



AGENDA
Wytheville Planning Commission
Thursday, August 13, 2020
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 July 9, 2020
- D. **PUBLIC HEARING**
 - 1. Consider the following amendments to the Town of Wytheville Zoning Ordinance regarding Motor Vehicle Towing or Wrecker Service: Article III, Definitions; Article XI-Business District B-2 (General); Section 11-1 Use Regulations; Article XII-Industrial District M-1, Section 12-1 Use Regulations; Article XII-M-Industrial District M-1M, Section 12-1M Use Regulations; Article XIII-Industrial District M-2, Section 13-1 Use Regulations
- E. **RECOMMENDATION TO TOWN COUNCIL**
 - 1. Consider the following amendments to the Town of Wytheville Zoning Ordinance regarding Motor Vehicle Towing or Wrecker Service: Article III, Definitions; Article XI - Business District B-2 (General); Section 11-1 Use Regulations; Article XII-Industrial District M-1, Section 12-1 Use Regulations; Article XII-M-Industrial District M-1M, Section 12-1M Use Regulations; Article XIII-Industrial District M-2, Section 13-1 Use Regulations
- F. **CITIZENS' PERIOD**
 - 1. Presentation of a resolution to Dr. Terrance Suarez commending him for his service to the Wytheville Planning Commission
 - 2. Others
- G. **OTHER BUSINESS**
 - 1. Discuss the possible rezoning of 675, 705, 725, 745, 765 and 795 Fairview Road, which is located on the west side of Fairview Road between Ager Drive and North Fourth Street, from M-1 Industrial to R-3 Residential

2. Review of the Transportation Goal and Objectives and the associated maps of the Comprehensive Plan

H. **ADJOURNMENT**

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE PLANNING COMMISSION
HELD IN THE COUNCIL CHAMBERS ON THURSDAY, AUGUST 13, 2020, AT 6:00 P.M.**

Members present: Kenny W. Ervin, John W. Jones, Jr., Bradford M. Litton, M. Bradley Tate, George F. Wittwer

Members absent: Cathy D. Pattison, Kevin L. Varney

Others present: Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Director of Operations T. Brian Freeman, Town Attorney/Director of Administrative Services Christopher R. Menerick, Landscaping Consultant John Woods, Coy McRoberts, D.J. Cook, Terry Suarez

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 July 9, 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. Tate to approve the minutes of the regular meeting of July 9, 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., Bradford M. Litton, M. Bradley Tate, George F. Wittwer. Against: None.

RE: PUBLIC HEARING – MOTOR VEHICLE TOWING OR WRECKER SERVICE

Chairman Ervin advised that the meeting constituted a public hearing (due notice having been given) to consider the following amendments to the Town of Wytheville Zoning Ordinance regarding Motor Vehicle Towing or Wrecker Service: Article III, Definitions; Article XI-Business District B-2 (General); Section 11-1 Use Regulations; Article XII-Industrial District M-1, Section 12-1 Use Regulations; Article XII-M-Industrial District M-1M, Section 12-1M Use Regulations; Article XIII-Industrial District M-2, Section 13-1 Use Regulations. Town Manager Moore explained that the proposal is to legitimize towing and wrecker services in town and to place that use in specific zoning districts. He continued to explain the proposed amendments to the Zoning Ordinance to the Commissioners. Chairman Ervin inquired if anyone had any questions or comments for Town Manager Moore regarding the Motor Vehicle Towing or Wrecker Service proposed amendment changes. He stated that there are a couple of citizens listed on the sign in sheet who may wish to address the Planning Commission during this public hearing. Chairman Ervin inquired if Mr. Coy McRoberts wished to speak during the public hearing. Mr. McRoberts stated that his grandson, Mr. D.J. Cook, would like to address the Planning Commission regarding the Motor Vehicle Towing or Wrecker Service public hearing.

