

Town of Gordonsville Planning Commission Agenda Packet



May 14, 2024



TOWN PLANNING COMMISSION MEETING

AGENDA

Tuesday, May 14, 2024

6:30 p.m.

Council Chambers

1. Call to order - Chairman Ferguson

2. Roll call

Tim Ferguson
Ron Brooks
Stevean Irving

Katina Johnson
Chris Martin

3. Adoption of the Agenda

4. Public Hearing

- a.** REZ2024-01 - Junction Apartments LLC request to rezone property located at 201 W. King Street from Residential R-1 to General Business B-1.
- b.** Proposed changes to Articles 3, 6 and 7 of the Town Land Development Ordinance regarding the short-term rental of property.
- c.** Proposed changes to Article 8 of the Land Development Ordinance regarding the conveyance of conditional use permits.

5. New Business

6. Unfinished Business

7. Consideration of meeting minutes

- a.** April 9, 2024

8. Adjournment



**Town of Gordonsville, Virginia
Planning Commission
Agenda Item Summary
May 14, 2024**

AGENDA ITEM 4a

Public Hearing

AGENDA TITLE:

REZ2024-01 Consideration of Junction Apartments LLC Request to Rezone property located at 201 W. King Street from Residential R-1 to General Business B-1.

PRESENTER:

Town Manager

DISPOSITION:

☒ Action Required ☐ For Discussion

☐ Consent Agenda ☐ Closed Session

☐ Informational

ATTACHMENTS:

☒ yes ☐ no

BACKGROUND:

Attached for consideration by the Commission is the staff report for the rezoning request.

As the Commission (and ultimately Town Council) consider the requested rezoning, it is important to tie any decision that is made to the Town's Comprehensive Plan. In addition, the following Virginia Code statute should be kept in mind as the request is considered:

§ 15.2-2284. Matters to be considered in drawing and applying zoning ordinances and districts.

Zoning ordinances and districts shall be drawn and applied with reasonable consideration for the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the protection of life and property from impounding structure failures, the preservation of agricultural and forestal land, the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality.

The requested rezoning and proposed use are generally compatible with the mix of residential and business uses in the immediate area, and are supported by the Town's Comprehensive Plan vision that calls for the Town to provide its citizens with a high quality of life that comes from the ability to live, work and play within a charming small town.

MOTIONS FOR CONSIDERATION:

Approval

“Motion to recommend to Town Council the approval of the request from Junction Apartments LLC to rezone the property located at 201 W. King Street from R-1 Residential to B-1 Business as the requested rezoning and proposed use are consistent with surrounding land uses, and are supported by the Town’s Comprehensive Plan vision that calls for the Town to provide its citizens with a high quality of life that comes from the ability to live, work and play within a charming small town.

Denial

“Motion to recommend to Town Council the denial of the request from Junction Apartments LLC to rezone the property located at 201 W. King Street from R-1 Residential to B-1 Business as the requested rezoning and proposed use are inconsistent with surrounding land uses, and are not supported by the Town’s Comprehensive Plan vision that calls for the Town to provide its citizens with a high quality of life that comes from the ability to live, work and play within a charming small town.



REZONING REQUEST
Junction Apartments LLC
201 W. King Street
Application #REZ2024-01
STAFF REPORT
May 9, 2024

Applicant: Junction Apartments LLC
Location: 201 W. King Street
Tax Map: 068A201250002
Current Zoning: R-1 Residential
Requested Zoning: B-1 General Business
Acreage: NA
Proffers offered: Yes – see attached.

Rezoning Request

The owners of property at 201 W. King Street desire to rezone the property from Residential, R-1 to General Business, B-1. The property is one of five parcels that comprise the Junction Apartments development proposal to create a 39-unit apartment community, and is the only parcel that is not currently zoned General Business, B-1. The applicant is seeking the rezoning so that all parcels part of the development proposal will have the same zoning classification. A conditional use permit has been requested to allow for development of the property as a multi-family dwelling unit community.

The subject parcel was rezoned to General Business, B-1 in 2008 for the location of a call center for Perrigo. However, the approved use of the property was never pursued, and the zoning reverted to the prior zoning of Residential, R-1.

Property Location and Zoning

The subject parcel is located in the southwestern quadrant of the intersection of W. King Street and N. Faulconer Street.

The properties located immediately adjacent to the west and north of the subject parcel are zoned Residential, R-1 and are the location of single-family residences. The property to the northeast is zoned Professional Residential, R-3 and is currently vacant. The property to the east is zoned General Business, B-1 and is the former business campus of Perrigo. Adjoining the subject parcel to the south is the railroad.

Attached for reference is a map that shows the zoning of the subject parcel and surrounding properties (see Attachment B).

Analysis

Initial review of the application raised several questions regarding the proposed use of the property. These issues are explored in more detail in the paragraphs below.

Compatibility with surrounding uses

Development of the property as part of an apartment complex is consistent with uses one typically finds in proximity to downtown areas. Often, higher density residential development serves as a transition from downtown commercial development to the less dense development of adjoining single-family neighborhoods. Rezoning of the property to General Business, B-1, with a subsequent CUP issued for multi-family dwelling units, is compatible with the residential nature of the properties located immediately to the north and west.

Impact on the Community

Changing the zoning of the subject property from R-1 to B-1, with a subsequent issuance of a conditional use permit for multi-family dwellings, will provide for additional housing needed in the community. The proximity of the development to shops, restaurants and the Town's park and pool will create opportunities for residents to live, work and play in the town.

Traffic generated by the subject parcel as part of the overall proposed apartment development is expected to be less than what was generated by the prior use of the properties as a corporate office campus for Perrigo where more than 100 people were employed. Overall, the traffic that will likely be generated by the apartment complex is estimated to increase current traffic levels on Main Street by approximately 3%.

While the intended use of the subject parcel is an 8-unit apartment building, the applicant has proffered screening and use limitations (see attached) should the use of the property change to non-residential in the future to lessen the impact of such development on the surrounding neighborhood.

Compatibility with the Comprehensive Plan

The Town's comprehensive plan future land use map shows the subject property classified as neighborhood residential, a lower-density residential land use consistent with that of properties that adjoin it to the north and west. The future land use for properties located to the east are classified as Downtown Business, and the properties located to the northeast are classified as North Main Street Mixed Use.

The proposed zoning map amendment and development proposal is consistent with the following objectives of the Town of Gordonsville Comprehensive Plan 2035, adopted June 19, 2017:

Beautification and Community Design

Objective C. "Encourage new or infill development to be designed and constructed so as to be compatible with the design, mass and scale of structures found within the same neighborhood and zoning district."

The proposed buildings infilling vacant and underutilized land on the property will be compatible with the design, mass and scale of structures found along main street.

Housing

Objective D. “Encourage infill development”

The proposed new structures located on West King Street as well as the new structure proposed along North Main Street exemplify successful infill of vacant areas on the property.

Future Land Use

Objective C. “Encourage the revitalization of downtown.”

The comprehensive redevelopment of the property along N Main Street and West King Street will positively contribute to the revitalization of the historic downtown of Gordonsville.

Objective G. “Encourage neighborhood infill development that is consistent with the architecture, mass, scale and design features existing within each neighborhood”

The architectural features and finishes of the new buildings proposed as part of this comprehensive development are consistent with the existing architecture, mass, scale, and design of the surrounding neighborhood; the architectural consistency of the new buildings with pre-existing buildings.

Proffers

A property owner may proffer reasonable conditions as part of an amendment to the zoning district regulations or the zoning district map. These conditions shall be in writing and must meet the criteria noted below:

- a. The rezoning itself must give rise to the need for the conditions.
- b. The conditions proffered shall have a reasonable relation to the rezoning.
- c. The conditions proffered shall not include a cash contribution to the Town.

Attached as part of the zoning map amendment application is a proffer statement that addresses development impact concerns discussed during preliminary review of the rezoning request. The proffers as provided meet the criteria noted above.



Town of Gordonsville, Virginia

Town Zoning Administrator
Post Office Box 276, 112 West Main Street
Gordonsville, Virginia 22942
Phone - (540) 832-2233/ Fax - (540) 832-2449
E-mail dkendall@gordonsville.org
www.townofgordonsville.org

ZONING AMENDMENT APPLICATION FORM

Date: 1/30/24

Tax Map Identification #: 58-A2-12640

Applicant Information

Name of Applicant: Shimp Engineering, P.C.
Mailing Address of Applicant: 2912 E High Street, Charlottesville, VA, 22902
Telephone: 434-227-5140 Fax: _____ Email: _____

Property Location and Identification

Physical Address of property: 201 W King Street, Gordonsville, VA, 22942
Name of Property Owner: Gordonsville Realty Investment Inc
Mailing Address of Owner: 200 Garrett Street, Charlottesville, VA, 22902
Telephone: _____ Fax: _____ Email: _____
Agent's Name: _____
Phone Number: _____ Fax: _____ Email: _____
Mailing Address: _____

Present Use & Zoning Classification (Check one)

☒ R-1(Residential) ☐ R-2(Multi-Family/Town House) ☐ R-3 (Professional/Residential) ☐ R-4 (Low Density Residential)
☐ B-1 (General Business) ☐ B-2 (Restricted Business) ☐ M-1 (General Industrial)

Current Use of Property: Residential

Proposed amendment (see Attachment A for additional information to be provided)

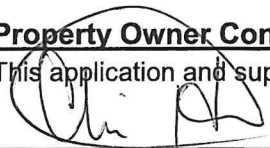
Proposed zoning from R-1 to B-1

Application Fee

Please include your non-refundable application fee of \$200.00 plus \$175.00 advertising costs. Please make checks payable to:
The Town of Gordonsville.

