



AGENDA
Wytheville Planning Commission
Thursday, March 11, 2021
6:00 p.m.
Council Chambers
150 East Monroe Street
Wytheville, Virginia 24382

- A. **CALL TO ORDER** — Chairman John W. Jones, Jr.
- B. **ESTABLISHMENT OF QUORUM** — Chairman John W. Jones, Jr.
- C. **CONSENT AGENDA**
 - 1. Minutes of the regular meeting of February 11, 2021
- D. **PUBLIC HEARING**
 - 1. Consider amending the following sections of the Town of Wytheville Zoning Ordinance to add crematoriums as an ancillary use to funeral homes: Article VII-A – Residential District R-2 FH, Section 7-1A Use Regulations; Article XI – Business District B-2 (General), Section 11-1 Use Regulations; Article XI-A – Business District B-2 DT General Business District – Downtown, Section 11-2A Use Regulations; and, Article XII – Industrial District M-1, Section 12-1 Use Regulations
- E. **RECOMMENDATION TO TOWN COUNCIL**
 - 1. Consider amending the following sections of the Town of Wytheville Zoning Ordinance to add crematoriums as an ancillary use to funeral homes: Article VII-A – Residential District R-2 FH, Section 7-1A Use Regulations; Article XI – Business District B-2 (General), Section 11-1 Use Regulations; Article XI-A – Business District B-2 DT General Business District – Downtown, Section 11-2A Use Regulations; and, Article XII – Industrial District M-1, Section 12-1 Use Regulations
- F. **CITIZENS' PERIOD**
- G. **OTHER BUSINESS**
 - 1. Continued review of fencing/wall regulations in residential, business and industrial districts
 - 2. Further review of proposed regulations regarding Motor Vehicle Towing or Wrecker Service businesses
 - 3. Review of the Land Use Goal and Objectives of the Comprehensive Plan
- H. **ADJOURNMENT**

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE PLANNING COMMISSION
HELD IN THE COUNCIL CHAMBERS ON THURSDAY, FEBRUARY 11, 2021, AT 6:00 P.M.**

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

Members absent: None

Others present: Mayor Beth A. Taylor, Town Manager Stephen A. Moore, Assistant Town Manager T. Brian Freeman, Town Clerk Sharon G. Corvin, Assistant Planning Director John Woods, Patricia Austin, Carolyn Young, Glenda Crockett-Eans, Kerry Eans, Leonard Davis

RE: CALL TO ORDER, QUORUM

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

RE: CONSENT AGENDA

Chairman Jones presented the consent agenda consisting of the minutes of the regular meeting of January 14, 2021. 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-Mayor Pattison and seconded by Vice-Chairman Wittwer to approve the minutes of the regular meeting of January 14, 2021, as presented. Chairman Jones 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: John W. Jones, Jr., George F. Wittwer, Cathy D. Pattison, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate, Kevin L. Varney. Against: None.

RE: PUBLIC COMMENT SESSION – REVITALIZATION AREA

Chairman Jones advised that the next agenda item is a public comment session to consider the designation of a revitalization area for the part of town bounded generally by the following: Calhoun Street to the east, Jefferson Street to the southeast and 8th Street to the northwest. He noted that to date Town staff has received no comments regarding this proposed revitalization area. Chairman Jones advised that there is no one listed on the sign in sheet who stated that they wished to address the Planning Commission regarding this public comment session, however, if anyone wished to speak, they may do so at this time. There being no one who wished to address the Planning Commission during the public comment session, Chairman Jones declared the public comment session closed and proceeded with the agenda.