Mr. D.J. Cook was recognized and stated that he resides at 369 Sheffey School Road in Max Meadows. He noted that he and his grandfather, Mr. Coy McRoberts, own McRoberts Auto, LLC, and they are trying to bring their business to town. Mr. Cook explained that they have found a location, and they are trying to set up a storage lot for vehicles. He noted that the vehicles would only be at the storage lot for 30 days maximum, and after the paperwork is

complete with the Department of Motor Vehicles (DMV), etc., they would be relocating the vehicles back to their other lot, which is located in the county. Mr. Cook explained that he was told that they could not store vehicles on the lot located in town, therefore, he is trying to see if he can get this changed to where he could rent the lot from the current owner and use it for a small office and storage lot. He commented that the lot is located on Cassell Road. Director of Operations Freeman advised that the lot is the former Fowlkes Machinery lot, which is located on Cassell Road and adjacent to Tractor Supply. He stated that it is located in a B-2 Business Zoning District. Mr. Cook noted that he thinks he is required to have a six foot privacy fence for State Police inspections. He noted that there will be cameras to ensure safety of the property. Director of Operations Freeman stated that he has discussed Mr. Cook's request with Town Building Official Tim Spraker. He noted that in a business district, towing services are only allowed incidental to a garage or a repair shop, and this would be, basically, a lot full of inoperable vehicles. Mr. Cook reiterated that the vehicles would only be on the lot for a maximum of 30 days, and afterwards, when the vehicles are abandoned, etc., the vehicles will be relocated to their bigger lot, which is located on Sheffey School Road in the county, until they can get titles for the vehicles and disburse of them. Mr. Litton inquired if Mr. Cook would presently need to be located in an industrial zone to operate this type of business. Town Manager Moore stated that is correct. He noted that there is the option of Mr. Cook applying for a Special Exception Permit and/or a rezoning of the property, but, obviously, a Special Exception Permit request would be the preferred method. Discussion ensued regarding the procedure that would follow once Mr. Cook filed his paperwork for a Special Exception Permit request. Mr. Cook thanked the Planning Commission for allowing him to speak during the public hearing. Chairman Ervin thanked Mr. Cook for his comments. He inquired if there were other citizens who wished to address the Planning Commission during this public hearing. Chairman Ervin inquired if any of the Commission members had any questions or comments. There being none, he declared the public hearing closed and proceeded with the agenda.

RE: RECOMMENDATION TO TOWN COUNCIL – MOTOR VEHICLE TOWING OR WRECKER SERVICE

Chairman Ervin advised that the next agenda item is for the Planning Commission to make a recommendation to the Town Council to consider the following amendments to the Town of Wytheville Zoning Ordinance regarding Motor Vehicle Towing or Wrecker Service: Article III, Definitions; Article XI-Business District B-2 (General); Section 11-1 Use Regulations; Article XII-Industrial District M-1, Section 12-1 Use Regulations; Article XII-M-Industrial District M-1M, Section 12-1M Use Regulations; Article XIII-Industrial District M-2, Section 13-1 Use Regulations. He explained that the amendments to the Zoning Ordinance are to add the definition of "Motor Vehicle Towing or Wrecker Service," and to add this use as an incidental use in the B-2 Business Zoning District and to add this use in the Zoning Districts of M-1 Industrial, M-1M Industrial and M-2 Industrial. Chairman Ervin inquired if there is a motion for the Planning Commission to recommend to the Town Council that the amendments to the Zoning Ordinance be approved or denied. A motion was made by Vice-Chairman Jones and seconded by Mr. Tate to recommend to the Town Council to approve revising the Town of Wytheville Zoning Ordinance regarding Motor Vehicle Towing or Wrecker Service to include: Article III, Definitions; Article XI-Business District B-2 (General); Section 11-1 Use Regulations; Article XII-Industrial District M-1, Section 12-1 Use Regulations; Article XII-M-Industrial District M-1M, Section 12-1M Use Regulations; Article XIII-Industrial District M-2, Section 13-1 Use Regulations. 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., Bradford M. Litton, M. Bradley Tate, George F. Wittwer. Against: None.

RE: CITIZENS' PERIOD – PRESENTATION OF RESOLUTION

Chairman Ervin advised that the next agenda item is the presentation of a resolution commending Dr. Terrence E. Suarez for his service to the Wytheville Planning Commission. Chairman Ervin stated that the resolution read as follows:

RESOLUTION

WHEREAS, the Planning Commission of the Town of Wytheville, Virginia, desires to express its appreciation for the service of Dr. Terrance E. Suarez to the Planning Commission; and,

WHEREAS, Dr. Suarez is deserving of recognition for his meritorious service to the Town of Wytheville Planning Commission; and,

WHEREAS, Dr. Suarez served the Town of Wytheville Planning Commission from December 11, 2011, to March 2, 2020; and,

WHEREAS, Dr. Suarez successfully completed the Virginia Certified Planning Commissioner's Program through the Citizens Planning Education Association of Virginia, Incorporated to become a Certified Planning Commissioner; and,

WHEREAS, Dr. Suarez worked diligently and faithfully on complex planning issues for the betterment of the Town; and,

WHEREAS, the Planning Commission, through the adoption of this resolution, expresses its esteem and respect.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the Town of Wytheville, Virginia, officially commends Dr. Terrance E. Suarez for his outstanding service to the Wytheville Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission of the Town of Wytheville, Virginia, extends to Dr. Terrance E. Suarez its best wishes for future successes.