Property Owner Consent

This application and supporting documentation is hereby submitted with my full knowledge and permission: Chris Henry



Signature of Property Owner

1/31/24

Date

Attachment A Zoning Amendment Application Requirements

Any application submitted for consideration for rezoning must include the following:

- a. A written justification of conditions warranting such amendment, the public purposes to be served, including anticipated effects upon properties within the district(s) and a statement of the circumstances in the proposed district and the abutting districts and any other factors on which the applicant relies as reasons for supporting the proposed zoning amendment;
- b. Information about the market area to be served by the proposed development if a commercial use, including population, effective demand for proposed business facilities, and any other information describing the relationship of the proposed development to the needs of the market area;
- c. The degree of compliance of the proposed rezoning request and subsequent development plans with the provisions of the Town of Gordonsville *Comprehensive Plan*;
- d. A list of all adjoining property owners with their names and mailing addresses, including property located directly across the street;
- e. The approximate time schedule for the beginning and completion of any development proposed in the area as a result of rezoning or amendment;
- f. A site plan, which shall include, but not be limited to, the following information:
 - i. the extent of the area to be rezoned, streets bounding and intersecting the area, and the land use and zoning classification of abutting properties;
 - ii. locations of proposed or existing structures together with plans thereof, land uses;
 - iii. areas for off-street parking and loading, site access and roadways;
 - iv. topography, utilities, open spaces, recreation areas, and recognized historic resources.
 - v. whether the site is located within the Town of Gordonsville Historic Overlay District.

Attachment B

Town and Virginia Code Provisions for Rezoning or Zoning Amendment Requests

The information below outlines provisions within the Gordonsville Town Code and the Virginia Code related to a rezoning or zoning amendment request.

I. Town Code

A. 802.04 – *Council may amend zoning “whenever the public necessity, convenience, general welfare, or good zoning practice require.” The resolution proposing the rezoning shall “state the above public purposes.”*

B. 802.04-1 – Applications given to Zoning Administrator – signed by the property owner – requirements

C. 802.04-2 – Planning Commission shall review the rezoning application and conduct a duly advertised public hearing – then present the application and documents to the Council with its recommendation – if not submitted to Council within 60 days of first meeting on application, Commission is deemed to approve it

D. 802.04-3 – Council shall review after duly advertised public hearing – must notice a public hearing within 60 days of the referral and take action within 30 days of the hearing.

E. 802.05-2 – Proffers – owner may proffer “reasonable conditions” IF “in writing” and “made prior to the public hearing before Town Council” **

- a. rezoning itself must give rise to the need for the condition
- b. conditions must have “reasonable relation to the rezoning”
- c. shall not include cash contributions

II. Virginia Code § 15.2-2297. Same; conditions as part of a rezoning or amendment...

A. A zoning ordinance may include and provide for the voluntary proffering in writing, by the owner, of reasonable conditions, prior to a public hearing before the governing body, in addition to the regulations provided for the zoning district or zone by the ordinance, as a part of a rezoning or amendment to a zoning map; provided that

- (i) the rezoning itself must give rise for the need for the conditions;
- (ii) the conditions shall have a reasonable relation to the rezoning;
- (iii) the conditions shall not include a cash contribution to the locality;
- (iv) the conditions shall not include mandatory dedication of real or personal property for open space, parks, schools, fire departments or other public facilities not otherwise provided for in [§ 15.2-2241](#);
- (v) the conditions shall not include a requirement that the applicant create a property owners' association under Chapter 26 ([§ 55-508 et seq.](#)) of Title 55 which includes an express further condition that members of a property owners' association pay an assessment for the maintenance of public facilities owned in fee by a public entity, including open space, parks, schools, fire departments and other public facilities not otherwise provided for in [§ 15.2-2241](#); however, such facilities shall not include sidewalks, special street signs or markers, or special street lighting in public rights-of-way not maintained by the Department of Transportation;
- (vi) the conditions shall not include payment for or construction of off-site improvements except those provided for in [§ 15.2-2241](#) [subdivision ordinance – i.e., contiguous existing and planned streets]
- (vii) no condition shall be proffered that is not related to the physical development or physical operation of the property; and
- (viii) all such conditions shall be in conformity with the comprehensive plan as defined in [§ 15.2-2223](#).

****The governing body may also accept amended proffers once the public hearing has begun if the amended proffers do not materially affect the overall proposal.** Once proffered and accepted as part of an amendment to the zoning ordinance, the conditions shall continue in effect until a subsequent amendment changes the zoning on the property covered by the conditions. However, the conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Attachment C
Zoning Amendment Check list

Application Number: _____

Pre-submission Meeting held? ☐ yes ☐ no **Date:** _____

Proffers ☐ YES ☐ NO

If yes, date proffer statement submitted: _____

Proffers must be signed by property owner and applicant.

Application package:

Date application package submitted: _____

- ☐ Application Fee paid
- ☐ Supplemental Information
 - ☐ The written justification
 - ☐ Anticipated effects upon properties within the district(s)
 - ☐ Approximate time schedule
 - ☐ Information about market area
 - ☐ Comprehensive Plan statement
 - ☐ List of adjoining property owners
- ☐ Plan
 - ☐ Extent of the area to be rezoned
 - ☐ Proposed or existing locations of structures together with plans thereof
 - ☐ Streets bounding and intersecting the area
 - ☐ Land use(s)
 - ☐ Areas for off-street parking and loading
 - ☐ Site access and roadways
 - ☐ Land use and zoning classification of abutting properties
 - ☐ Topography
 - ☐ Utilities
 - ☐ Open spaces
 - ☐ Recreation areas
 - ☐ Recognized historic resource

Application Complete: ☐ yes ☐ no

Date staff comment letter(s) issued: _____

Planning Commission Public Hearing:

Date Public Hearing notice sent to the press: _____

Dates notices appeared in the newspaper: _____

Date joint property notices sent by staff: _____

Date County notified: _____

Date package delivered to Planning Commission: _____

Date Public Hearing was held: _____

Action Taken: ☐ Recommend Approval ☐ Recommend Denial

Notes: _____

Date action notification letter and Town Council hearing date sent to applicant: _____

Town Council Public Hearing:

Date Public Hearing notice sent to press: _____

Dates notice appeared in the newspaper: _____

Date joint property notices sent by staff: _____

Date County notified: _____

Date package delivered to Town Council: _____

Date Public Hearing was held: _____

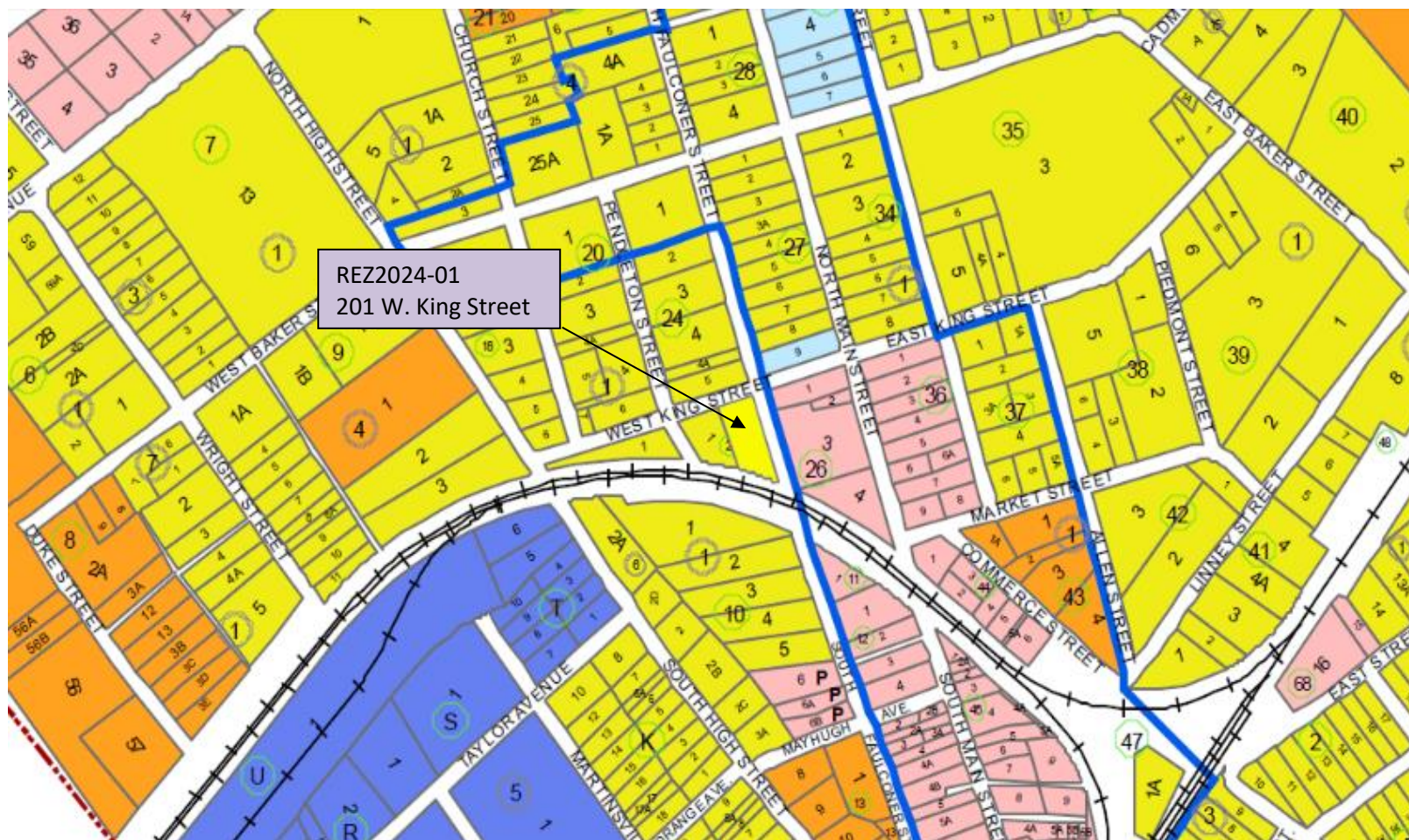
Action Taken: ☐ Approval ☐ Denial

Notes: _____

Date action notification letter sent to applicant: _____

Date zoning map updated: _____

Zoning Map for REZ2024-01 – 201 W. King Street



Source: Town of Gordonsville Zoning Map, Adopted 10-26-2009
 Map prepared by Town of Gordonsville staff
 Map not to scale.



