

TOWN OF WINDSOR
P. O. Box 307
Windsor, Virginia 23487
Phone 757-242-4288 Fax 757-242-9039 E-Mail windsor@windsor-va.gov

PLANNING COMMISSION MEETING AGENDA
April 27, 2022 - 7:00 PM
Town Hall

- 1) Call to Order
 - a) Welcome
 - b) Roll Call and Determination of Quorum
- 2) Public Comments
- 3) Approval of the Minutes of the March 23, 2022 Planning Commission meeting
- 4) Introduction of Planning & Zoning Administrator
- 5) Windsor Station Rezoning Update
- 6) Town Attorney's Report
- 7) Economic Development Authority (EDA) Report
- 8) Old or Unfinished Business
- 9) New Business:
 - a) Discussion of Planning Commission Work Plan
- 10) Next Regular Meeting Date – May 25, 2022
- 11) Motion to Adjourn

MINUTES OF THE PLANNING COMMISSION - WINDSOR, VIRGINIA

The Planning Commission met on Wednesday, March 23, 2022 at 7:00 p.m. at the Windsor Town Center in Windsor, Virginia. Chairman Marshall called the meeting to order and welcomed all who were present. Terry Whitehead, Town Clerk, recorded the minutes. William Saunders, IV, Town Manager, Maxie Brown, Interim Planning and Zoning Administrator, and Fred Taylor, Town Attorney, were present. Mrs. Whitehead called the roll.

Planning Commission members present: Leonard L. Marshall, Chairman
George Stubbs, Vice Chairman
Devon Hewitt
Dale Scott
Ricky Vaughan
Larissa Williams

Planning Commission member absent: Jesse Taylor

PUBLIC COMMENTS

None

MINUTES

Chairman Marshall asked if there were any amendments or comments regarding the minutes of the February 23, 2022 regular Planning Commission meeting.

Vice Chairman Stubbs made a motion to approve the minutes as presented. Commissioner Scott seconded, and the Commission unanimously passed the motion as recorded on the attached chart as motion #1.

PUBLIC HEARING – CASE TZ-001-22 WINDSOR STATION REZONING

Chairman Marshall said there is a public hearing tonight to consider public comment on Case TZ-001-22 - Windsor Station Rezoning. He asked Mrs. Brown to give an overview of the rezoning application.

Mrs. Brown said this is a public hearing for Case TZ-001-22 - Windsor Station Rezoning. She said a rezoning request by First Dominion Land, Inc., property owners, to rezone 40.028 acres from A-1 to R1/MHP to create 60 single family residential lots. She said the property is located on Shiloh Drive and connects to the existing Holland Meadows Subdivision. Mrs. Brown stated that the property is identified as Tax Map Number 54-01-094B.

Mrs. Brown stated that the original Holland Meadows Rezoning was approved by Town Council on June 9, 2009, and construction was completed in 2021. She said it should be noted that the sanitary sewer pumping station that was put in place as part of the original 2009 Holland Meadows development was designed to serve both the existing Holland Meadows Subdivision and the proposed development, also known as Windsor Station, which is now under consideration.

Mrs. Brown reported that if approved, the lots would have a minimum lot size of 7,500 square feet, but as the concept plan indicates, most lots will have additional square footage over the minimum. She said the minimum lot width is 50', and the corner lots are 75' in width.

Mrs. Brown reviewed the following transportation related issues that were discussed at the February 23, 2022 Planning Commission work session:

