

TOWN OF BOWLING GREEN
PLANNING COMMISSION MEETING

MINUTES

12-19-11

MEMBERS PRESENT: Chairman, Martin Hauser; Vice-Chairman, Matt Rowe; Counselor, Jean Davis; Johnson Coleman; Gene Self; and Chad Webb.

MEMBERS ABSENT: Armando Flores.

OTHERS PRESENT: Town Manager/Zoning Administrator, Stephen Manster.

The Chairman called the meeting to order at 7:00 PM.

Roll Call and Determination of a Quorum: The Chairman called the roll and noted that six Planning Commission members were present and thereby a quorum was determined.

Public Hearings: There were no public hearings scheduled.

New Business: The Chairman noted that there was no New Business to come before the Commission.

Minutes – October 17, 2011 and November 21, 2011 – On MOTION by Rowe, Seconded by Coleman, the Planning Commission voted to approve the minutes of the meeting held on October 17, 2011 as presented. Voting Aye: Hauser, Rowe, Davis, Coleman, and Self, with Webb abstaining because he was not present at the October meeting.

Chairman Hauser noted that the November 21, 2011 meeting of the Planning Commission had been cancelled by Vice-Chairman Rowe upon recommendation from Mr. Manster because of scheduling conflicts and illness that would have caused several members to be absent from the meeting and no quorum present.

Report of Zoning Administrator: Mr. Manster noted that he had one item to discuss with the Planning Commission; that item being the matter of possibly including “private streets” as permissible in subdivisions, especially in commercial subdivisions. He said that he wanted to bring this matter to the Commission for discussion purposes in order to give him an idea as to what, if any adjustments in the Commission’s continuing review of the Town’s Subdivision Ordinance would be necessary in relation to this matter. He stated that now, all newly created lots must have frontage on a public street. He asked the Commission members if they felt that this was appropriate, or if they felt that under certain circumstances that new lots should be permitted to have frontage on private streets that were not part of the State system. These streets would be the responsibility of the property owners to maintain. He said that he was just seeking input from

Chairman _____ Clerk _____

Commission members as to whether they felt that this was something that should be permitted in Town.

Mr. Manster raised as an example, the property on which Village Self storage is constructed. It is provided access by a driveway that meets VDOT standards. If another business were to have a lot on the vacant property, would it need a public street or could two or more businesses be provided access from Route 301 over a private street?

Mr. Rowe asked whether in the example would every business have frontage on a “named street” with a number in the street, or would they have numbers on A. P. Hill Boulevard? Mr. Rowe said that the answer to this question was extremely important for safety reasons so that each building could be easily and appropriately identified in case of an emergency. He suggested that one building on a driveway would be fine, but more than one building should be on a “named street” with a number on that street. An access way ceases to be a driveway once there is more than one building that obtains access from it and then becomes a street, whether public or private.

In response to a question from Mr. Self, Mr. Webb noted that there were nearby subdivisions that were located on private streets. The River Club development on Route 2 was such a development. Properties were located on access easements and properties went to the center of the streets and they were private streets. The property owners were members of an association and were responsible for the maintenance of the streets. He also noted that the internal roads in Central Park may also be private streets. He noted that development with private streets needed to have agreements that dealt with the maintenance of such streets. That would be the responsibility of the property owners.

Commission members noted that should private streets be permitted in Bowling Green, we should have standards for construction of streets like minimum pavement width. We could still use the VDOT standards for right-of-way width in the creation of access easements which would then become private streets. This would facilitate the process if property owners at a later date requested to have their private street accepted into the State road system. Owners could always upgrade paving, but the necessary right-of-way would already be available.

Several Commission members noted that because of the high long-term cost of street maintenance and the potential lack of enforcement of Homeowners Association agreements, and the need to maintain certain uniform standards for streets, that they would not favor private streets for residential subdivisions. There was some willingness to consider private streets in commercial subdivisions under certain circumstances. Commission members were generally desirous of seeing some examples of locality regulations where such commercial private streets were working.

Mr. Webb noted that there were a number of residential lots in Bowling Green that had frontage on public streets and were very deep lots that could sustain an additional home at the rear of the property, with such second house having access over a private access

easement and not have to have frontage on the public street. This would be similar to a shared driveway that the two property owners would be responsible for maintaining.

Commission members noted that the Town of Bowling Green was developed at a different scale than some of the examples that were being used. It was also noted that in today's market, if standards are too tight, then we would not get anything built, even with our new water and sewer project. Some flexibility might be in order in commercial areas. Mr. Coleman expressed the thought that in commercial areas, possibly main through streets should be public streets and the smaller side streets that provided access to buildings and parking lots could be private streets if appropriate safeguards relating to development standards and maintenance were implemented. Mr. Rowe restated his thought that one commercial facility could be provided access through a private driveway, but with more than one facility, even with a private access easement, it should be named and each facility be given a separate number on a named public or private street.

Commission members noted that if private streets were to be approved in Town in commercial development, then a site plan would have to be submitted for a complete property with a street pattern laid out. They were inclined to consider private streets for the streets that provided access to parking lots and individual buildings and the main through streets should be public streets in a commercial development. The prepared site plan for the overall parcel would be of extreme importance in determining which street should be public and which could be private streets.

Commission members agreed that exploring the use of private streets for commercial developments could be useful and asked Mr. Manster to bring to the next Commission meeting examples of regulations where private streets in commercial developments were successful.

Chairman Hauser noted that the date of the January Planning Commission meeting was January 16th, Dr. Martin Luther King, Jr. Day, a National holiday, and asked if the Commission wanted to change the date of the meeting to a week later. **On Motion by Mr. Rowe, Seconded by Mr. Coleman, the Commission, by 5-1 vote, voted to change the date of the January Commission meeting to January 23, 2012 at 7:00 PM in Town Hall.**

Chairman Hauser reminded the Commission member and staff that a public hearing had been authorized for advertisement by the Commission, and because of an incorrect advertisement, the hearing was never held. He noted that no follow-up advertisement was ever provided and asked about the Commission's responsibility to advertise the hearing and hold such a hearing and send a recommendation to the Town Council. The hearing had to do with the possible removal of Hotels and Motels as permitted uses from the B-2 Commercial Zoning District. Mr. Manster asked that the Commission reconsider the matter of conducting a public hearing on the matter of removing hotels and motels as permitted uses from the B-2 Commercial District. After discussion of the matter, the Commission felt that it had a responsibility to hold an authorized public hearing and

advertise such and make its recommendation to Town Council and then let Council deal with the matter as it sees fit. **On motion by Mr. Self, Seconded by Mr. Rowe, by 6-0 vote, the Planning Commission directed the Town Manager to advertise for a public hearing at the Commission's January meeting to remove hotels and motels as permitted uses from the B-2 Commercial District.**

Informational Items – At the request of Ms. Davis, Mr. Manster reviewed the report of the December 1, 2011 Town Council meeting with the Planning Commission members. That report is attached to and made a part of these minutes.

The Chairman asked if there was any other business to come before the commission. In response to a question from Mr. Rowe, Mr. Manster noted that plans to develop a playground and park on land across from the Town Hall are moving forward. He noted that the Committee working on the project has met and he expects a plan for a park to be put forward in the near future.

In response to another question, Mr. Manster noted that the State Police had moved from their previous quarters on Butler Street to the property on Milford Street. He said that the building that was previously used by the State Police was owned by the Bethel Church and he expected the church to be making use of that facility.

Adjournment: With no further business to come before the Planning Commission, **On Motion by Mr. Rowe, Seconded by Mr. Coleman, the Commission voted 6-0 to adjourn the meeting at 8:13 PM.**