Zoning

 R1	 B1	 Town Boundary
 R2	 B2	 Historic Overlay District
 R3	 M1	 Railroad
 R4		P Proffer

JUNCTION APARTMENTS

TM 68A2(1)25-2 + 68A2(1)26-1,2,3,4 + 68A2(1)27-9

Project ID: 22.073

Submitted 30 JANUARY 2024

Revised 20 MARCH 2024

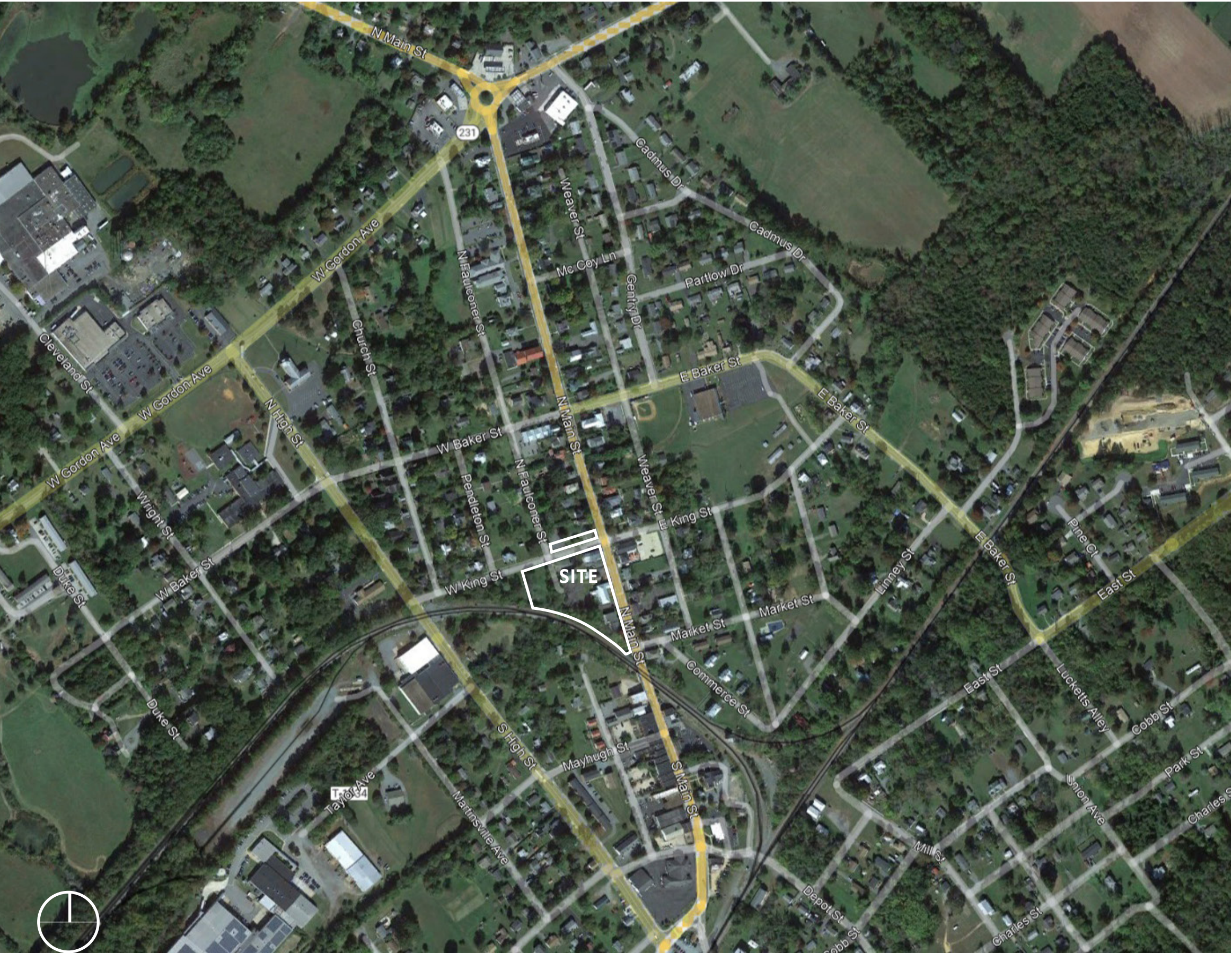
REVISED 08 APRIL 2024

Context Map

Sheet 1 of 10

INDEX OF SHEETS

- 1 - Cover & Context Map
- 2 - Site & RZ / CUP Details
- 3-5 - Project Narrative
- 6 - Site Overview
- 7 - Existing Conditions
- 8 - Concept Plan
- 9 - Grading and Utilities
- 10 - Landscaping Plan



JUNCTION APARTMENTS
SITE & RZ/CUP DETAILS

OWNER

Junction Apartments LLC
200 Garrett St, Suite P
Charlottesville, VA 22902

TM

68A2(1)25-2, 68A2(1)26-1, 68A2(1)26-2, 68A2(1)26-3,
68A2(1)26-4, and 68A2(1)27-9

PHYSICAL ADDRESS

201 West King Street
201, 203, 205, 207, 209, and 301 North Main Street

ACREAGE

68A2(1)25-2, 68A2(1)26-1, 68A2(1)26-2, 68A2(1)26-3,
68A2(1)26-4: 0.902 AC
68A2(1)27-9: 0.255 AC

SOURCE OF BOUNDARY & TOPOGRAPHY

Boundary & topographic information provided by Foresight
Survey, P.C., June 9, 2023

FLOODZONE

According to the FEMA Flood Insurance Rate Map, effective
date May 17, 2022 (Community Panel 51137C0265E), no
portion of this property lies within the floodplain.

ZONING

EXISTING:
B1: 68A2(1)26-1, 68A2(1)26-2,
68A2(1)26-3, and 68A2(1)26-4
R1: 68A2(1)25-2
R3: 68A2(1)27-9

PROPOSED:
B1: 68A2(1)26-1, 68A2(1)26-2,
68A2(1)26-3, and 68A2(1)26-4, **68A2(1)25-2**
R3: 68A2(1)27-9

USE

EXISTING: Vacant Commercial
PROPOSED: Multifamily Residential + Retail/Office

COMPREHENSIVE PLAN DESIGNATION

Neighborhood Residential: 68A2(1)25-2
Downtown Business: 68A2(1)26-1, 68A(1)26-2, 68A(1)26-3,
and 68A2(1)26-4
N Main St. Mixed Use: 68A2(1)27-9

WATER AND SANITARY SERVICES

Rapidan Service Authority (Sewer)
Town of Gordonsville (Water)

TABLE OF REQUESTED CONDITIONAL USE
PERMITS

West King Street Conditional Use Permit Applications						
TM	ACRES	CURRENT ZONING	PROPOSED ZONING	CUP For Use Of Multifamily Dwellings Per Sec. 605.03-6	CUP For Conversion To Multifamily Per Sec 605.03-4	CUP for Residential-Over-Retail Per Sec 603.03-1
68A2(1)25-2	.404	R-1	B-1	X		
68A2(1)26-1	.25	B-1	B-1		X	
68A2(1)26-2	.06	B-1	B-1	X		
68A2(1)26-3	.902	B-1	B-1	X	X	
68A2(1)26-4	.285	B-1	B-1		X	
68A2(1)27-9	.255	R-3	R-3			X

ADJOINING PROPERTY OWNERS

West King Street Adjoining Property Owners for Parcels Subject to Conditional Use Permit		
TM	OWNER	MAILING ADDRESS
68A2(1)25-1	Dickey, David C TRS	PO BOX 244 Gordonsville, VA, 22942
68A2(1)24-5	Trainum, Tyler J	300 Pendleton St Gordonsville, VA, 22942
68A2(1)26-1	Gordonsville Realty Investments Inc	209 N Main St Gordonsville, VA, 22942
68A2(1)26-3	Gordonsville Realty Investments Inc	203 N Main St Gordonsville, VA, 22942
68A2(1)27-9	Gordonsville Realty Investment Inc	301 N Main Street Gordonsville, VA 22942
68A(1)34-8	Gorman, Vincent J & Jeanette M	300 N Main Street Gordonsville, VA 22942
68A2(1)36-1	212-214 N Main Street LLC	200 Garret St STE 0 Charlottesville, VA, 22902
68A2(1)36-2	212-214 N Main Street LLC	200 Garret St STE 0 Charlottesville, VA, 22902
68A2(1)36-3	Purchell, Thomas Edward	PO Box 1248 Orange, VA, 22960
68A2(1)36-4	Purchell, Thomas M & Catherine B	208 N Main St Gordonsville, VA, 22942
68A2(1)36-5	Gordonsville Realty Investments Inc	206 N Main Street Gordonsville, VA 22942
68A2(1)36-6	Gore-Tanner LLC	201 Weaver Street Gordonsville,VA,22942
68A2(1)36-7	Dillon, Nancy Aleshia	202 N Main Street Gordonsville, VA, 22942
68A2(1)36-9	Jarrell, Ronald B & Eloise L	17542 James Madison HWY Gordonsville, VA, 22942
68A2(1)44-10	Graves, Donna L	PO Box 546 Gordonsville, VA, 22942
68A2-47-1	Railroad ROW	
68A2(1)34-7	Cutright, Judy K	302 N Main Street, Gordonsville, VA, 22942
68A2(1)24-5	Trainum, Tyler J	300 Pendleton St Gordonsville, VA, 22942

