



AGENDA
Wytheville Planning Commission
Thursday, February 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 January 14, 2021
- D. **PUBLIC COMMENT SESSION**
 - 1. 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
- E. **RECOMMENDATION TO TOWN COUNCIL**
 - 1. 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
- F. **CITIZENS' PERIOD**
- G. **OTHER BUSINESS**
 - 1. Further review of fencing/wall regulations
 - 2. Continued review of proposed regulations regarding Motor Vehicle Towing or Wrecker Service businesses
 - 3. 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
 - 4. Review cost estimates to develop a dog park
 - 5. Review of the Historic Preservation 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, JANUARY 14, 2021, AT 6:00 P.M.**

Members present: Kenny W. Ervin, John W. Jones, Jr., Cathy D. Pattison, Bradford M. Litton

Members absent: M. Bradley Tate, Kevin L. Varney, George F. Wittwer

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

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 November 12, 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. Litton to approve the minutes of the regular meeting of November 12, 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. Against: None.

RE: ELECTION OF OFFICERS

Chairman Ervin advised that the next agenda item is the election of a new Chairperson and Vice-Chairperson for the year 2021. He noted that, at this time, nominations will be taken. Chairman Ervin stated that, customarily, the Vice-Chairperson is elected as the Chairperson. He remarked that if the Planning Commission continues this practice, it will be Mr. John Jones' turn to serve as the Chairperson. A motion was made by Mr. Litton and seconded by Vice-Mayor Pattison to close the nominations and elect Mr. John W. Jones, Jr. as the new Wytheville Planning Commission Chairperson. 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. Against: None.

Chairman Jones remarked that it would now be necessary for the Planning Commission to elect a Vice-Chairperson for 2021. He noted that nominations could be taken, or, by custom, it will be Mr. George Wittwer's turn to serve as Vice-Chairperson. Chairman Jones inquired of the Commission if there was a motion to elect Mr. Wittwer as Vice-Chairperson for 2021. A motion was made by Vice-Mayor Pattison and seconded by Mr. Ervin to close the nominations and elect Mr. George W. Wittwer as the 2021 Vice-Chairperson of the Wytheville Planning Commission. 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: Kenny W. Ervin, John W. Jones, Jr., Cathy D. Pattison, Bradford M. Litton. Against: None.

RE: CITIZENS' PERIOD

Chairman Jones advised that the next agenda item is Citizens' Period. He noted that Mr. Benny Lynn is attending the Planning Commission meeting to address the Commission during Citizens' Period in regard to the agenda item about a proposed housing project in the Country Club Heights subdivision, therefore, he would revisit Citizens' Period following the agenda item discussion. He noted that unless the Commissioners disagree, he would move to agenda the item regarding the Country Club Heights Subdivision. Chairman Jones proceeded with the agenda.

RE: COUNTRY CLUB HEIGHTS SUBDIVISION

Chairman Jones advised that the next agenda item is the discussion regarding a proposed housing project in the Country Club Heights subdivision. He noted that in May of 2018, preliminary approval was given to the developers of the Country Club Heights subdivision, which is located off Dodgion Street. Chairman Jones commented that there have been questions by some of the neighbors regarding this development. He stated that Town Manager Moore will briefly discuss this matter with the Planning Commission members. Town Manager Moore advised that each of the Commission members have a copy of the proposed subdivision drawing. He noted that there is also a depiction on the television screen, which shows the proposed subdivision from Mr. Melton and Mr. Edwards. Town Manager Moore stated that he

needed to make it very clear, however, that Town staff has not received a request for final approval of this subdivision. He commented that some months ago, if the Commissioners will recall, or possibly even a year ago, the Town received a preliminary subdivision plat very similar to this drawing, but it is not in the final stages. He explained that since that time, the preliminary approval that the Planning Commission gave for the subdivision plat has expired, therefore, the drawing that the Commissioners see before them at this meeting is what has since been submitted to the Town Engineering Department by Mr. Melton and Mr. Edwards. Town Manager Moore reiterated that they have not requested a final approval of this subdivision. He noted that the Town's Engineering Department has responded with comments relative to this subdivision, but all those comments have not been addressed, and the Town has not received a final approval request. Town Manager Moore stated that he thinks Mr. Benny Lynn saw this drawing approximately a week or so ago, and, he would like to note to Mr. Lynn that, originally, the property was zoned when it was annexed into the town. Town Manager Moore noted that four lots in the proposed subdivision would be in an R-2 Residential Zoning District with Conditions. He commented that those conditions, based on the minutes of the meeting at the time, were that those lots could contain two units per building rather than the normal four units per building that would be allowed by the R-2 Residential Zone. Town Manager Moore stated that there is the opportunity for the four lots at the end of the proposed subdivision to include a duplex or a patio home with two ownerships in the building.