1. The Virginia Department of Transportation (VDOT) is the review and approval authority in Windsor for all public transportation related requirements. The proposed streets, if approved, will become public streets built to VDOT specifications. VDOT has reviewed the proposed rezoning, and their comments are part of the Planning Commission packet. They concur with the applicant's trip generation report and turn lane warrant report. Therefore, no turn lane will be required. VDOT comments did make it clear; however, that if this development moves forward, additional construction plans will be required to ensure that all requirements, including sight distances, intersection configurations, drainage design, right of way widths, etc. are met.
2. A citizen comment was made regarding a safety concern at the intersection of Route 460 and Lovers Lane. VDOT verbally responded to this issue as follows: It is anticipated that there will be more vehicle trips added to this intersection; however, it is not anticipated that it would drop the existing level of service and impacts would be overall minimum.
3. Another transportation item that came up during the work session was the connections between Holland Meadows and Windsor Station. Per the proposed concept plan, the main entrance to the proposed subdivision is Shiloh Drive; there will be one connection of Savanna Street internally. The applicant is in the process of applying for a variance to VDOT for Lena Rose Street to not be connected although it was planned and approved for the original Holland Meadows development to have both internal connections.

Mrs. Brown briefed the Planning Commission on the following proposed proffers associated with the proposed development:

1. The developer/owner agrees the total Lot count shall not exceed 60 single family residences.
2. The property to be rezoned shall be developed in General Conformance with the Conceptual Plan submitted by Parish Layne Design Group and dated April 15, 2021, a copy of which is on file with the Town of Windsor.
3. In order to enhance the architectural aesthetics, the developer proffers the following:
 - a) Homes shall have a minimum square footage of heated living space of 1,600 square feet.
 - b) Foundations shall be raised slab construction elevated at least 1 foot above final grade and shall be finished with either brick or parged concrete finishes.

- c) No more than three exterior materials shall be allowed on each structure, not including doors, windows, shutters, railings, columns and roof materials.
 - d) Roofing materials shall be, at a minimum, dimensional, or architectural asphalt shingles. Standing seam, pre-finished metal roofs, painted galvanized metal roofs, composite slate and composite cedar roofs are allowed.
 - e) Exposed roof vent stacks shall be located on the rear of the house for minimum visibility. Vented fireplace boxes are permitted provided that they are constructed out of the same primary material as the house and the roof lines are consistent with the main house.
 - f) All dwellings shall have a minimum of a one car garage and driveways shall be concrete material.
 - g) No two dwellings with the exact elevations shall be constructed immediately adjacent to each another.
 - h) The development shall require a minimum of three model homes with three different elevations for each model.
 - i) All dwellings shall have a covered front porch.
 - j) No single-wide or double-wide mobile homes or temporary structure of any kind may be used as a dwelling.
 - k) Extended parking of vehicles shall be limited to paved surfaces.
4. The developer/owner shall establish a Landscape Buffer 40' in width along Shiloh Drive and construct a three-foot earthen berm within the Landscape Buffer with enhanced landscaping.
5. The developer/owner shall install a five-foot sidewalk along the frontage of Shiloh Drive. This sidewalk shall be installed prior to the issuance of the last Certificate of Occupancy for the subdivision.
6. The developer/owner shall impose restrictive covenants and conditions and will create a Homeowners Association with the obligation to maintain any BMP structures located within the subdivision. The Homeowner's Association shall provide adequate financial security to maintain any BMP structures located within the subdivision and shall enforce the architectural features listed above as 3. a-k.
7. The developer/owner shall extend and develop Savannah Street to provide a dedicated public right-of-way for street connectivity.
8. Front building lines shall be allowed to be reduced to a minimum of thirty feet (30'). The developer shall contribute One Thousand Dollars to the Town of Windsor for each Lot the front building line is reduced to a minimum of thirty feet measured from the street right-of-way.

Mrs. Brown reported that the proposed rezoning is also consistent with the Town's Comprehensive Plan as it encourages new development in a variety of housing styles and offers densities consistent with the existing and connecting neighborhood.

Mrs. Brown said staff recommends approval of Rezoning TZ-001-2021 and the Draft Proffer Statement submitted by the applicant on February 21, 2021, subject to the following amendments/revisions:

1. Work with the Holland Meadows Homeowner's Association to remove the stub/pavement section on Lena Rose Street so that it does not appear to be an abandoned street.
2. Regarding Proffer #8, consider amending the proffer to allow a 30' front setback for all lots without the \$1,000 cash payment requirement. After consulting with the Town Attorney, this proffer may not be enforceable and/or deemed reasonable. Staff recommends that the 30' front setback be allowed without the \$1,000 cash payment.
3. Consider a cash proffer amount of \$1,882 per unit to the County to mitigate parks and recreation impacts associated with the proposed development.
4. Incorporate the proposed housing elevation drawings into the Proffer Statement.