RE: RECOMMENDATION TO TOWN COUNCIL – REVITALIZATION AREA

Chairman Jones advised that the next agenda item is for the Planning Commission to make a recommendation to the Town Council regarding the designation of a revitalization area for the part of town bounded generally by the following: Calhoun Street to the east, Jefferson Street to the southeast and 8th Street to the northwest. He inquired if Town Manager Moore had any comments. Town Manager Moore commented that the Town staff report was self explanatory, unless the Commission members had any particular questions. Town Manager Moore explained that there were three telephone inquiries regarding the revitalization area, however, none of those callers were opposed to the revitalization. Chairman Jones inquired if there is a motion to make a recommendation to the Town Council regarding the designation of a revitalization area for the part of town bounded generally by the following: Calhoun Street to the east, Jefferson Street to the southeast, and 8th Street to the northwest. A motion was made by Vice-Mayor Pattison and seconded by Mr. Varney to recommend to the Town Council the designation of a revitalization area for the part of town bounded generally by the following: Calhoun Street to the east, Jefferson Street to the southeast and 8th Street to the northwest. Chairman Jones 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: John W. Jones, Jr., George F. Wittwer, Cathy D. Pattison, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate, Kevin L. Varney. Against: None.

RE: CITIZENS' PERIOD

Chairman Jones advised that the next agenda item is Citizens' Period. Chairman Jones proceeded with the agenda.

RE: FENCING/WALL REGULATIONS

Chairman Jones advised that the next agenda item is the further review of fencing/wall regulations. He noted that Assistant Town Manager Freeman will continue to discuss the issue of fencing/wall regulations with the Planning Commission. Assistant Town Manager Freeman stated that nothing has really changed since the last meeting, however, there have been a few comments that came out of the meeting, and he will discuss those with the members who were absent last month. He continued to review the proposed changes to the definitions section of General Provisions, the regulations for fences and walls in all zoning districts, the setback lines and the reference chart that was included in each Planning Commission package. Assistant Town Manager Freeman inquired of the Planning Commissioners if there were any questions or comments regarding any of the material enclosed in their packets. He noted that earlier in the day, that he, Town Manager Moore and Town Clerk Corvin discussed the fact that there is the potential for three public hearings to be on the next Planning Commission agenda. Assistant Town Manager Freeman commented, therefore, he is not sure that the Planning Commission is ready to schedule a public hearing for the fencing/wall regulations, at this time. He noted that if the Planning Commission concurs and is not inclined to have three hearings at the next meeting, then Town staff will place this item on the agenda for further review and schedule a public hearing at a later date. Mr. Litton inquired if residential zoning districts are the only zones where changes will be made. Assistant Town Manager Freeman advised that, currently, the changes will be made in all zones. Mr. Litton commented that the changes make sense in Residential Zones, but in Business Zones or primarily Industrial Zones, he did not think those areas make sense. He remarked that an example of a nice fence right on the property line is located at East End Cemetery on Peppers Ferry Road. He inquired of Town staff if that fence would be in compliance with the proposed regulations. Assistant Town Manager Freeman explained that the front yard would be limited to four feet in height, therefore, technically, it would make it a nonconforming fence. Mr. Litton commented that there are a lot of those fences around town. He noted that his thought is that the proposed fence/wall regulations should only be for the residential zoning districts. Mr. Litton remarked that possibly all other zones should receive another set of regulations. Assistant Town Manager Freeman stated that one of the things that he found interesting while researching the fencing/wall regulations was that the Town, basically, does not have any fencing provisions for nonresidential zones. He inquired of Mr. Litton if he is suggesting to allow a fence that is six feet in height in business zones. Mr. Litton gave several examples of fences at businesses, etc., in different zones, where the fence on the property line makes sense. Assistant Town Manager Freeman commented that the M-1 Industrial Zoning District, technically, requires a fence no shorter than six feet in height. Discussion continued regarding the fence/wall regulations. It was the consensus of the Planning Commission for Town staff to address the issues discussed regarding the proposed fencing/wall regulations and bring the revisions to the regulations back to the next meeting.

