



AGENDA
Wytheville Planning Commission
Thursday, January 14, 2021
6:00 p.m.
Council Chambers
150 East Monroe Street
Wytheville, Virginia 24382

- A. **CALL TO ORDER** — Chairman Kenny W. Ervin
- B. **ESTABLISHMENT OF QUORUM** — Chairman Kenny W. Ervin
- C. **CONSENT AGENDA**
 - 1. Minutes of the regular meeting of November 12, 2020
- D. **ELECTION OF OFFICERS**
 - 1. Chairperson
 - 2. Vice-Chairperson
- E. **CITIZENS' PERIOD**
- F. **OTHER BUSINESS**
 - 1. Continued review of fencing/wall regulations
 - 2. Further review of proposed regulations regarding Motor Vehicle Towing or Wrecker Service businesses
 - 3. Interpretation of the Town of Wytheville Zoning Ordinance to determine the zoning districts in which a crematorium should be permitted
 - 4. Continued discussion regarding dog parks
 - 5. Discussion regarding a proposed housing project in the Country Club Heights subdivision
- G. **ADJOURNMENT**

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE PLANNING COMMISSION
HELD IN THE COUNCIL CHAMBERS ON THURSDAY, NOVEMBER 12, 2020, AT 6:00 P.M.**

Members present: Kenny W. Ervin, John W. Jones, Jr., Cathy D. Pattison, Bradford M. Litton, M. Bradley Tate, Kevin L. Varney, George F. Wittwer

Members absent: None

Others present: Town Manager Stephen A. Moore, Assistant Town Manager T. Brian Freeman, Town Clerk Sharon G. Corvin, Landscaping Consultant John Woods

RE: CALL TO ORDER, QUORUM

Chairman Ervin called the meeting to order and established that a quorum was present.

RE: CONSENT AGENDA

Chairman Ervin presented the consent agenda consisting of the minutes of the regular meeting of October 8, 2020. He inquired of the Commission if there were any additions or corrections to the consent agenda or if there was a motion to approve the consent agenda, as presented. A motion was made by Vice-Chairman Jones and seconded by Mr. Varney to approve the minutes of the regular meeting of October 8, 2020, as presented. Chairman Ervin inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Kenny W. Ervin, John W. Jones, Jr., Cathy D. Pattison, Bradford M. Litton, M. Bradley Tate, Kevin L. Varney, George F. Wittwer. Against: None.

RE: CITIZENS' PERIOD

Chairman Ervin advised that the next agenda item is Citizens' Period. He noted that there is no one attending the Planning Commission meeting to address the Commission during Citizens' Period, therefore, he would proceed with the agenda.

RE: FENCING/WALL REGULATIONS

Chairman Ervin advised that the next agenda item is the further review of the fencing/wall regulations. Assistant Town Manager Freeman stated that this agenda item is a continuation of a topic that the Planning Commission has been discussing for the past couple of meetings. He noted that Town staff wanted to present a proposed regulation for fences and wanted to note that a lot of communities have placed fences and walls together in their Zoning Ordinances to serve the same purpose. Assistant Town Manager Freeman commented that it made sense to regulate fences and walls as one. He remarked that Town staff would present several new definitions that are not currently in the Zoning Ordinance. Assistant Town Manager Freeman stated that there is not a "fence" definition, and staff would propose the definition be "a constructed barrier of any material or materials enclosing, dividing or screening an area of land." He noted that Town staff is proposing to add a definition for a wall, which was borrowed from Blacksburg. Assistant Town Manager Freeman expressed that the proposed definition for a wall is "a continuous vertical masonry structure that encloses, divides or screens an area of land." He continued to review the proposed definitions included in the Planning Commission package. Assistant Town Manager Freeman explained the reason for the "sight triangle" definition is to