Mrs. Brown said this application is being represented by Brian Layne with the Parrish-Layne Design Group and Donnie Cross of Ashdon Builders.

Commissioner Scott stated that he will be abstaining from any discussion or vote on this matter due to his involvement with the sale of the property being considered for the proposed rezoning.

Chairman Marshall opened the public hearing. He asked for any persons wishing to speak in favor of the proposed Windsor Station Rezoning to come forward at this time.

Brian Layne, with the Parrish-Layne Design Group, spoke on behalf of the applicant. Mr. Layne presented, for consideration, the following minor modifications to the above-referenced proffers:

1. Regarding Proffer #7 as mentioned above, the developer shall work with the Holland Meadows Homeowner's Association to remove the stub/pavement section on Lena Rose so that it does not appear to be an abandoned street.
2. Regarding Proffer #8, the front building lines shall be allowed to reduce to a minimum of 30' as measured from the front right-of-ways.
3. Added Proffer #9, the homes shall be constructed in general conformance with the submitted Building Elevations.

Mr. Layne said they feel that the proposed Windsor Station subdivision will be an enhancement and a compliment to Holland Meadows. He noted that Ashdon Builders will be utilizing local merchants to purchase materials, local restaurants and

convenience stores should see an increase in sales for gas and food, and revenue for tap fees will increase for the Town if the rezoning is approved for the Windsor Station subdivision.

Mr. Layne addressed the storm water concerns discussed at a previous meeting. He also noted that they also spoke with VDOT regarding the safety issues at U.S. Route 460 and Lover's Lane and received the same response as Mrs. Brown reported.

Mr. Layne provided the Commissioners with an aerial-view rendering of the proposed subdivision, with designations of where lots, open spaces and bodies of water would be located. He said if this project is approved, construction should begin in 2024 and be completed in 2026 or 2027. He said the average sale price for these homes will be \$375,000.

Mr. Layne said VDOT is encouraging the developers to connect to Savannah Street, because they require a two-point access. He said this has been made a proffer, because it is a VDOT requirement.

Donnie Cross, Vice President of Ashdon Builders, reported that this community, if approved, would be a mix of single story and two story homes with varying elevations of each with a minimum of three per model type. He said the homes will be an average of 2,200 square feet per home with an estimated sale price of \$375,000. Mr. Cross said that all information regarding the models is included in the packets.

Chairman Marshall asked for any persons wishing to speak in opposition of the proposed Windsor Station rezoning to come forward at this time.

Lewis Edmonds, President of the Holland Meadows Homeowner's Association, 24327 John Henry Street, said he met with the homeowner's association, and he has been authorized to speak on their behalf.

Mr. Edmonds asked for clarity on how the developers are going to extend Savannah Street. He suggested that a building lot be left open as a common space near Savannah Street. He recommended that either lot 6, 7, 46 or 50 be considered as a common space for the neighborhood.

Mr. Edmonds asked that the builder consider installing the Shiloh entrance in the beginning of construction and use it instead of driving through the existing neighborhood. He noted that construction vehicles would have to drive past three or four bus stops, and children tend to play near the roads. He said existing roads may be damaged by construction vehicles; noting that the roads in the new neighborhood will have to be repaired at the builder's expense prior to inspection for turnover to VDOT.