Mr. Benny Lynn was recognized and stated that he resides at 505 South Petunia Road. He advised that would like to thank the Planning Commission for everything they have done for this beautiful town. He commented that he has lived in the same neighborhood for 30 or 35 years, and since he has moved there, there have been 17 homes built. Mr. Lynn noted that there are nice homes in his neighborhood, and he and his neighbors were concerned when the boundary adjustment was made. He remarked that, at the time, he and his neighbors thought that the subdivision owners were wanting to build patio homes. Mr. Lynn stated that patio homes are owned by individuals. He noted that duplexes are somewhat different. Mr. Lynn continued to express his and his neighbors' concerns regarding the proposed 36 units to be developed in the Country Club Heights subdivision on Dodgion Street. He inquired of the Planning Commission if they would reconsider the proposed subdivision being developed in this neighborhood. Mr. Lynn stated that it is a nice community, and, if the Commissioners have the time, they should ride out to see the area before making a decision on the subdivision. Mr. Lynn inquired of the R-2C Zoning red line on the proposed plat that he was given. Town Manager Moore explained that the R-2C Zoning is R-2 Residential with Conditions. He continued to explain what the conditions were that were noted in the minutes from the meeting when the preliminary subdivision was approved by the Planning Commission. Discussion ensued regarding the conditions. Mr. Lynn reiterated that he would request that when the developer submits another plat for approval that they take into consideration that the neighborhood was under the impression that the developer would strictly be allowing patio homes to be built in the subdivision. Town Manager Moore explained that if a subdivision has not been approved or even applied for, then the line could certainly be adjusted at the pleasure of the Planning Commission and Town Council. He noted that, to him, it appears that if the line is moved 250 feet to the west the problem would be solved, at least in this development. Discussion continued regarding the neighborhood wanting the subdivision to be restricted to patio homes because that is what was originally promised to them by the developers. The Commission and Mr. Lynn continued to discuss the future of the neighborhood, the proposed subdivision and the zoning of the area. Town Manager Moore stated that when reviewing the proposed lot map, if more lots are created, there will need to be another entrance created to keep all the traffic from funneling in from the South Petunia Road entrance. Mr. Litton commented that this was the exact inquiry he received, which was, at what point does a developer have to have two entrances. Town Manager Moore advised that the Virginia Department of Transportation (VDOT) has some very strict requirements on this, but he thinks the subdivision would have to fully developed before the second entrance would be an issue. He noted that he thinks the Town could request a study that would review the traffic. Discussion ensued regarding the amount of traffic that would be created from the proposed subdivision. Mr. Lynn stated that what has everyone discussing this proposed subdivision is the one duplex that has been built and the other that is under construction with plans for possibly two to three more going down Petunia Road. Assistant Town Manager Freeman stated that the R-2C Residential Zoning District would restrict them to just two duplexes. Mr. Litton commented that there are four lots. Town Manager Moore advised that there could be eight housing units on the last four lots. Assistant Town Manager Freeman commented that it is arguable that there is a fifth lot that could house a unit when the zone splits the parcel. Town Manager Moore advised that what the Town would say is that when the zone splits the parcel, the most restrictive zone prevails. He noted, therefore, the developers would be restricted to a single unit on this lot. Town Manager Moore commented that it would not be unheard of for the neighborhood to request that the area be rezoned to R-1 Residential at least to the property line of certain landowners. He remarked that Mr. Lynn would definitely want to bring a petition or something from the neighborhood requesting that, and he might even want to try to get buy ins from the present developers that this is not going to destroy their plans. Discussion continued regarding the future plans for the subdivision including the cost to develop the subdivision, etc. Mr. Lynn

thanked the Planning Commission for allowing him to address them regarding this agenda item. Chairman Jones thanked Mr. Lynn for his comments.