West King Street Adjoining Property Owners for TMP 68A2(1)25-2, Subject to Rezoning		
TMP	OWNER	MAILING ADDRESS
68A2(1)25-1	Dickey, David C TRS	PO BOX 244 Gordonsville, VA, 22942
68A2(1)24-5	Trainum, Tyler J	300 Pendleton St Gordonsville, VA, 22942
68A2(1)26-1	Gordonsville Realty Investments Inc	209 N Main St Gordonsville, VA, 22942
68A2(1)26-3	Gordonsville Realty Investments Inc	203 N Main St Gordonsville, VA, 22942

TM 68A2(1)25-2, 68A2(1)26-1,2,3,4,
& 68A2(1)27-9

Submitted 30 JANUARY 2024
Revised 20 MARCH 2024
REVISED 08 APRIL 2024
Project: 22.073

JUNCTION APARTMENTS
PROJECT NARRATIVE

PROJECT PROPOSAL

Junction Apartments LLC is the owner (the “owner”) of tax parcels 68A2(1)25-2, 68-A2(1)26-1, 68A2(1)26-2, 68A2(1)26-3, 68A2(2)26-4 and 68A2(1)27-9 in the town of Gordonsville (collectively, the “property”). The property is the site of a mixture of vacant historic and non-historic structures located at the northwest and southwest corners of West King Street and N Main Street. 201, 203, 207, 209, and 301 N Main Street are all contributing structures within the Gordonsville Historic District, which is listed on the National Register of Historic Places (“NRHP”). A portion of the property is within the Gordonsville Historic Overlay District, and all contributing structures listed in the NRHP designation are within the Historic Overlay District. On behalf of the owner, we request a rezoning of TM 68A2(1)25-2 from R-1 to B-1, a conditional use permit to allow apartments within existing structures in the B-1 district, a conditional use permit to allow multi-family in the B-1 district, and a conditional use permit to allow residential over retail in the R-3 district. The owner seeks to adaptively reuse the existing historic structures and re-purpose them for much needed residential housing and construct two new multi-family residential structures on the portion of the property that is outside of the Historic Overlay District.

Specifically, the owner requests a conditional use permit for TMP 68A2(1)26-1, 68A2(1)26-3, and 68A2(1)26-4 for conversion to multifamily pursuant to Sec. 605.03-4 of the Town of Gordonsville Land Development Ordinance; a conditional use permit for TMP 68A2(1)25-2, 68A2(1)26-2, and 68A2(1)26-3 for the use of multifamily dwellings with lot and permit requirements being the same as those in the R-1 or R-2 districts, as applicable, pursuant to section 605.03-6; and a conditional use permit for TMP 68A2(1)27-9 for the use of residential-over-retail pursuant Sec. 603.03-1. Together, these land use requests would permit a development with up to 39 multi-family units distributed among four historic structures and three new structures, with one historic structure (207 N. Main St) proposed to be used for accessory residential use. In addition to the residential use, the project seeks to incorporate a retail component within the structure located at 301 N Main St.

A core tenant of this development proposal is the preservation and revitalization of historic structures, as all structures listed as contributing in the NRHP

nomination form will be preserved and incorporated into this development. This proposed redevelopment will activate this portion of historic N. Main St. that has struggled to maintain vitality with commercial users.

PROJECT JUSTIFICATION

Gordonsville’s adopted Comprehensive Plan outlines the town’s plan for growth and includes detailed information about the town’s values and hopes for the future. It is noted that “housing that is affordable and available was rated as an important issue by more than three-quarters of the town residents who repsonded to the Community Survey in the fall of 2011¹”. The Comprehensive Plan also notes that housing development and specifically, infill development should be promoted within the town. According to the Comprehensive Plan, the Town anticipates an increase in population of 500 people by the year 2040 and has planned for that growth with their Comprehensive Plan however, according to U.S. Decennial Census data for the Town of Gordonsville, the town’s population has decreased by 94 people from the 2010 to the 2020 census.² A quick search on the real estate listing site, Zillow, yields two rental properties currently on the market. The town seeks to grow in a smart and gradual way over the coming decades and has planned to do so however, recent data shows a declining population over the past decade and limited housing supply available for new residents to move in to Gordonsville. This proposed project fills a housing need in the town and fulfills that need in a manner directly consistent with how the town has planned for future housing by placing this housing on a redevelopment infill site in a walkable area of town.

The property is the ideal location for housing in town and the proposed design of the development is incredibly context sensitive as all historic structures are proposed to be integral components of this redevelopment effort. The proposed development design and layout of new and existing buildings has given careful consideration to the fabric of the downtown area by incorporating similar architectural features into the three proposed structures so they blend cohesively with the historic identity of downtown. The existing buildings shown on the concept plan will remain as they currently are with updates and improvements to the exterior focused on enhancing the curb appeal along North Main Street and West King Street along with additional landscape and vegetation in an effort to contribute to the beautification of North Main Street. Since the majority of the property is located within the Historic Overlay District, any alteration to the historic structures and one of the proposed new structures will be subject to review by the Architectural Review Board (ARB) which will ensure consistency with the town’s design guidelines and vision for historic main street.

The proposed development seeks to increase and diversify the housing stock within the town by incorporating multifamily dwellings in the heart of the downtown area. Locating residential space downtown provides the opportunity to increase foot traffic past current shops and businesses along North Main Street. This

1 Town of Gordonsville Comprehensive Plan 2035, adopted June 19, 2017. (97)
2 U.S. Census Bureau. “RACE.” Decennial Census, DEC Redistricting Data (PL 94-171), Table P1, 2020, [https://data.census.gov/table/DECENNIALDHC2020.P1?q=gordonsville population](https://data.census.gov/table/DECENNIALDHC2020.P1?q=gordonsville%20population). Accessed on January 29, 2024.

project aims to encourage steady and consistent growth in Gordonsville. The establishment of 301 North Main Street as a Residential-Over-Retail use provides a mix of uses in the town and gives future and existing residents yet another business to patronize along Main Street. Locating additional residential and commercial density in an area with existing infrastrucure encourages a sustainable development pattern, focusing density where infrastructure is present.

This comprehensive approach to redevelopment and infill through the preservation of contributing historic structures and introduction of three buildings in keeping with the town’s architectural features is a strategic investment in the Gordonsville community, fostering a downtown that thrives as a hub of activity while maintaining the town’s unique identity.

CONSISTENCY WITH THE
COMPREHENSIVE PLAN

The proposed development is consistent with the following goals and objectives of the Town of Gordonsville Comprehensive Plan 2035, adopted June 19, 2017 :

Beautification and Community Design

Objective A. “To promote the renovation of existing structures so as to maintain the local character and identity of the community.”

The proposed development seeks to renovate the three structures contributing to the downtown historic district as well as incorporating architectural features and finishes of existing buildings downtown to the proposed new buildings.

Objective B. “To promote and support the use of ornamental plantings to beautify areas within the town, including gateways into town, and

TM 68A2(1)25-2, 68A2(1)26-1,2,3,4,
& 68A2(1)27-9

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Project: 22.073

JUNCTION APARTMENTS

PROJECT NARRATIVE

to encourage street scape development along major thoroughfares through town.”

The landscape improvements and screening of parking lots from the public view will beautify the area downtown similar to the landscape improvements along N Main Street.

Objective C. “Encourage new or infill development to be designed and constructed so as to be compatible with the design, mass and scale of structures found within the same neighborhood and zoning district.”

The proposed buildings infilling vacant and underutilized land on the property will be compatible with the design, mass and scale of structures found along main street.

Housing

Objective D. “Encourage infill development”

The proposed new structures located on West King Street as well as the new structure proposed along North Main Street exemplify successful infill of vacant areas on the property.

Objective E. “Improve the viability of the downtown area by encouraging the establishment of above-retail housing.”

The proposed Residential-Over-Retail conditional use applied for at 301 N Main Street seeks to establish residential housing above retail, contributing more diverse housing types to the town’s housing stock.

Future Land Use

Objective C. “Encourage the revitalization of downtown.”

The comprehensive redevelopment of the property along N Main Street and West King Street will positively contribute to the revitalization of the historic downtown of Gordonsville.

Objective G. “Encourage neighborhood infill development that is consistent with the architecture, mass, scale and design features existing within each neighborhood”

The architectural features and finishes of the new buildings proposed as part of this comprehensive development are consistent with the existing architecture, mass, scale, and

design of the surrounding neighborhood; the architectural consistency of the new buildings with pre-existing buildings.

SEC. 802.03-5 CUP REQUIREMENTS

A. TRAFFIC VOLUME IMPACTS

ITE TRIP GENERATION MANUAL 11TH EDITION:

			AM			PM			
Use	ITE	IV	IN	OUT	TOTAL	IN	OUT	TOTAL	TOTAL
MF Housing	220	39 UNITS	4	12	16	13	7	20	263
Small Office Bldg	712	1400 SF	2	0	2	1	2	3	20

The above table notes the projected traffic volumes from this development however, these numbers should not be considered an increase in traffic volume as a majority of the site is already zoned for business use and could generate traffic from a variety of higher volume commercial tenants such as a grocer, office, or retail tenant.