Mr. Edmonds asked that paragraph 6 of the Proffer Statement be revised to state the new neighborhood will be incorporated into the Holland Meadow's HOA and as such, the builder will work with the Holland Meadows HOA as necessary. He said the neighborhoods are going to be connected; therefore, the new neighborhood should be incorporated into the existing HOA instead of having a separate one. He noted several concerns in the past regarding how HOA fees were spent by the builder and how long it took for the builder to turn the HOA over to the neighborhood

Mr. Edmonds expressed concerns with reducing the front building setback from 40' to 30'. He presented a photo of a driveway in Holland Meadows with two average length vehicles of approximately 14.7 feet which are almost parked on the sidewalk. He said he understands that reducing the front setback will increase the size of the back yards, but it may present a problem with parking vehicles in the front driveway.

Mr. Edmonds also asked that the Holland Meadows sidewalk along Shiloh Drive be connected to the Windsor Station sidewalk for connectivity.

Chairman Marshall closed the public hearing. He said it is now open for discussion among the Commissioners.

Commissioner Hewitt said he spoke with several residents in Holland Meadows, and the homeowners on the right side of Lena Rose were not opposed to changing the minimum front setback from 40' to 30' because they have no back yard, and they understood the need for increasing the size of the back yard. He said those in the neighborhood with larger back yards were concerned with changing the setback because shortening the front yard would increase the possibility of children playing in the street more often.

Commissioner Hewitt said the residents were also concerned that there is no open-space or park for children to play.

Commissioner Stubbs said several citizens have also expressed their concerns with him regarding the 30' setback being a little shallow. He said they are also concerned with children playing in the street due to this proposed revision to the setback. Commissioner Stubbs said that a 35' minimum front setback has been suggested by several citizens.

Commissioner Williams agreed that she would like to see an open-space area for the children to be able to play safely.

Mr. Layne said there is an open space between lot 32 and lot 33. He said he spoke with the developer, and he is willing to install a playground in this open-space area. He said the developer is also willing to change the minimum front setback from 30' to 35'.

Commissioner Vaughan expressed his concerns with the open-space between lot 32 and lot 33 being unsafe for a children's playground due to the retention pond.

Vice Chairman Stubbs said he was approached by a citizen requesting that a berm or a fence be installed around the retention pond for safety purposes.

Commissioner Hewitt and Commissioner Williams noted that they would like to see the open-space play area be moved to a location safe from the retention pond and that would also be more accessible to all residents in the subdivision.

Mr. Saunders addressed the issue regarding combining the two homeowner associations into one. He explained that there are laws about how a developer is in control of a homeowners association in a subdivision until a certain percentage of the homes are built, and then they turn it over to the residents. He said once it's turned

over to the residents at the end of the project, the two homeowners associations may be able, when they're both independent, to join with one another at that point.

After further discussion, the developer agreed to make the following changes to the Draft Proffer Statement:

1. The developer will change the minimum front setback from 30' (feet) to 35' (feet).
2. The developer will install amenities in the open-space area.
3. The developer will install a fence around stormwater banishment area.
4. The developer will construct a sidewalk within the existing right-of-way, connecting the Windsor Station sidewalk to the Holland Meadows sidewalk along Shiloh Drive, as long as there is right of way.
5. The developer will barricade Savannah Street to prohibit through traffic during construction.

Vice Chairman Stubbs made a motion to table the rezoning request until the contractor could come back with a written set of the updated proffers.

Mr. Saunders stated that he didn't think a written set of proffers is required. He said he believes if the changes that have been proposed have been read into the record, then you can vote on them.

Vice Chairman Stubbs withdrew his motion.

Mrs. Brown read into the record the five new aforementioned changes to the proffers, which were then confirmed as accurate by Mr. Layne.

Vice Chairman Stubbs made a motion to send Case TZ-001-22 – Windsor Station Rezoning to Town Council with recommendation for approval if all aforementioned changes to the proffers were made to the Draft Proffer Statement. Commissioner Vaughan seconded, and the vote passed 3 to 2, with Commissioner Scott abstaining, as recorded on the attached chart as motion #2.

PROJECT UPDATES

None

TOWN ATTORNEY REPORT

None

ECONOMIC DEVELOPMENT AUTHORITY REPORT – EDA

Commissioner Scott reported that there is a contract on the property located west of the Dairy Queen. He said the EDA is looking forward to scheduling a closing date in the near future.