Mr. Varney stated that he agreed with Mr. Litton regarding having specific fencing/wall regulations for those businesses that are not in residential zones and having other regulations for the other zoning districts. Assistant Town Manager Freeman remarked that he thinks Town staff will be able to revise the regulations to where they make sense for all the zoning districts. Chairman Jones inquired of the Commissioners if there were any other questions or comments regarding the fencing/wall regulations. There being none, he proceeded with the agenda.

RE: MOTOR VEHICLE TOWING OR WRECKER SERVICE

Chairman Jones advised that the next agenda item is the continued review of proposed regulations regarding Motor Vehicle Towing or Wrecker Service businesses. Assistant Town Manager Freeman advised that there really has not been any change to these regulations. He remarked that Town staff had hoped that the Commissioners would continue to think about this, come back to this meeting with some good feedback and allow Town staff to continue to study the proposed regulations before making the final changes. He continued to discuss the changes made to the regulations at the last meeting. Assistant Town Manager Freeman noted information regarding the Town and State Code mirroring each other in reference to automobile graveyards. He noted that this topic is controversial, and it is a topic that will be difficult. Assistant Town Manager Freeman continued to update the Commission members who were absent at the last meeting on the proposed regulations discussed in regard to Motor Vehicle Towing or Wrecker Service businesses. Vice-Chairman Wittwer inquired of Assistant Town Manager Freeman if the State requires a stormwater maintenance plan for what is being proposed. Assistant Town Manager Freeman commented that he is familiar with Stormwater Pollution Prevention Plans (SWPPP) to a certain extent. He noted that, typically, the Town sees SWPPP on construction sites where disturbances are in excess of an acre, therefore, Town staff will need to investigate this further. Mr. Varney inquired of Town staff if a form could be established through the town for businesses to use for their customers dropping off a vehicle that would require them to state that they acknowledge that they only have a certain amount of time to pick up their vehicle before the process begins to have their vehicle removed from the business. He noted that it would be something that the Town would require of the garage.

Assistant Town Manager Freeman commented that he thinks that could be possible. He explained that he studied different surrounding localities regarding this matter, and they all have different practices. He noted that some localities require a conditional use permit for each of these types of business, which he feels should be considered. Assistant Town Manager Freeman continued to explain what the permit would state. Discussion continued regarding the proposed regulations regarding Motor Vehicle Towing or Wrecker Service businesses. Chairman Jones inquired if there were any other questions or comments regarding Motor Vehicle Towing or Wrecker Service businesses. There being none, he proceeded with the agenda.

RE: CREMATORIUMS

Chairman Jones advised that the next agenda item is to set a public hearing to amend the Town of Wytheville Zoning Ordinance to include crematoriums as an ancillary use to funeral homes in the following districts: R-2 FH Residential, B-2 DT General Business District – Downtown and M-1 Industrial. He noted that the Town Council reviewed this matter at their meeting on January 25, 2021, and they accepted the recommendation of the Planning Commission, therefore, it will now be necessary to set a public hearing to place the use into the Zoning Districts. Chairman Jones inquired of the Planning Commission if there is a motion to set the public hearing. A motion was made by Mr. Litton and seconded by Vice-Chairman Wittwer to set a public hearing for the March 11, 2021, Planning Commission meeting, at 6:00 p.m., in the Council Chambers of the Municipal Building to amend the Town of Wytheville Zoning Ordinance to include crematoriums as an ancillary use to funeral homes in the following districts: R-2 FH Residential, B-2 DT General Business District – Downtown and M-1 Industrial. Chairman Jones inquired of the Planning Commission if there was any discussion on the motion to set the public hearing. There being none, the motion was approved with the following voting in favor and there being no opposition: For: John W. Jones, Jr., George F. Wittwer, Cathy D. Pattison, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate, Kevin L. Varney. Against: None.