The existing background daily traffic volume on North Main Street is 9,247 vehicular trips and so the trips attributable to this development on North Main would contribute to a 3% increase over the background traffic.

The site plan proposes an entrance and circulation design that is an improvement over the existing condition. Currently, the property has four points of access on to N. Main Street. This number of access points creates additional, and unnecessary, conflict points with vehicles traveling along N. Main St. and vehicles entering or exiting the property. The site plan proposes the removal of two access points and the conversion of one of the remaining access points to ingress only. The site plan also proposes a major improvement to the entrance along West King by relocating the entrance east of the existing power pole and improving the entrance to commercial entrance standards.

B. CURRENT AND FUTURE NEED FOR PROPOSED USES IN THE TOWN

See above project proposal and justification for information about current and future housing needs in the Town.

C. CHARACTER OF EXISTING NEIGHBORHOOD AND EFFECTS ON EXISTING NEIGHBORHOOD AND PROPERTY VALUES

The property is located along the Town’s Historic Downtown corridor and this project is fully expected to contribute to the vibrancy and continued success of that corridor. This housing opportunity, located within the Town’s core, will allow residents to live in close proximity--walking distance--to where they shop, work, and play. Investment in this site is expected to spur economic activity and is not

expected to negatively impact property values.

D. IMPACTS ON HEALTH, SAFETY, AND WELFARE OF NEIGHBORHOOD

This project will positively impact the health, safety, and welfare of the neighborhood by diversifying the town’s housing stock and creating additional housing opportunities within the town’s main activity area. Locating this housing project in an area where residents can walk to many business destinations positively impacts neighborhood health. Having additional residents calling Gordonsville home and having more eyes on the street will positively impact safety along N. Main Street. The welfare of the neighborhood will be positively impacted with this multi-family development as this type of housing will serve as an opportunity for elderly Gordonsville residents to age in place in a smaller unit with less maintenance than a single family home and these units will provide an opportunity for younger people who may not have means to purchase a home to live in a rental unit in Gordonsville.

CUP CHECKLIST REQUIREMENTS

1. ANTICIPATED EFFECTS UPON SURROUNDING PROPERTIES

See above impacts evaluation.

B. TIME SCHEDULE

If the rezoning and CUP requests are approved, this site plan approval process will likely take 8-10 months for approval and once the site plan process is complete, bonds are posted, and the pre-construction meeting takes place, construction will begin and is expected to take 10-12 months.

C. CONCEPTUAL DEVELOPMENT PLAN

See sheets 7-10.

D. ADJOINING PROPERTY OWNERS

See sheet 2

TM 68A2(1)25-2, 68A2(1)26-1,2,3,4, & 68A2(1)27-9

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PROJECT NARRATIVE

Sheet 5 of 10

SEC. 802.04-2 REZONING REQUIREMENTS

A. JUSTIFICATION

See above project proposal and justification. Rezoning of tax parcel 68A2-125-2 will not cause negative impacts on public facilities and infrastructure. TMP 68A2-125-2 is located along an existing public street with access to public utilities.

B. MARKET AREA TO BE SERVED

There are no commercial uses proposed on TMP68A2-125-2, which is the subject of this rezoning request.

C. COMPLIANCE WITH COMPREHENSIVE PLAN

See above justification, “Consistency with the Comprehensive Plan.”

D. ADJOINING PROPERTY OWNERS

See Sheet 2.

E. TIME SCHEDULE

If the rezoning and CUP requests are approved, the site plan approval process will likely take 8-10 months for approval and once the site plan process is complete, bonds are posted, and the pre-construction meeting takes place, construction will begin and is expected to take 10-12 months.

F. SITE PLAN

See sheets 7-10.design of the surrounding neighborhood; the architectural consistency of the new buildings with pre-existing buildings.

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& 68A2(1)27-9

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SHIMP ENGINEERING, P.C.

JUNCTION APARTMENTS SITE OVERVIEW

Sheet 6 of 10



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& 68A2(1)27-9

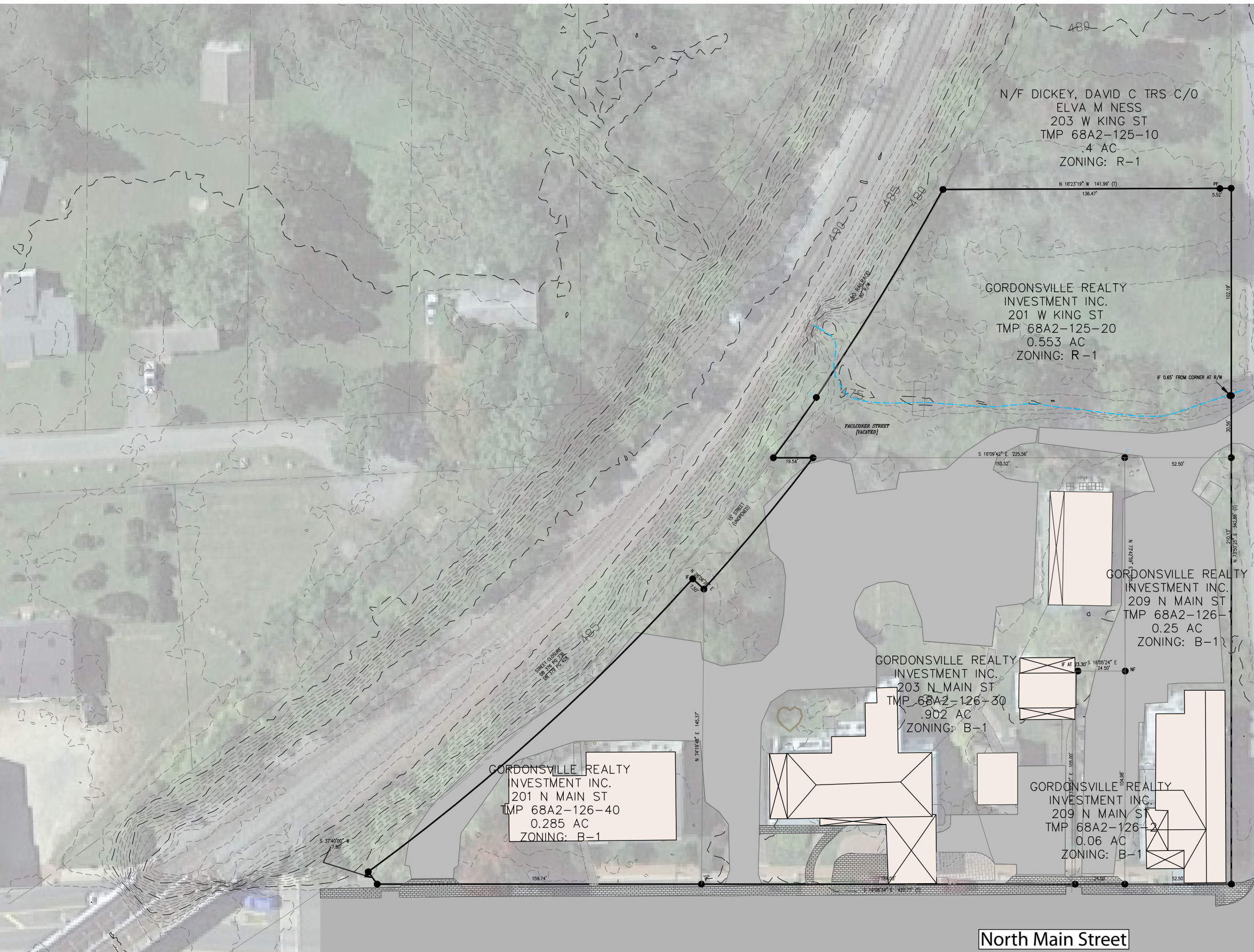
Submitted 30 JANUARY 2024

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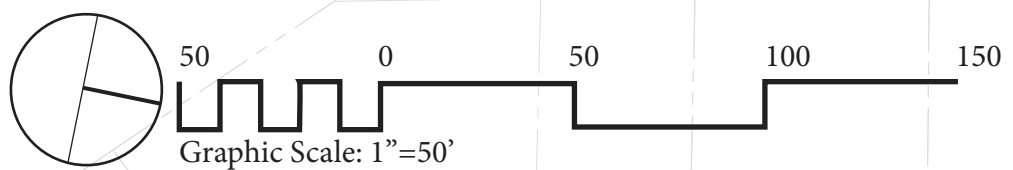
SHIMP ENGINEERING, P.C.