Chairman Ervin presented the resolution to Dr. Suarez, and a photograph was taken.

RE: CITIZENS' PERIOD

Chairman Ervin advised that the next agenda item is Citizens' Period. He noted that no one listed on the sign in sheet stated that they wished to address the Planning Commission during Citizens' Period, therefore, he would proceed with the agenda.

RE: REVIEW POSSIBLE REZONING OF PROPERTIES ON FAIRVIEW ROAD

Chairman Ervin advised that the next agenda item is to discuss the possible rezoning of 675, 705, 725, 745, 765 and 795 Fairview Road, which is located on the west side of Fairview Road between Ager Drive and North Fourth Street, from M-1 Industrial to R-3 Residential. He noted that Director of Operations Freeman will review this information with the Commissioners. Director of Operations Freeman stated that most of the properties located on Fairview Road were located in an M-2 Industrial Zone, however, they have been subdivided and have

subsequently been developed into residential lots. He noted that as the area develops, the Town would like to revisit what the zoning for this area should be. Director of Operations Freeman commented that as the Planning Commission is aware, residences are allowed to locate in M-1 Industrial Zoning Districts, which is what has happened in this particular location. He expressed that Town staff feels like it would be appropriate for the Planning Commission to consider rezoning this area to R-3 Residential. Director of Operations Freeman continued to lead the discussion regarding if the Planning Commission should consider rezoning the properties on the west side of Fairview Road south of Ager Drive to R-3 Residential. Chairman Ervin inquired if this would require a public hearing. Town Clerk Corvin stated that is correct. Chairman Ervin inquired of the Commission if they are in favor of the rezoning. Discussion continued regarding this rezoning. Mr. Litton inquired of Director of Operations Freeman regarding the buffer yard. He inquired what hindrance would it cause to the properties that are correctly zoned now and are currently using it as the intended use of M-1 Industrial, which are mainly the factories. Director of Operations Freeman commented that there is nothing that he can think of unless there was an expansion, etc., which is something that the factory could do by right. He noted that the Town could, at that point, state if they would allow it or ask them to provide the buffer yard. Discussion continued regarding the unique situation of having residences located in Industrial Zones. Mr. Wittwer remarked that the residents who complain about having industries, storage units and other items that are permitted uses which are allowed in Industrial Zoning Districts all purchased their houses in an Industrial Zone knowing that there was industrial activity around them. Director of Operations Freeman stated that is correct. Mr. Wittwer inquired if someone is now requesting for a rezoning of this property. Director of Operations Freeman advised that he is not aware of anyone requesting the rezoning, but, in general, the Planning Commission should be zoning properties for their use, especially if there is a cluster of properties with the same type of use. Mr. Litton noted that he agrees with the rezoning, but he feels like the property owners who purchased residential properties should have known what could have become of that property. He noted that he does not feel like the buffer yard is a huge hindrance. Director of Operations Freeman stated that is correct, and that it would require a row of trees in a 20 foot green space between a property owner and any factory expansion. The Planning Commissioners continued to discuss this proposed rezoning. Vice-Chairman Jones inquired if the property owners are agreeable to a rezoning. Town Manager Moore stated that Town Staff has not inquired of the property owners at this time. It was the consensus of the Planning Commission for Town Staff to contact the property owners located at 675, 705, 725, 745, 765 and 795 Fairview Road to inquire of them if they are interested in the rezoning of their property.