RE: DOG PARKS

Chairman Jones advised that the next agenda item is to review cost estimates to develop a dog park. He noted that the Planning Commission has discussed possibly developing the Town owned property on Cove Road into a dog park. Assistant Planning Director John Woods stated that the Planning Commissioners will find enclosed in their package a cost estimate to develop a dog park at the Cove Road location. He commented that he had received several questions regarding the dog park, and, he has incorporated the answers into his presentation. Assistant Planning Director Woods continued to discuss the presentation with the Planning Commission of the proposed dog park at the Town owned property on Cove Road. He stated that the total cost estimate for the dog park at the balloon tank site with a Cove Road entrance is \$141,135, and the total cost estimate for the dog park at the balloon tank site with both a Cove Road and a Rolling Hills Drive entrance is \$218,135. Assistant Planning Director Woods explained that the estimates he prepared is on the lower end compared to some of the dog parks he researched. He noted that this estimate is assuming that Town forces will perform the concrete work for the entrances, therefore, the estimate only reflects the prices for the material cost. Vice-Mayor Pattison inquired of Assistant Planning Director Woods where a couple of benches could be placed in the park. Assistant Planning Director Woods stated that, normally, the benches would be placed along the fence area and closer to the entrance. He explained that benches are not included in the cost estimate, but he thinks they are approximately \$1,000 for each bench. Mr. Tate inquired of Town staff if a project like this would be phased out or how would the Town go about funding a project like this. Town Manager Moore stated that the Town Council is discussing setting aside a certain amount annually to fund the project, and it could also be done with the start of a few amenities and work into it before the full dog park is complete. Vice-Chairman Wittwer inquired of Town Manager Moore if the Town has ever discussed soliciting business sponsorships. Town Manager Moore stated that the Town has not approached the topic at this time. He noted that it is certainly an option. Chairman Jones remarked that regarding the benches, the Town might get a few different civic organizations to purchase a bench with a plaque stating who donated the bench because that is not unheard of for a civic organization to do. Mr. Litton commented that, the substantial cost is the asphalt. Assistant Director of Planning Woods commented that the asphalt is a large expense no matter which site is picked for the dog park. Mr. Litton recommended milling versus asphalt due to the cost. Discussion continued regarding the type of entrances, parking, etc. that would be affordable and acceptable for the dog park. Mr. Tate stated that he really likes the balloon tank site, however, he thinks that funding is a key issue. He remarked that if grant funding is available for the dog park, then he would certainly choose asphalt. Mr. Tate explained that he would like to see the project come to fruition, however, if grant funding is not available, then he agrees with Mr. Litton and maybe the Town needs to start out with asphalt millings or start out with a gravel parking lot to save money. He noted that the dog park could get under construction in phases, so that the asphalt could be installed later, along with the fence. Vice-Mayor Pattison inquired of Town staff where the drinking fountains would be located. Assistant Director of Planning Woods noted that