TM 68A2(1)25-2, 68A2(1)26-1,2,3,4
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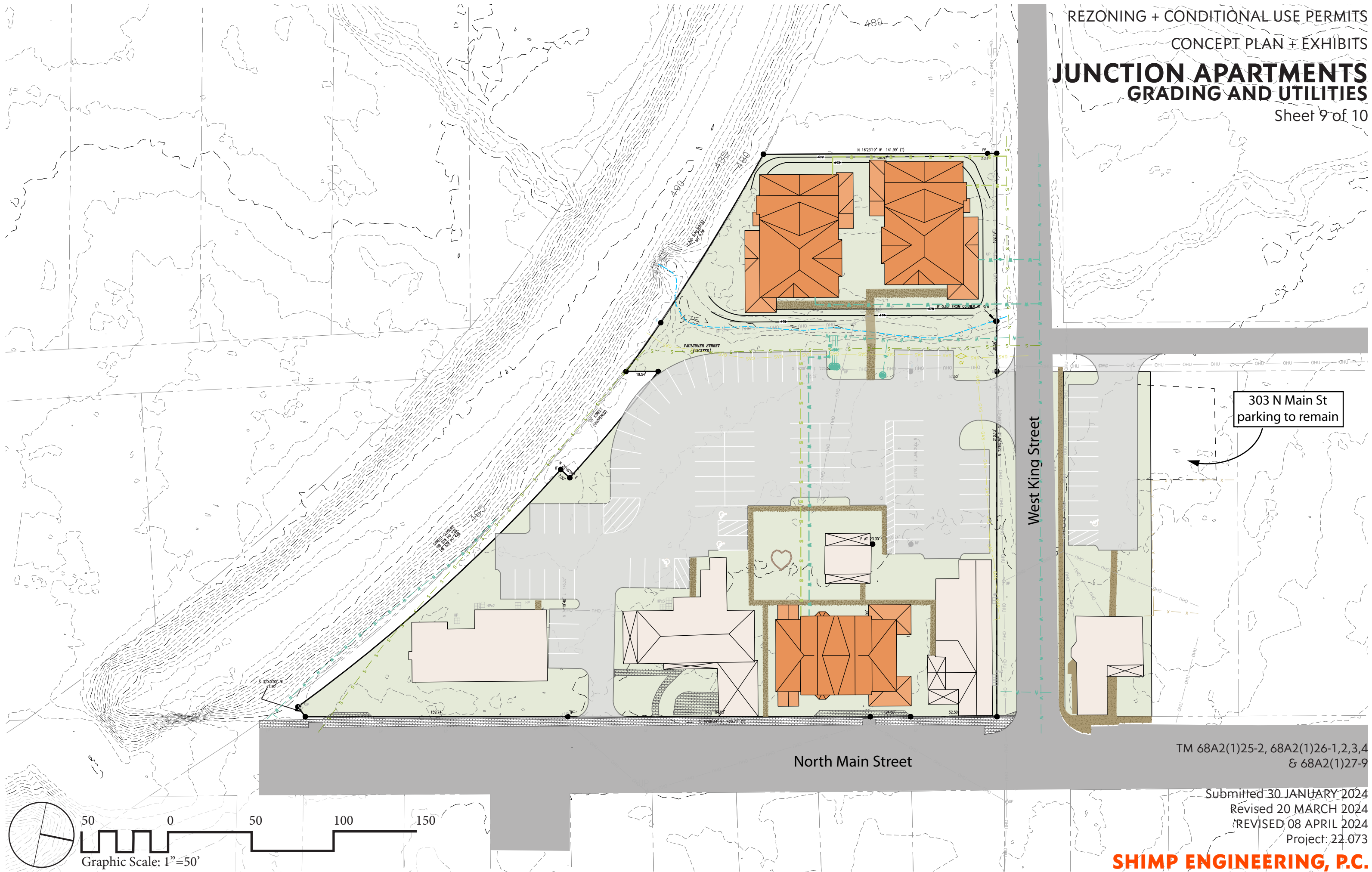
- Proposed New Structures
- Existing Structures to Remain

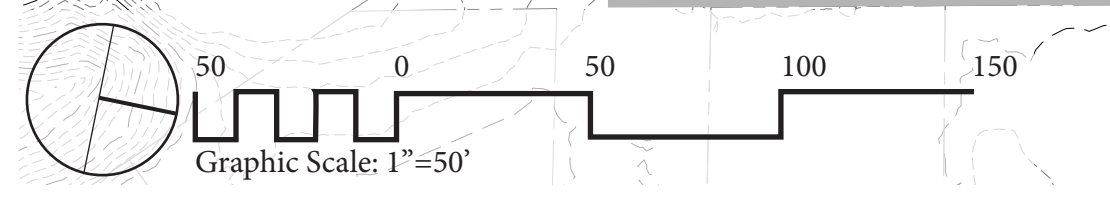
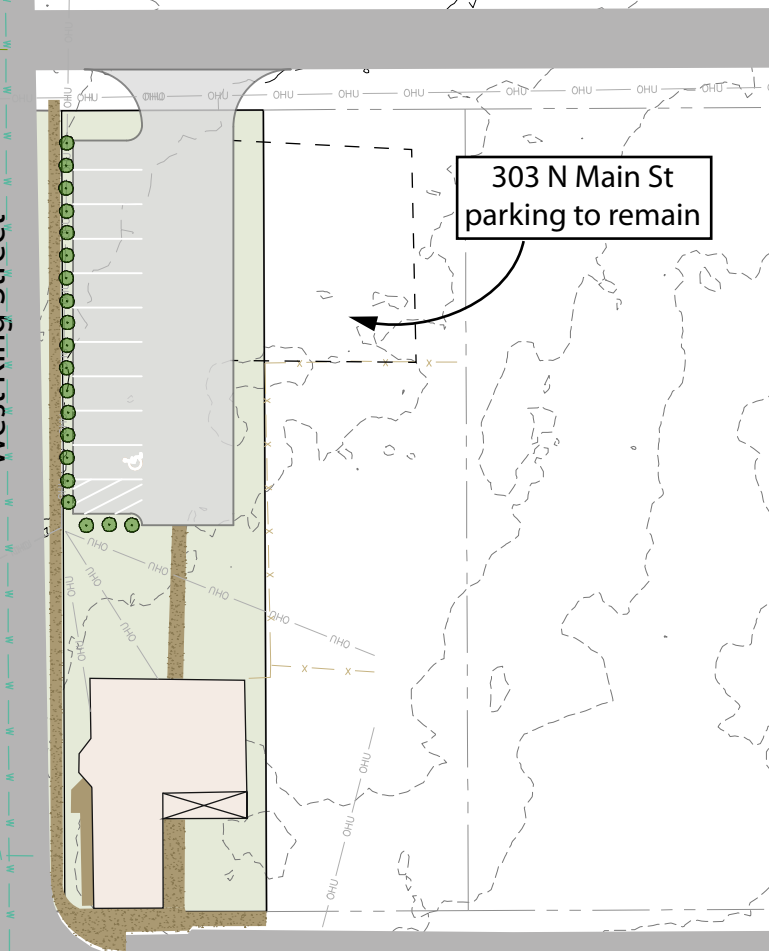
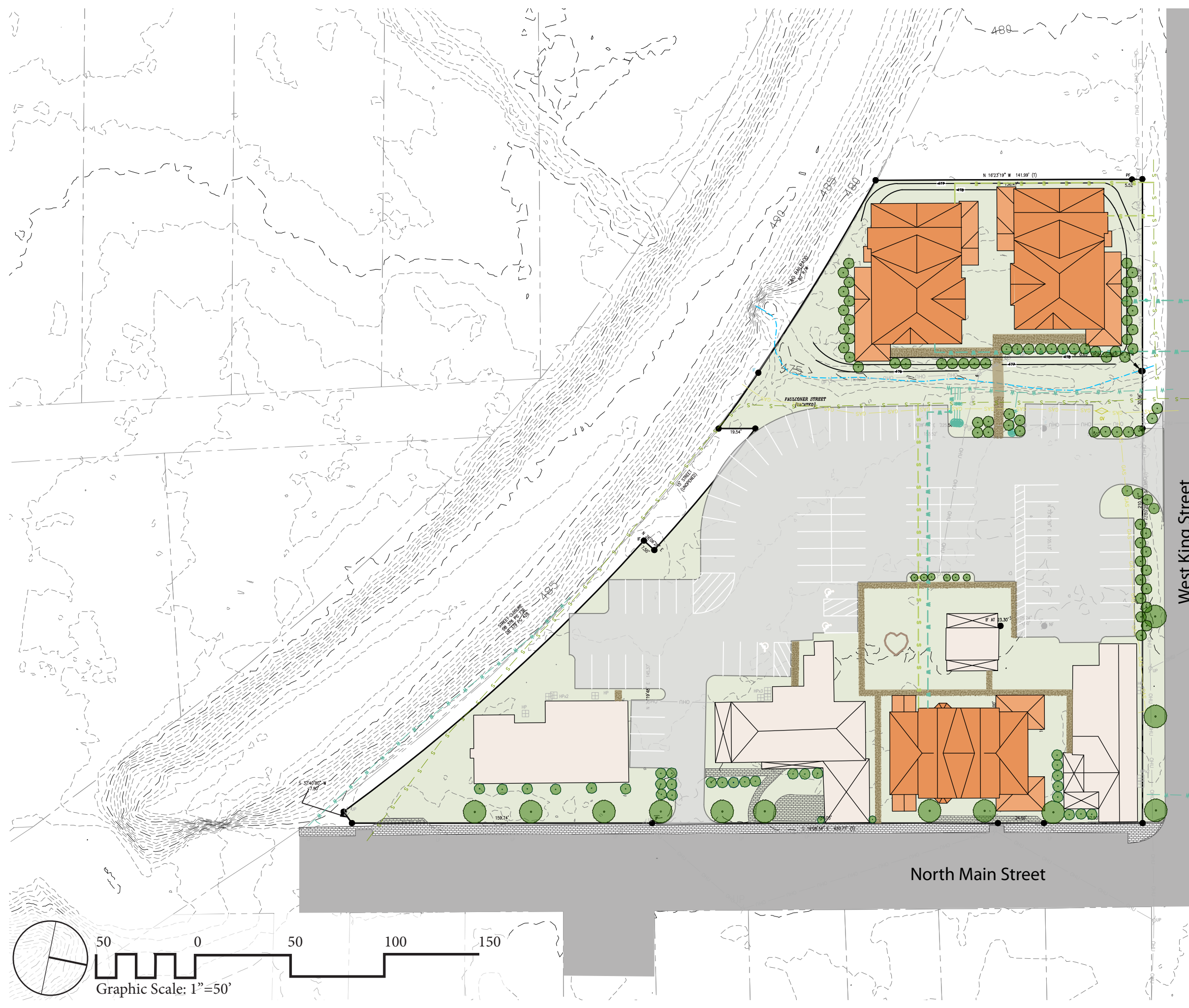


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& 68A2(1)27-9

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North Main Street

West King Street

303 N Main St
parking to remain

TM 68A2(1)25-2, 68A2(1)26-1,2,3,4
& 68A2(1)27-9

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SHIMP ENGINEERING, P.C.