OLD OR UNFINISHED BUSINESS

None

NEW BUSINESS

Review of 2023-2027 Capital Improvement Plan (CIP)

Mr. Saunders said as you are aware, the Planning Commission typically reviews the annual update to the Town's Capital Improvement Plan (CIP) and makes a recommendation to the Town Council in that regard. He said the enclosed draft CIP covers the Town's General Fund and Water Fund separately.

Mr. Saunders reported that there are several differences between the draft 2023-2027 CIP versus the adopted 2022-2026 CIP; changes of note include:

General Fund

- Removal of Town Center Roof Replacement
- Addition of backhoe replacement (Proffer funds proposed)
- Addition of Stormwater Project Funds (American Rescue Plan Act Funds proposed)

Water Fund

- Addition of fire hydrant installation to several water main projects
- Prioritization of several water main replacement and hydrant installation projects changes

Mr. Saunders continued to review the 2023-2027 CIP.

After a brief discussion, Commissioner Scott made a motion to recommend approval of the 2023-2027 CIP to Town Council. Commissioner Hewitt seconded, and the Commission unanimously passed the motion as recorded on the attached chart as motion #3.

ADJOURNMENT

Chairman Marshall stated that the next Planning Commission meeting is scheduled for April 27, 2022.

There being no further business, Vice Chairman Stubbs made the motion to adjourn. Commissioner Scott seconded, and the Commission unanimously passed the motion as recorded on the attached chart as motion #4.

The meeting adjourned at 8:30 p.m.

Leonard L. Marshall, Chairman

Terry Whitehead, Town Clerk

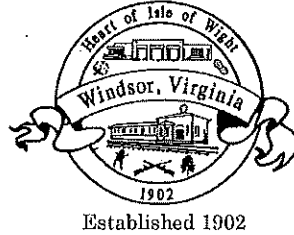
TOWN OF WINDSOR
RECORD OF
PLANNING COMMISSION VOTES

Commission Meeting Date March 23, 2022

Motion #	L. Marshall	G. Stubbs	L. Williams	J. Taylor	D. Hewitt	D. Scott	R. Vaughan
1	Y	Y	Y	absent	Y	Y	Y
2	Y	Y	N		N	abstain	Y
3	Y	Y	Y		Y	Y	Y
4	Y	Y	Y		Y	Y	Y
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32							
33							
34							
35							
36							
37							
38							
39							
40							
41							
42							
43							
44							
45							

Jerry Whitehead, Clerk

TOWN OF WINDSOR



PLANNING REPORT

TO: Planning Commission

FROM: Planning & Zoning Administrator

SUBJECT: Windsor Station Rezoning Update

DATE: April 27, 2022

Staff will provide a brief update on actions of the Town Council regarding the Windsor Station rezoning application.

TOWN OF WINDSOR



Established 1902

PLANNING REPORT

TO: Planning Commission

FROM: Planning & Zoning Administrator

SUBJECT: Planning Commission Work Plan

DATE: April 27, 2022

Staff would like to engage the Planning Commission in discussion about formulating a draft work plan for the next 12 month period. There are several items the Planning Commission may wish to consider, including the following:

Comprehensive Plan Update

The Code of Virginia requires localities to adopt a Comprehensive Plan and to review this plan at least every 5 years. The Town of Windsor adopted its current plan in July 2016. Therefore, staff would ask the Planning Commission to consider the extent of this review and update.

Sign Ordinance Review

A recent decision by the United States Supreme Court (Reed v. Town of Gilbert) regarding the validity of local sign ordinances has led local governments to consider a review and update of their ordinances to ensure they are in compliance. Staff will provide additional information on how this may relate to our sign ordinance.

Zoning Ordinance Review/ Subdivision Ordinance Review

With relation to the above mentioned topics, the Planning Commission may wish to provide staff direction on the extent, if any, of revisions or updates to our local land use ordinances.