there would be a drinking fountain located in each of the dog exercise areas. Discussion ensued regarding the drinking stations. Mr. Varney stated that the presentation discussed mulch, and he can see where mulch will get messed up, and the cost estimate does not include mulch in it. Assistant Director of Planning Woods stated that is correct. He explained that the assumption has been that the Town will start out trying to use grass and the tree chippings from the Public Works Department. Mr. Varney inquired of Town staff if the Town has researched what the budget is to maintain the dog park annually. Assistant Director of Planning Woods stated that the Town has not done this research. Discussion ensued regarding what additional maintenance the dog park would require. Mr. Ervin inquired of Town staff if the dog park would require an employee to be on site. Assistant Director of Planning Woods advised that most dog parks do not have an employee on site. Town Manager Moore remarked that when he visited the Blacksburg dog park a few years ago, it was unmanned. He noted that the Blacksburg dog park is relatively low cost. He noted that it adds to the maintenance budget for the Public Works Department, but not necessarily a large amount. Mr. Ervin inquired of Town staff if the dog owner would be required to stay on site. Town Manager Moore stated that is correct. He noted that the dog owner is required to clean up after their dogs before leaving the park. Town Manager Moore explained that the trash is emptied on a daily basis. Mayor Taylor inquired of Town staff how the Town of Blacksburg handles dog bite situations. Town Manager Moore explained that when he discussed this with Blacksburg, they stated that it was a civil matter, and it is left up to the dog owners. He commented that there is a notice listing the rules of operation posted at the entrance to their dog park. Town Manager Moore continued to explain how the Town of Blacksburg operates their dog park. Assistant Director of Planning Woods noted that the Town of Blacksburg has a Facebook page that is very active, if the Commissioners would like to view it to see how it operates. Vice-Mayor Pattison commented that the Town provides garden spots for citizens at the Cove Road location. She inquired of Town staff if there are four acres of land, and if there would be enough room for both a dog park and the garden spots. Assistant Director of Planning Woods stated that it would be up to Town Council to keep the garden spots. He commented that since the Episcopal Church provides a community garden on Spring Street, the use of the community garden on Cove Road has dropped off significantly. Vice-Mayor Pattison inquired of Town staff if the trees located on the Cove Road property would be used for the dog park. Assistant Director of Planning Woods stated that is correct. Chairman Jones discussed the paving of the dog park, and he noted that the Town may be able to get a deal on the leftover asphalt milling when the Town is paving streets. He noted that a limit will also need to be set on the weight of the vehicles allowed to go in and out of the park. Chairman Jones inquired if there were any other questions or comments regarding the dog park. There being none, he proceeded with the agenda.

RE: COMPREHENSIVE PLAN UPDATE

Chairman Jones advised that the next agenda item is the review of the Historic Preservation Goal and Objectives of the Comprehensive Plan. He noted that Assistant Planning Director Woods will briefly review this portion of the Comprehensive Plan with the Commissioners. Assistant Planning Director Woods continued to highlight the additions and deletions to the Historic Preservation Goal and Objectives of the Comprehensive Plan, which are enclosed in the Planning Commissioner's packages. Town Manager Moore noted that the Spiller Annex property would need to be added to this list. Assistant Planning Director Woods inquired of the Planning Commission if there were any other questions regarding the update. Chairman Jones thanked Mr. Woods for the update. He noted that the Truss Bridge property is a very nice addition to the Town, and it is being utilized. Mr. Tate inquired of Town staff when the next phase of the Heritage Walk would begin. Town Manager Moore advised that Phase III is currently underway. Discussion continued regarding Heritage Walk Phase III. Chairman Jones inquired of the Planning Commission if there were any other comments. There being none, he proceeded with the agenda.

RE: SNOW REMOVAL

Chairman Jones stated that since the Mayor and Vice-Mayor were attending the meeting, he would like to state that the Town did an excellent job with snow removal the past few times that it has snowed. He commented that he has received numerous comments regarding how good of a job the Town crews have done removing the snow. Assistant Town Manager Freeman explained that he would relay the message to Director of Public Works Chris Peebles because he is sure the Public Works Department would like to hear the good feedback. Chairman Jones inquired of the Planning Commission if there were any other comments. There being none, he proceeded with the agenda.

RE: CITIZENS' PERIOD

Chairman Jones revisited Citizens' Period. Ms. Patricia Austin was recognized and advised that she represents Bethel AME Church. She commented that the church had a meeting with Town staff in December 2020, requesting funding and discussing a plan for the house owned by their

church. She noted that due to the budget, the house was put on hold for revitalization. Ms. Austin inquired of Town staff as to how the house could be put back on the list for funding. She continued to discuss her request for funding and the future plans for the Bethel AME Church located on Main Street. Ms. Austin thanked the Planning Commission for allowing her to speak. Town Manager Moore noted that Town staff will place the Bethel AME Church in the Comprehensive Plan. Chairman Jones thanked Ms. Austin for her comments. Chairman Jones inquired of the Planning Commission if there were any other comments. There being none, he proceeded with the agenda.

RE: ADJOURNMENT

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (7:15 p.m.).

John W. Jones, Jr., Chairman

Sharon G. Corvin, CMC, Town Clerk