

The Town of New Market



July 26, 2023

TO: New Market Planning and Zoning Commission
FROM: Pat Faux, Zoning Administrator and Shawn Burnett Town Engineer
RE: Staff Report on Permit # 1863-B - East Main Street TRC Master Plan

Dear All,

The Town received an application on April 28, 2023, for a TRC Master Plan on the East Main Street property. This is the property for which the Town Council is currently considering zoning approval at a Public Hearing to be held on August 10, 2023, and for which the Commission recommended zoning approval at their July 6, 2023, meeting.

The applicant requests that the Planning Commission consider the completeness of their Master Plan application at their regular meeting on August 3, 2023. They ask that the Commission consider approval of the Master Plan at their regular September 7, 2023, meeting assuming the Town Council has approved the zoning and the required appeal period has expired.

In addition to, and separate from the Master Plan application, the applicant has submitted permit # 1818-B an application for approval of a Natural Resources Inventory/Forest Stand Delineation (NRIS/FSD). Staff coordination with the applicant on that more detailed permit is still in progress. That permit will be brought forward for Planning Commission consideration once the review process is complete.

Staff offers the following report and recommendations for Commission consideration on August 3, 2023, regarding Completeness of the Master Plan application. A second report will be offered prior to the Commission's regular September 7, 2023, meeting that addresses required findings for a possible decision.

STAFF REPORT ON COMPLETENESS

According to the Land Development Ordinance (LDO) Article IV Section 16.6.3(a) the Commission shall first determine whether that application is complete and all LDO required submittal information has been received before considering approval.

According to LDO Article IV Section 16.6.2, The purpose of a TRC Master Plan is to establish a unified scheme of development which is consistent with the applicable Town planning documents and policies, and which, once approved, the developer will be obligated to comply with when applying for subdivision approval.

A TRC Master Plan application must provide a comprehensive array of supporting information and analysis regarding the proposed development. The required information shall include, at a minimum, the following:

(1) A Master Plan that includes:

- (i) A plat containing a location map that indicates the location of the proposed development in relations to municipal boundaries and transportation facilities;*
- (ii) A plat showing the boundaries of the land that is the subject of the application;*
- (iii) A plat showing the land use of all adjacent properties;*
- (iv) A plat showing the physical characteristics of the land to be developed including all natural resources such as wetlands, forested areas, location of rare, threatened or endangered species or plants, steep slopes, etc;*
- (v) A plat showing existing and proposed structures, roads, parking areas, setbacks, lot dimensions, and bufferyards;*
- (vi) A plat any required buffers from streams, wetlands and/or tidal waters, if applicable;*
- (vii) A plat indicating proposed landscape area, proposed floor area, residential density, number of parking spaces required and provided, zoning of development site, zoning of adjacent sites, proposed impervious area, proposed right-of-way area to be dedicated to the Town or State;*
- (viii) A plat indicating how stormwater will be managed on the site in accordance with applicable State, County or local regulations;*

(2) A traffic analysis prepared by a licensed engineer;

(3)) A fiscal impact assessment prepared by a qualified professional; and,

(4) Proposed architectural guidelines, including representative architectural elevations of commercial, residential and institutional structures and a discussion of architectural themes to be implemented in the development of the proposed Master Plan.

The Town Planning Commission may require the applicant to submit any additional information, plans, specifications, documents, studies, drawings, etc., that are reasonably necessary to determine compliance with the TRC development standards.

Staff has reviewed the submitted materials. We have requested and received additional information and several clarifications and revisions.

The applicant has provided the following items to fulfill the requirements for a TRC Master Plan. These can be reviewed on the town website:

Exhibit A - Existing Conditions Plan (revised 7/26/23)
Exhibit C - Justification Statement
Exhibit B - East Main Master Plan Plat (revised 7/25/23)
Exhibit F - Adjoiners Map
Exhibit J - Traffic Impact Statement (revised 7/7/23)
Exhibit K - Fiscal impact statement
Exhibit L - Architectural Illustrations

Staff now recommends that the Planning Commission make a formal determination that the East Main St. TRC Master Plan application is complete as submitted and ready for consideration of approval. Staff advises that as a separate but related matter Permit # 1818-B the East Main St. Natural Resources Inventory/Forest Stand Delineation (NRIS/FSD) should be approved prior to consideration of a Preliminary Plan of Subdivision.

Staff asks whether the Planning Commission requires any other additional information that may be reasonably necessary to determine compliance with the TRC development standards prior to considering approval next month.

Staff further notes that in considering a decision of the Master Plan the LOD offers several options. The Commission may decide to approve, conditionally approve, or deny the Master Plan Application as follows:

- 1) Approve the Master Plan as submitted if -
the Planning Commission determines that the Master Plan fulfills all the requirements for approval; or
- 2) Conditionally Approve the Master Plan if -
 - (a) the Planning Commission determines that the Master Plan does not adequately fulfill any one or more of the requirements of approval and that such inadequacy can be addressed through minor revision to the Master Plan, or
 - (b) the inadequacy is more appropriately addressed through application for subdivision approval; or
- 3) Deny the Master Plan If -
the Planning Commission determines that the Master Plan does not fulfill any one or more of the requirements for approval and that the requirements for approval cannot be fulfilled by amendment to the Master Plan or by the application of conditions to approval.

DRAFT MOTION

I make a motion that the Planning and Zoning Commission determine that Permit # 1863-B is complete and all LDO required submittal information has been received as noted in the staff report dated July 26, 2023, and is ready for consideration of approval at the Commission's September 7, 2023, regular meeting.