Chairman Jones noted that his only concern is the entrance to the proposed subdivision. He commented that he can remember when the Loretto Subdivision was built and the entrance that were there at the time got blocked, the question was how emergency vehicles were supposed to get into the subdivision. Chairman Jones stated that when the Town's Engineering Department reviews the proposed subdivision, if it moves forward, that there be another entrance/exit for the subdivision. He inquired if there were any other comments or questions. Mr. Litton inquired of Assistant Town Manager Freeman as to how far the entrance would be required to be from Old Stage Road for compliance. Assistant Town Manager Freeman stated that as of now, the proposed subdivision would be approximately 1,600 feet in a dead straight line from the cul-de-sac. Mr. Litton noted that it would be a steep entrance off Old Stage Road. Town Manager Moore stated that is correct. Mr. Litton commented that from what he heard, the issue with the subdivision seems to be the four lots with the idea that there is going to be an assembled duplex on Petunia Road. He noted that if the lot line was moved westward, it would address those four lots, but it would not address another 100 or so acres that are there that the Commission can presume will be developed. Mr. Litton remarked that he sees the neighborhoods' concern, however, the zoning is already set, and until it is changed or the lot line is moved or conditions are added to the subdivision, there is not much left to do. Discussion ensued regarding the proposed subdivision and the concerns of the neighborhood. Town Manager Moore advised that Town Staff and the Town Engineering Department will continue to review this subdivision and its access, the number of lots, etc. He noted that Town Staff will place this on a future Planning Commission agenda to discuss zoning in this area. Chairman Jones inquired if there were any other comments regarding the Country Club Heights Subdivision. There being none, he proceeded with the agenda.

RE: FENCING/WALL REGULATIONS

Chairman Jones advised that the next agenda item is the continued review of fencing/wall regulations. He noted that Assistant Town Manager Freeman will continue to discuss this matter with the Planning Commission. Assistant Town Manager Freeman stated that Town Staff would like to review the changes that were made since the last Planning Commission meeting. He noted that Town Staff does not suggest the Planning Commission to take any action at this meeting due to several members being absent. Assistant Town Manager Freeman continued to note the changes to the Definitions section of the General Provisions – Fences and Walls, the sight triangle drawing, the proposed regulations for fences and walls for all zones, etc. He noted that to clarify some of the questions the Commissioners had at the last meeting, Town Staff created a reference chart. Assistant Town Manager Freeman continued to discuss the fencing/wall regulations in the Zoning Ordinance. He inquired if there were any questions regarding the reference chart. Discussion ensued regarding the proposed fencing/wall regulations and the height of the fences, solidity, etc. Mr. Litton inquired if an agricultural fence is currently exempt. Town Manager Moore stated that the Zoning Ordinance does not state one way or another. Assistant Town Manager Freeman inquired of the Commission if there was anything else they would like Town Staff to review regarding the fencing/wall regulations. He noted that if they can think of anything, please let Town Staff know because Staff does not want to schedule a public hearing until it is felt as though all of the details are worked out with the proposed regulations. 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 further review of proposed regulations regarding Motor Vehicle Towing or Wrecker Service businesses. Assistant Town Manager Freeman will continue to discuss ideas concerning this issue with the Planning Commission members. Assistant Town Manager Freeman advised that Town Staff wanted to review what was discussed in the last meeting, and then allow everyone to think about those comments before making any hasty changes. He explained that there have been no changes about the definitions. Assistant Town Manager Freeman stated that the definition for "Incidental Use" needed some parameters. He commented that there was some opposition against Towing or Wrecker Services being stand alone businesses. He noted that he agreed that there needs to be an area in town where these business owners can operate as a stand-alone business. He explained that Town Staff has revised this to state that in an M-1, M-1M and M-2 Industrial Zones a Motor Vehicle Towing or Wrecker Service is allowed as a stand alone operation, and it does not have to be incidental to a service station, auto garage or sales and service. Assistant Town Manager Freeman commented that, as far as he knows, the Town has not received a single complaint on 103 Towing and Wrecker Service, which is owned by Mr. Clay Bush and is a stand-alone business. He noted that it is important to not allow these stand-alone businesses in the business zones. He remarked that if they want to be incidental to a service station, auto