keep from obstructing views from motorists who are trying to get from one street to another street. Mr. Tate inquired of Assistant Town Manager Freeman if the illustration needs to reflect the measurements to the property line and not to the pavement edges. He commented that the illustration makes it seem that a fence can be built within or on Town rights of way. Discussion ensued regarding the wording of the definition and illustration. Assistant Town Manager Freeman stated that Town staff would make a change to the illustration of the sight triangle. Discussion continued regarding the measuring distance that should be established from the point of the intersection of extended pavement edges. Mr. Litton inquired of Assistant Town Manager Freeman as to what sight distance most localities have. Assistant Town Manager Freeman advised that 15 feet is what the Town of Blacksburg has for their sight triangle distance. Discussion ensued regarding the size of front yards and how the size would work with the sight triangle size. Assistant Town Manager Freeman stated that he is comfortable with 20 feet being set for the sight triangle, but he thinks that 25 feet would be too much. He inquired if the Commissioners had any other thoughts or comments. Mr. Tate remarked that Blacksburg has the same illustration. Assistant Town Manager Freeman reiterated that he copied the illustration directly from their Zoning Ordinance. Mr. Tate commented that he understands the intent, but he feels that someone will review the illustration and definition and interpret the definition of sight triangle differently somehow. Assistant Town Manager Freeman advised that Town staff will revise the definition and illustration, revise the sight triangle to 20 feet and bring the revisions back to the Planning Commission for further review. Mr. Wittwer inquired of Assistant Town Manager Freeman if the Zoning Ordinance includes the enforcement of shrubbery, etc. Assistant Town Manager Freeman advised that he does not think it does, but Town staff will review the ordinance further. Town Manager Moore commented that he feels that if the Commissioners drive around town, they will see that this is not being enforced. Assistant Town Manager Freeman continued to review the proposed regulations for fences and walls with the Planning Commission members. He depicted pictures of the proposed fence and wall regulation illustrations to the Commissioners for their review. The Commissioners continued to discuss the front yard, rear yard and side yard fencing regulations that often arise. Assistant Town Manager Freeman addressed Mr. Litton's concerns from the last meeting regarding the way the language was presented for fences and walls. He referred to the fences and walls quick reference chart included in the Planning Commission package. Mr. Litton noted that the chart looks great now. Assistant Town Manager Freeman inquired if there were any further questions or comments. Mr. Varney inquired if the Commissioners could get a copy of the diagram that Assistant Town Manager Freeman presented earlier in the meeting. Assistant Town Manager Freeman advised that Town staff would be happy to email copies or have copies of the diagram for the Planning Commissioners to pick up. It was the consensus of the Commission for Town staff to email the diagram to them. Mr. Varney thanked Town staff for the hard work on the proposed definitions, etc. Mr. Ervin inquired if there were any further questions or comments regarding the fencing/wall regulations. There being none, he proceeded with the agenda.

RE: MOTOR VEHICLE TOWING OR WRECKER SERVICE

Chairman Ervin advised that the next agenda item is the continued review of the proposed regulations regarding Motor Vehicle Towing or Wrecker Service. Assistant Town Manager Freeman discussed the incidental use definition which was discussed at the last meeting. He also discussed revising the use listed in the B-2 Business Zoning District. Assistant Town Manager Freeman expressed to the Planning Commission that, as discussed at the last meeting, it is proposed to add "Towing or Wrecker Service" as a permitted only use in M-2 Industrial Zoning Districts. Mr. Litton inquired of Assistant Town Manager Freeman as to how the Town is going to allow someone who is in the towing business to be legal. He inquired if the Town would tell the business that they would have to start performing auto repair. Assistant

Town Manager Freeman explained that if the Planning Commission feels this is the correct way, then it has to be an incidental use in the Zoning Ordinance. He commented that a public hearing would have to be held by the Planning Commission, the Planning Commission would make a recommendation to the Town Council, the Council would hold a public hearing and, if the ordinance is adopted by the Council, the businesses that are currently operating as stand alone towing services would become nonconforming uses. He noted that those businesses would be allowed to do this as long as they did not discontinue use on that particular lot for a period of two years. Assistant Town Manager Freeman remarked that he does not feel like any of the stand alone towing and wrecker services are creating any of the issues that seem to be upsetting the neighborhoods. Mr. Litton commented that this is exactly his point. Assistant Town Manager Freeman stated that he would like for the Planning Commission to research this more before making any final decisions. Discussion continued regarding the Motor Vehicle Towing or Wrecker Services proposed regulations. Assistant Town Manager Freeman inquired of the Commission if they were satisfied with the two proposed definitions in the package and not taking any action at this meeting. Chairman Ervin inquired of Assistant Town Manager Freeman if Town staff would bring any changes and/or suggestions back to the Planning Commission for review to the January 2021 meeting. Assistant Town Manager Freeman stated that is correct. Chairman Ervin inquired if there was any further discussion regarding the proposed regulations regarding Motor Vehicle Towing or Wrecker Service. There being none, he proceeded with the agenda.

RE: DEERFIELD SUBDIVISION

Chairman Ervin advised that the next agenda item is the review of the proposed change to the final plat for the Deerfield Subdivision. Town Manager Moore stated that there is a brief Staff Report in the Planning Commission package explaining the Deerfield Subdivision proposed change to the final plat. He commented that the Commission needs to decide if they have an issue placing a structure on the lot that was previously designated as green space. He noted that Mr. Andy Kegley is attending the meeting, if the Commissioners have any questions. The Commission members stated that they did not see any reason why the final plat could not be revised. Discussion ensued regarding the setbacks of the lot in the subdivision. Mr. Varney inquired of Mr. Kegley if the house is going to be built uniform like everything that is currently in the Deerfield Subdivision.