RE: COMPREHENSIVE PLAN UPDATE

Chairman Ervin advised that the next agenda item to the review of the Transportation Goal and Objectives and the associated maps of the Comprehensive Plan. Director of Operations Freeman stated that he would review the maps provided in the Commissioner's package. He noted that the only change on exhibit five, which is the street classification plan, is the addition of Community Boulevard, and it was classified as an arterial street. He commented that there was a section of Nye Road, from Lithia Road to Peppers Ferry Road, that was reclassified as an arterial street. Director of Operations Freeman stated that on exhibit six, which is the plan for road/street improvements, is the Madison Street connection. He continued to explain to the Commissioners what this connection would offer. Director of Operations Freeman stated that on Tazewell Street, near the Homestead property, there will be some improvements to try to eliminate a few accidents. He noted that those two are the main improvements on exhibit six that he wanted to mention to the Planning Commission. Director of Operations Freeman remarked that exhibit seven is the bicycle route. Landscape Architect John Woods commented

that the exhibit adds the bicycle route into the Comprehensive Plan. He continued to explain the proposed changes to the Commission. Director of Operations Freeman advised that exhibit 13 includes the Heritage Walkway, as well as other sidewalk extensions, streetscapes, walking paths, parks, etc. Director of Operations Freeman stated that there have been extensive changes to the Transportation Goals and Objectives. He noted that one of the things that the Virginia Department of Transportation (VDOT) has been working with Town staff on over the last year is developing a plan to upgrade the signalization along emergency routes. He explained that VDOT has a lot of concerns about moving traffic efficiently when the interstate shuts down, typically for wrecks. Director of Operations Freeman commented that in those instances, VDOT would like to be able to take control of the Town signals through WIFI, and control those to move that traffic along that route more efficiently. He continued to explain this goal and objective to the Commissioners. Director of Operations Freeman stated that another Transportation Goal and Objective is an attempt to make an improvement on North 4th Street where Holston Road and the Interstate 81 southbound interchange come together. He continued to explain this goal and objective to the Planning Commissioners. Director of Operations Freeman advised that another Transportation Goal and Objective would be the realignment of Monroe Street on West Lee Highway. He discussed this proposed goal and objective with the Commissioners. Director of Operations Freeman inquired if any of the Planning Commissioners had any questions regarding the Transportation Goals and Objectives. Mr. Tate stated that he had a comment regarding the South 4th and Calhoun Streets intersection near Collins Body Shop. He inquired if there has been a lot of accidents at this intersection. Mr. Freeman stated that he would have to research this inquiry because he is not sure. Mr. Tate commented that he thinks this is a very unsafe intersection, and it may be an intersection that Town Staff may want to add to the list. Director of Operations Freeman noted for the Commissioners to review the information and bring any questions or comments back to another meeting. He remarked that there has also been an extensive rewrite of the narrative section of the Transportation section of the Comprehensive Plan. Mr. Freeman noted that he would ask the Commissioners to review this section, as well, and bring any questions or comments back to the next meeting. He stated that VDOT has reported that there is a significant decrease in traffic, currently, therefore, they have noted that they should take last year's traffic numbers and reduce them by 25 percent across the board. He noted that Town staff wanted to point this out. Mr. Wittwer stated that he found this report to be very interesting. He inquired if any of the projects have funding secured yet or does this still have to be done. Mr. Woods advised that the Holston Road and Monroe Street alignment have been recommended for funding through the Smart Scale System as eligible, and the applications for funding were mailed yesterday. He noted that the Town should hear if the funding has been approved by the end of 2020. Mr. Freeman inquired of Mr. Woods if it would be funded 100 percent. Mr. Woods stated that is correct. Discussion ensued regarding the Holston Road alignment. Vice-Chairman Jones inquired if VDOT has thought anymore about extending East Main Street straight across the interstate to Lovers Lane. Mr. Freeman stated that this proposal is still in the Transportation Goal and Objectives. He noted that he and Town Manager Moore discussed this earlier in the day, but with the County opting to go a different route with their connection from Exit 73/Nye Road over to Progress Park, they are looking to receive funding, as well, through the Smart Scale System. Mr. Freeman commented that Town Staff tried to get the County to go in the direction that Vice-Chairman Jones was referring to but was unsuccessful. Town Manager Moore explained that the County has chosen to come off Nye Road and head to Progress Park on that powerline ridge that goes through Progress Park. Mr. Litton stated that he thinks the County was approved for this project. Discussion continued regarding the Progress Park project near Nye Road and Exit 73. Chairman Ervin inquired if there were any further questions or comments.

RE: ADJOURNMENT

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (6:39 p.m.).

Kenny W. Ervin, Chairman

Sharon G. Corvin, CMC, Town Clerk