen this plan and had approved or not approved it formally. VDOT is a state organization, and their recommendations and rulings must be in writing to be effective or is this a preemptory addition to the plan in deference to the original intent of the access onto Fort Bowman Road and the safety of the residents. This was discussed several weeks ago by this Commission that the cut-over on Route 11 will never be touched even if VDOT comes back and does anything, but they could. The right-in and right-out of Fort Bowman Road pre-dates the 2009-2011 VDOT plan and rules for entrance and exits.

**Being no other speakers, the public hearing closed at 7:14 p.m.**

- **Discussion/Recommendation:** **Commissioner Nicholson** asked what the difference in density is between multi-family and residential. **Planning & Zoning Administrator Otis** said in multi-family residential, you can do 16 units per acre and in medium density residential, it is eight per acre. **Chairperson Poling**, in trying to find out more about the concerns of Mr. Gross, asked if the gate was being eliminated with the cul-de-sac. He added that this is a preliminary site plan. He was under the understanding that there will still be a gate and **P&Z Administrator Otis** said the gate will remain, but it is now in the cul-de-sac, in the apron section that connects the cul-de-sac to Fort Bowman Road. He did some additional research on this after the last meeting. The property where this access is located is owned by the developer. They granted, by deed, an emergency access; it was never a public access and was never deemed a road. VDOT only allowed there to be access from Fort Bowman Road with "control" which is the gate. Originally, there was also a hump in the road, but it has been driven over and is now gone. Since Fort Bowman Road will not be built to VDOT standards, they will not allow access except for emergency situations such as inclement weather events. **Chairperson Poling** said he knew it was not to be used for ingress and egress, but he wanted to be sure it would be accessible for emergencies.

**Vice Mayor McCorn** said the objection is that it is a locked gate. This was a requirement from VDOT. **P&Z Administrator Otis** said there are two choices, no

access or the gated access that will be controlled by the town and Shenandoah County services.

**Vice Mayor McCornyn** asked where the greenspace is located. There will be some greenspace to the left of the cul-de-sac. The gas line was shown on the drawing, and **P&Z Administrator Otis** said they are within the required open space for the development.

**Commissioner Foster** said one of the concerns was the type of buffering that would be used between Fort Bowman Road and the housing to protect the historical aspect of the road because of the house (*Harmony Hall*) at the end of that road. Belle Grove was concerned about this, but the concern seemed to have been done away with due to the gate.

**P&Z Administrator Otis** showed the VDOT right of way and how it is set up which makes it difficult to control the buffering. If the entrance to Fort Bowman Road is ever closed, the entrance to the historic property would be from Homewood Way. He doesn't see a need to change anything on Fort Bowman Road because it has mature trees, etc. along it.

**Chairperson Poling** said with the original rezoning, he had concerns with the traffic coming through the development. He voted for it because he thought it was the lesser of two evils – commercial versus residential. He is not happy with seven more units. He thinks it is unfair to the people who live on Homewood Way, but they could have known the land could be commercial, and that the property would not have access to Route 11 by Fort Bowman Road. He has mixed feelings.

**Vice Mayor McCornyn** said the additional units do not bother her that much as there is a need for housing in the area. And, it is residential traffic and not commercial traffic going through the development.

**Commissioner Foster** said under the current VDOT regulations, people coming into Fort Bowman could not turn left into or left out of the road, so the gate is fine with him.

**Vice Mayor McCornyn moved to recommend approval to the Town Council on a Rezoning application (REZ24-0001) requested by Landmark Atlantic Holdings, LLC, owner, for property identified as Tax Map 016 A 169A located on Fort Bowman Road; second by Commissioner Foster. With no further discussion, the motion passed unanimously.**

*Citizen Comments on non-agenda items:*

*Action Items:*

**1.) Approval of Minutes**

*Description: Approval of Minutes of the August 22, 2023 Planning Commission Meeting*

**The minutes of the August 22, 2023 Planning Commission meeting were approved unanimously on a motion by Commissioner Nicholson and the second by**

**Commissioner Foster.**

***Staff Updates:***

- **Council direction on the Short Term Rental text amendment**

**P&Z Administrator Otis** said both the Planning Commission and Town Council had voiced concerns about the Short Term Rental ordinance based on the last application that came through. It needs to be determined what is really wanted in the ordinance. Staff has recommended that the ordinance be repealed because there were concerns that in the interim, while issues are being addressed, another application could come in that would be much like the last one. It is unfortunate when someone spends the money on an SUP and then it is denied; this is not good. It was felt it would be best to repeal the ordinance. If it is not listed in the UDO, it is not permitted to use in the town. He had given all a copy of the ordinance that had the language stricken from it.

**Chairperson Poling** asked what action had been taken by Council on 395 Stonewall Street and **P&Z Administrator Otis** reported that Council chose to deny the SUP.

***Old Business:***

***New Business:***

- Staff presentation of zoning text amendment for administrative procedures related to SUP and rezoning cases.

**Chairperson Poling** said we need to make a recommendation to Town Council to hold a public hearing on the text amendment on Short Term Rentals. After the public hearing, the Planning Commission will have a discussion on changes they would like made.

**Commissioner Nicholson moved to recommend to Town Council to hold a public hearing on the Short Term Rental ordinance text amendment; second by Commissioner Rhodes. With no further discussion, the motion passed unanimously.**

**P&Z Administrator Otis** said he presented an amendment for an adjustment to the timeframe for SUP approvals. As the way the ordinance is written now, from the time an application is deemed complete, Town Council has 30 days to act on it. This is insufficient time for staff to even get reviews done by other agencies. This was identified as a major flaw in the ordinance. Dates were removed from the ordinance and **P&Z Administrator Otis** included the language the State Code; the Planning Commission has 90 days from the public hearing to act and Town Council has one year to act. This allows for fact-finding before a decision is made. He is asking for a motion to recommend a Public Hearing on this.

**Vice Mayor McCorn moved to recommend that Town Council hold a public hearing for Zoning Text Amendment (ZTA24-0002); second by Commissioner Foster. With no further discussion, the motion passed unanimously.**

**Vice Mayor McCorn moved for adjournment; second by Commissioner Foster. With no discussion, the motion passed unanimously, and the meeting adjourned at 7:35 p.m.**