Mr. Andy Kegley was recognized and stated that there is only a blueprint house at this time. Mr. Varney inquired of Mr. Kegley if the house would be uniform with the other houses in the subdivision. Discussion continued regarding the placing of the house on the vacant lot. Mr. Varney inquired of Town Manager Moore if this change requires a motion from the Planning Commission. Town Manager Moore advised that the Planning Commission will need to make a motion to make a recommendation to the Wytheville Town Council regarding the change to the final plat. Chairman Ervin inquired if there is a motion to recommend to the Council that the revision be approved in the subdivision for the lot to be used for residential use rather than green space. Mr. Varney inquired if the motion needs to include anything regarding the setbacks of the lot. Vice-Chairman Jones commented that he thinks if someone wants to build in the subdivision, they should be required to follow the rules that are in place. Town Manager Moore advised that is correct, however, the question raised was because the other subdivision was based on the previous setback requirements. He noted that he does not think the Town will run into any major problems following the present rules. Chairman Ervin inquired if the motion needs to be reworded. Vice-Chairman Jones stated that the motion needs to include that a builder would adhere to the present rules for the Town. Mr. Tate noted that he would second the motion, if the motion states "present setback requirements" instead of "rules" as Vice-Chairman

Jones noted. A motion was made by Vice-Chairman Jones and seconded by Mr. Tate to recommend to the Council that the revision be approved in the subdivision for the lot to be used for residential use rather than green space, and that a builder would adhere to the present setback requirements. Chairman Ervin inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Kenny W. Ervin, John W. Jones, Jr., Cathy D. Pattison, Bradford M. Litton, M. Bradley Tate, Kevin L. Varney, George F. Wittwer. Against: None.

RE: DOG PARKS

Chairman Ervin advised that the next agenda item is further discussion regarding dog parks. Town Manager Moore stated that there is a letter included in the package that was sent to the neighborhood where the balloon water tower is located. He advised that, to date, there have been no comments received regarding the letter that was mailed approximately one week ago. Town Manager Moore stated that it would be a good idea to wait until the next meeting to give residents time to receive the mailing and submit comments to Town staff. Vice-Mayor Pattison inquired of Town Manager Moore where the water spigot is on the proposed site, and if he could depict it on the map. Town Manager Moore advised that he did not know where it was, however, he thinks it is near the garden area. Mr. Tate inquired of Town staff what would be the preferred entrance, and if it would be off of Cove Road or Rolling Hills Drive. Town Manager Moore stated that Rolling Hills Drive is a less traveled area, and it would be easier to get in and out of the park rather than from Cove Road. He commented that Town staff wanted residents to know that the Town is considering this area as a potential dog park and that this is the potential footprint. Town Manager Moore remarked that money for the dog park has been mentioned. He stated that the budget is definitely a deciding factor, and the park may have to be installed in phases through grant funds, etc. Discussion continued regarding the potential dog park on Cove Road. Mr. Varney noted that he likes the design and flow of the proposed dog park. Town Manager Moore advised that Town staff will bring back any comments that are received to the next Planning Commission meeting for review. Chairman Ervin inquired if there was any further discussion regarding the dog parks. There being none, he proceeded with the agenda.

RE: COMPREHENSIVE PLAN UPDATE

Chairman Ervin advised that the next agenda item is the review of the Housing Goal and Objectives of the Comprehensive Plan. Mr. Woods continued to review the Housing Goal and Objectives that were included in the package. He advised that the main goal is to provide quality housing for all the citizens of the town. Chairman Ervin inquired if there are any comments regarding the Comprehensive Plan. There being none, he proceeded with the agenda.

RE: DISPENSING WITH DECEMBER MEETING

Chairman Ervin advised that the next agenda item is to discuss dispensing with the December meeting due to Christmas holidays. A motion was made by Vice-Chairman Jones and seconded by Mr. Varney to dispense with the December meeting due to the Christmas holiday. Chairman Ervin inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Kenny W. Ervin, John W. Jones, Jr., Cathy D. Pattison, Bradford M. Litton, M. Bradley Tate, Kevin L. Varney, George F. Wittwer. Against: None.

RE: DISCLOSURE OF REAL ESTATE HOLDINGS

Town Manager Moore advised that Town Clerk Corvin will be mailing the Planning Commissioner's Disclosure of Real Estate Holdings forms soon. Town Clerk Corvin noted that the forms will be mailed near the end of December, and they cannot be dated or returned to the Clerk's office before January 1, 2021.

RE: ADJOURNMENT

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (7:00 p.m.).

Kenny W. Ervin, Chairman

Sharon G. Corvin, CMC, Town Clerk