Original Proffers X
Amendment

DRAFT PROFFER STATEMENT

REZ Number and Name: REZ2024-01 Junction Apartments

Parcel ID Number: 68A2 (1) 25-2

Owners: Junction Apartments LLC

Date of Proffer Signature: _____, 2024

.405 acres to be rezoned from R-1 Residential District to B-1 General Business

Junction Apartments LLC is the owner (the “Owner”) of Tax Parcel 68A2 (1) 25-2 (the “Property”) in the Town of Gordonsville, Orange County, Virginia which is the subject of rezoning application REZ No. 2024-01, a project known as “Junction Apartments” (the “Project”).

Pursuant to §15.2-2296 through §15.2-2300 of the Code of Virginia and §802.04a of the Town of Gordonsville Land Development Ordinance, the Owner hereby voluntarily proffers the conditions listed below, which shall be applied to the development of Property if it is rezoned to the requested zoning district, B-1 General Business. These conditions are proffered as a part of the requested rezoning and the Owner specifically deems the following proffers reasonable and appropriate, as conclusively evidenced by the signature below. The signatory below signing on behalf of the Owner covenants and warrants that it is an authorized signatory of the Owner for this Proffer Statement.

1. **SCREENING BUFFER:** If the Property is utilized for non-residential uses, there shall be established a minimum ten foot screening buffer along the western boundary of the Property, adjacent to tax parcel 68A2 (1) 25-1 (“adjacent parcel”) so long as the adjacent parcel is zoned R-1 Residential or used for single family detached residential use. The minimum ten foot screening buffer shall consist of either:
 - a. A single row of evergreen trees planted at a maximum spacing interval of 15’ on center and are a minimum of 4’ in height at planting
 - b. A solid screening fence that is 6’ in height; acceptable materials for the screening fence are wood, masonry, or another material as may be approved by the Zoning Administrator
2. **PROHIBITED USES:** The following uses, permitted in the B-1 district shall be prohibited on the Property:

- a. Laundries
- b. Dry Cleaning Shops
- c. Automobile Service Stations
- d. Taverns
- e. Bus Stations
- f. Taxi Stands

The following uses, permitted by conditional use permit in the B-1 district, shall be prohibited on the Property:

- g. Dance Halls
- h. Massage Parlors
- i. Public billiards or poolrooms
- j. Adult bookstores
- k. Amusement centers
- l. Kennels and animal hospitals

(Signature Pages Immediately Follow)

WITNESS the following signature:

OWNER:

Owner of Tax Parcel 68A2 (1) 25-2:

JUNCTION APARTMENTS LLC

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____ 2024
by _____, _____ of Junction Apartments LLC

.

My Commission expires: _____

Notary Public



**Town of Gordonsville, Virginia
Planning Commission
Agenda Item Summary
May 14, 2024**

AGENDA ITEM 4b

Public Hearing

AGENDA TITLE:

Proposed Changes to Articles 3, 6 and 7
of the Town Land Development
Ordinance Regarding the Short-term
Rental of Property

PRESENTER:

Town Manager

DISPOSITION:

☒ Action Required ☐ For Discussion

☐ Consent Agenda ☐ Closed Session

☐ Informational

ATTACHMENTS:

☒ yes ☐ no

PUBLIC HEARING PROCESS:

- Commission Chairman opens the public hearing and requests staff report.
- Chairman calls for public comment.
- Chairman closes the public hearing.
- Chairman asks for questions or comments from the Commission.
- Commission takes action on proposed amendments.

BACKGROUND:

The Commission held a public hearing on June 12, 2023 to receive public comment on draft amendments to the Land Development Ordinance regarding the short-term rental of property, and subsequently recommended approval of the amendments to Town Council.

Town Council reviewed the amendments as recommended, and, after discussion and research into various concerns and how other communities are handling the short-term rental of property, have modified the draft amendments to require that the occupancy of each room or dwelling unit offered for rental not exceed the occupancy limits as set forth in the Virginia Uniform Statewide Building Code. Because this change is substantially different from what was previously reviewed and heard by the Commission, another public hearing must be held by the group.

Attached are draft amendments to Articles 3, 6 and 7 of the Town's Land Development Ordinance pertaining to the short-term rental of property, as discussed. Staff recommends the Commission act to forward the amendments to Council for approval as presented.

MOTION FOR CONSIDERATION:

“In consideration of public necessity, convenience, and the general welfare of Town citizens; in support of economic development within the Town; and in support of good zoning practice, motion to recommend to Town Council the amendment of Articles 3, 6 and 7 of the Town of Gordonsville Land Development Ordinance, to incorporate definitions and use parameters pertaining to the short-term rental of property, as presented.”

Proposed Amendments to Articles 3, 6 and 7 of the Land Development Ordinance

Amend Article 3, Definitions, to add the following:

- 302.159a** **Short-term rental.** The provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

Amend Article 6 as follows (amendments shown in bold):

In the Residential, R-1 district, add Section 601.02-3 as shown below:

- 601.02-3** **Short-term rental of property as provided for in Article 7.**

In the Multi-family/Town House, R-2 district, amend Section 602.02 as follows:

- 602.02** **Permitted Uses.** Within the R-2 district the following uses are permitted: Multi-family dwellings, apartments, townhouses, (as regulated in Section 708 of this Ordinance), condominiums, ~~and~~ bed and breakfasts, **and the short-term rental of property as provided for in Article 7.** Also permitted are those uses ~~mentioned listed~~ in Sections 601.02 ~~through 601.03~~ of this Ordinance.

In the Professional/Residential, R-3 district, amend Section 603.02 as follows:

- 603.03-1** **Permitted Uses.** Those applicants wishing to provide professional services, specifically engineering, medical, legal, dental, and architectural, can do so without residing in the building. Should the applicant desire to construct a new structure to house such professional office space, ample off-street parking arrangements will be required, as approved by the Zoning Administrator. The highest and best use of this land, however, remains residential.
- All of the provisions in Sections 601.02 through 601.13-4 apply to this district, **including the short-term rental of property as provided for in Article 7.**

In the General Business, B-1 district, amend Section 605.02 under **Permitted uses** as follows:

- 605.02-1** Department Stores, grocery stores, variety stores, specialty shops (retail), appliance stores, ~~and~~ residential-over-retail, **and the short-term rental of property as provided for in Article 7;**
- 605.02-3** Laundries, dry cleaning shops, retail apparel, retail shoe stores, theaters, assembly halls, playhouses, dinner theaters, hotels, inns/bed and breakfasts ~~houses~~ **as provided for in Article 7**, banks and loan/finance offices, including drive-in types, churches, other places of worship, church schools, private schools, libraries, hospitals, all professional offices as defined in 603.02, funeral home and or mortuary, automobile service stations and public garages (all major repairs must be under cover, including storage of cars, and screened from the public's view), clubs lodges, automobile sales, child care centers;

Amend Article 7 to add Section 710.00 as follows:

Section 710.00 SHORT-TERM RENTAL OF PROPERTY

- 710.01** The short-term rental of property zoned Residential, R-1 is permitted as follows:
- a. Persons offering the rental of dwelling units and individual rooms within dwelling units must register such rental with the Town pursuant to Chapter 17, Article V of the Town Code.
 - b. Where the owner of property offered for rent does not reside on site, owner contact information must be clearly posted in each unit or room offered for rent.
 - c. Occupancy of each room or dwelling unit offered for rental shall not exceed those limits as set forth in the Virginia Uniform Statewide Building Code.
- 710.02** The short-term rental of property zoned Multi-family/Townhouse Residential, R-2 is permitted as follows:
- a. Persons offering the rental of dwelling units and individual rooms within dwelling units must register such rental with the Town pursuant to Chapter 17, Article V of the Town Code.
 - b. Where the owner of property offered for rent does not reside on site, owner contact information must be clearly posted in each unit or room offered for rent.
 - c. Occupancy of each room or dwelling unit offered for rental shall not exceed those limits as set forth in the Virginia Uniform Statewide Building Code.
- 710.03** The short-term rental of property zoned Professional/Residential, R-3 is permitted as follows:
- a. Persons offering the rental of dwelling units and individual rooms within dwelling units must register such rental with the Town pursuant to Chapter 17, Article V of the Town Code.
 - b. Where the owner of property offered for rent does not reside on site, owner contact information must be clearly posted in each unit or room offered for rent.
 - c. Occupancy of each room or dwelling unit offered for rental shall not exceed those limits as set forth in the Virginia Uniform Statewide Building Code.
- 710.04** The short-term rental of property zoned General Business, B-1 is permitted as follows:

- a. **Persons offering the rental of dwelling units and individual rooms within dwelling units must register such rental with the Town pursuant to Chapter 17, Article V of the Town Code.**
- b. **Where the owner of property offered for rent does not reside on site, owner contact information must be clearly posted in each unit or room offered for rent.**
- c. **Occupancy of each room or dwelling unit offered for rental shall not exceed those limits as set forth in the Virginia Uniform Statewide Building Code.**

DRAFT



**Town of Gordonsville, Virginia
Planning Commission
Agenda Item Summary
May 14, 2024**

AGENDA ITEM 4c

Public Hearing

AGENDA TITLE:

Consideration of Amendments to Article 8 of the Land Development Ordinance Regarding the Conveyance of a Conditional Use Permit.

PRESENTER:

Town Manager

DISPOSITION:

☒ Action Required ☐ For Discussion
☐ Consent Agenda ☐ Closed Session
☐ Informational

ATTACHMENTS:

☒ yes ☐ no

PUBLIC HEARING PROCESS:

- Commission Chairman opens the public hearing and requests staff report.
- Chairman calls for public comment.
- Chairman closes the public hearing.
- Chairman asks for questions or comments from the Commission.
- Commission takes action on proposed amendments.

BACKGROUND:

The Town's Land Development Ordinance currently states: *"Upon change of ownership, any conditional use permit for the property shall expire."*

In most localities in the Commonwealth, a conditional use permit runs with the property, not the property owner, under the guise that any owner of property for which a conditional use permit is granted must adhere to conditions applied to the approved use, and if a new property owner wants to change the use or cannot adhere to the conditions as approved, they must proceed through the CUP process at that time.

Attached for the Commission's consideration is a draft amendment to Section 802 of the Land Development Ordinance to provide that the issuance of a conditional use permit run with the property for which it is issued unless or until the CUP expires as provided. This draft has been reviewed by the Town Attorney and reflects any comments made. As a follow up to the Commission's review in March, additional language has been included to address the concern of how to document that a conditional use permit has been issued for a parcel of land.

Staff requests that, upon conclusion of the public hearing, the Commission act to forward the proposed amendment to Town Council for their consideration.

MOTION FOR CONSIDERATION:

“In consideration of public necessity, convenience, and the general welfare of Town citizens; in support of economic development within the Town; and in support of good zoning practice, motion to recommend to Town Council the amendment of Article 8 of the Town of Gordonsville Land Development Ordinance to provide that the issuance of a conditional use permit run with the property for which it is issued, as presented.”

Proposed Amendment to Article 8 of the Land Development Ordinance

Amend Article 8, Administration, as follows:

802.03 **Application Procedures for Conditional Uses.** Applications for Conditional Use Permit for a conditional use shall be submitted to the Zoning Administrator, who shall refer the application to the Planning Commission for a recommendation to the Town of Gordonsville Town Council. The Town Council will hold a public hearing and make a decision on the application. Application for Zoning Permits for conditional uses must be submitted in accordance with the following procedures:

802.03-1 An application shall be accompanied by two (2) copies of an acceptable site plan drawn in accordance with applicable provisions of Section 802.00 of this ordinance, with such reasonable information shown thereon as may be required by the Zoning Administrator. Such site plan shall include, as a minimum, the following: The dimensions with property line monuments located thereon; location and size of existing and proposed structures; yard dimensions and the use of structures; easements (private and public); water courses, fences, street names and street right-of-way lines; and such other information regarding abutting property as directly affects the application;

802.03-2 Each application for a Zoning Permit for a conditional use or other special exception shall be accompanied by payment of a fee as set forth in Article 10 to help defray the cost of publicizing and conducting the public hearing;

802.03-3 The application shall be sent to the Commission for review and recommendation, and the Commission shall have (60) days within which to submit a report. If the Commission fails to submit a report within a sixty (60) day period it shall be deemed to have approved the proposed conditional use;

During its review, the Commission shall consider whether the proposed use is compatible with surrounding uses, is consistent with the intent of this ordinance and the Comprehensive Plan, is in the public interest, and will comply with all provisions of law and ordinances of the Town of Gordonsville. In addition, the Commission may recommend to the Council any conditions it deems necessary to protect the public health, safety and general welfare of Town citizens.

- 802.03-4 The Town Council shall consider the proposed conditional use or other special exception after notice and public hearing in accordance with Section 15.1-431 of the Code of Virginia, 1950, as amended, and shall take action on the proposed conditional use within thirty (30) days from the date of the public hearing;
- 802.03-5 In evaluation the proposed conditional use or other special exception, the Town Council shall address the following concerns:
- a. The effect of the proposed use or special exception, on existing and projected traffic volumes in the neighborhood;
 - b. The current and future need for the proposed use in the Town of Gordonsville; and
 - c. The character of the existing neighborhood and the effect of the proposed use or special exception on existing property values;
 - d. The impact of the proposed use or special exception on the health, safety, and welfare of the neighborhood.
- 802.03-6 Conditions set forth in Article 802.03-5 for the various conditional uses are minimum. In approving a proposed conditional use or other special exception, the Town Council may stipulate such additional requirements as are necessary to protect the public interest. The Town council may require the applicant to furnish a performance bond in an amount sufficient for and conditions and requirements stipulated by the Town Council;
- 802.03-7 If the Town Council approves the application for a Zoning Permit for a proposed conditional use, the Zoning Administrator shall issue a Conditional Use Permit, indicating the conditional nature of the use;
- 802.03-8 If the Town Council disapproves the application for a Zoning Permit for a proposed conditional use or other special exception, the Town Council shall inform the applicant of the decision in writing within thirty (30) days from the date of the public hearing, stating the reasons for disapproval. The Zoning Administrator shall retain one (1) copy of the site plan and one (1) copy of the refusal, and shall keep them as a public record. The applicant shall have the right of appeal to the Circuit Court;
- 802.03-9 The property owner, or his appointed agent, shall not initiate action for a Conditional Use Permit relating to the same conditional

use affecting the same parcel of land more often than once every twelve (12) months;

802.03-10 A conditional use permit must be put into effect six (6) months after the date the permit is issued, unless otherwise provided in the permit itself. Expiration of a conditional use permit shall occur with the discontinuance or suspension for a period of one (1) year of an activity which was authorized by a conditional use permit;

802.03-11 Renewal of a conditional use permit does not require a public hearing unless the original conditions in the permit are changed, however notice of the renewal will be shown on the agenda of the Town Council;

802.03-12 ~~Upon change of ownership, any~~ Any conditional use permit issued for ~~the a~~ property shall ~~expire~~ remain with the property unless and until its expiration as set forth in Section 802.03-10 herein, or unless otherwise conditioned by the Town Council. Record of the issued conditional use permit is public and shall be maintained in the files of the Zoning Administrator.



TOWN OF GORDONSVILLE PLANNING COMMISSION MEETING

MINUTES

Tuesday, April 9, 2024

6:30 p.m.

Council Chambers

Gordonsville Town Hall

The Town of Gordonsville Planning Commission held their regular meeting. Members present were: Tim Ferguson, Stevean Irving, Katina Johnson, and Ron Brooks. Chris Martin was absent. Staff present was Town Manager Deborah Kendall.

CALL TO ORDER

Chairman Ferguson called the meeting to order at 6:40 p.m. and stated that a quorum was present to conduct business.

ADOPTION OF THE AGENDA

Chairman Ferguson made a motion, seconded by Mr. Brooks, to adopt the meeting agenda, as presented. The motion carried by unanimous vote.

NEW BUSINESS

Consideration of Proffer Amendment Request

Mrs. Kendall explained that parcel 68A2-1-25-2, originally believed to have been rezoned to General Business, B-1 in 2008, reverted to the prior zoning of Residential, R-1 when the property was not developed as proposed. As such, Junction Apartments LLC has revamped their original application for the development, which included both a conditional use permit request and a request to rezone parcel 68A2-1-25-2 to B-1, for consideration by the Planning Commission. The rezoning request requires a public hearing by both the Planning Commission and Town Council, and the purpose of the Commission's review at this meeting was to be apprised of the change and request that a public hearing be scheduled to consider the rezoning at the May meeting.

The Commission discussed the application revision. Chairman Ferguson expressed his concern about lighting and buffering the property from adjoining residential properties, questioning whether a proffer could be made to protect surrounding properties.

Kelsey Schlein, project engineer with Shimp Engineering, stated that a proffer statement could be developed to address the lighting and screening concerns. She offered to provide such a statement for the Commission's review.

There being no further discussion, Vice-Chairman Irving made a motion, seconded by Mr. Brooks, to schedule a public hearing on May 14, 2024 to receive public comment on the Junction Apartments LLC application for rezoning, as presented. The motion carried by unanimous vote.

UNFINISHED BUSINESS

Consideration of Land Development Ordinance amendments regarding the conveyance of a conditional use permit

As a follow up to the Commission's discussion in March, Mrs. Kendall stated that, in many localities, a conditional use permit conveys with the property, not with the owner, and that in most instances the conditional use permit is logged in a digital listing of permits issued kept on file in the local zoning department.

The Commission discussed how a new property owner would be made aware of the issuance of a conditional use permit for their property. After a lengthy discussion, it was realized that the best way to accomplish this is through the issuance of a business license and making the new business owner aware of the conditional use permit for the property at that time.

There being no further discussion, Chairman Ferguson made a motion, seconded by Vice-Chairman Irving, to schedule a public hearing may 14, 2024 in order to receive public comment on the draft Land Development Ordinance amendment regarding the conveyance of a conditional use permit as presented. The motion carried by unanimous vote.

CONSIDERATION OF MEETING MINUTES

Minutes for March 12, 2024

Chairman Ferguson made a motion, seconded by Mr. Brooks, to approve the March 12, 2024 meeting minutes, as presented. The motion carried by unanimous vote.

ADJOURNMENT

There being no other business to come before the Commission, Chairman Ferguson adjourned the meeting at 7:47 p.m.

Respectfully submitted,

Deborah S. Kendall, ICMA-CM, AICP

Secretary

DRAFT