garage or sales and service, then this is one matter, but Town Staff does not think that they should be a stand-alone towing service. Assistant Town Manager Freeman commented that, legally, the Town has to give the business owners a place to operate as a stand-alone business, and the industrial zones make the most sense to do so. Discussion ensued regarding the zoning of the businesses. Assistant Town Manager Freeman stated that the next item is for the Planning Commission to review inoperative vehicles and their regulations. He continued to discuss inoperative vehicles with the Planning Commission. Assistant Town Manager Freeman stated that if the Planning Commission had any thoughts regarding the changes to the revisions of inoperative vehicles to please contact Town Staff before the next meeting. Mr. Litton inquired if any enforcement has been focused on any particular area in town at this time or if the Town Police Department is allowed to do so. Assistant Town Manager Freeman stated that right now, the only focus on enforcing it has just been in the Agriculture, Residential and Business Zoning Districts, but it is only focused on residences and not businesses who are in the business of dealing with inoperative vehicles. Discussion continued regarding inoperative vehicles and auto shops, residential lots, etc. Assistant Town Manager Freeman expressed that before a public hearing is set, he would like for the Planning Commission to review this further because Town Staff would like to make sure that the businesses can operate fairly, but, also, to the neighborhoods are protected where they are operating in. Mr. Litton and Vice-Mayor Pattison commented that they felt like Town staff is on the right path with the revisions they have made. 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: ZONING ORDINANCE INTERPRETATION

Chairman Jones advised that the next agenda item is the interpretation of the Town of Wytheville Zoning Ordinance to determine the zoning districts in which a crematorium should be permitted. He noted that the Zoning Ordinance does not address the use of crematoriums in any zoning district. Town Manager Moore explained that the Zoning Ordinance does tend to be silent on the issue of crematoriums. He noted that it does not show crematoriums as a permitted or not permitted use. Town Manager Moore explained that when Grubb Funeral home reworked their entire facility and tore down the old one, they had plans for a new one and a crematorium was permitted as a part of the plans in the B-2 DT General Business District – Downtown. He commented that Town Staff had no negative comments about this, and, maybe even some positive comments from the funeral home directors in the area because they no longer have to send the deceased to Radford, Christiansburg or elsewhere to have them cremated in a timely manner. Town Manager Moore remarked that he did receive the question from someone who lives in an adjacent neighborhood when it was being proposed as a part of the building plans as to what the conditions were for a crematorium. He advised that a crematorium does have to be permitted by the Department of Environmental Quality (DEQ), which is what he told the person who inquired. He expressed that he has not heard any complaints, so, apparently, the crematorium has not been a problem to be in operation. Town Manager Moore stated that the question for the Planning Commission is should the Town allow crematoriums to operate as an ancillary use to a funeral home. He commented that Town Staff has reviewed some reference guides and what other communities have done, and for the most part, crematoriums are permitted as a part of funeral home operations or they are not. Town Manager Moore stated that since there is already a crematorium in operation and it appears to be operating feasibly well with no disruption to the adjacent neighborhood, that it would be reasonable to assume that the one could say that crematoriums are permitted as an ancillary use or auxiliary use to funeral homes. He noted that it would be the Planning Commission's decision. Chairman Jones inquired if the Commissioners had any comments or questions regarding the crematoriums. Mr. Litton stated that to have everything under one roof makes sense to him. He noted that, at first, he would think that the crematorium should be in an industrial zone, however, he would not want to see a funeral home in an industrial zone. Chairman Jones commented that, basically, what he is stating is that crematoriums should be an ancillary use to a funeral home. Mr. Litton stated that is correct. Chairman Jones commented that he has been told that now, crematoriums are odorless, smokeless, etc., therefore, he is not sure what the issue would be because it is something that society has come to accept as part of a funeral home business. He stated that his feeling is that the Planning Commission needs to recommend to the Town Council that crematoriums be an ancillary use to funeral homes. Mr. Litton inquired if this needs to be in the form of a motion. Town Manager Moore stated that is correct. A motion was made by Mr. Litton and seconded by Mr. Ervin to make a recommendation to the Wytheville Town Council to allow crematoriums as an ancillary use to funeral homes. Chairman Jones inquired of the Planning Commission if there was any discussion on the motion to make the recommendation to the Town Council. 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. Against: None.

RE: DOG PARKS

Chairman Jones advised that the next agenda item is continued discussion regarding dog parks. He noted that, as the Commission is aware, Town staff contacted the residents in this area to gather their thoughts on using this land for a dog park. Councilman Jones advised that to date, two comments have been received, which are enclosed in the Commission packets. Town Manager Moore stated that the comments are relatively positive with the exception that one person would like to make sure that the area adjacent to this entire property is fenced off to keep the humans out of their property. He noted that the dog park did not seem to raise too many concerns in the neighborhood, therefore, the Planning Commission may want to investigate further, but it looks like this has the potential to be a good location for a dog park. He noted that one comment was to fence the entire property, which would add to the cost of the dog park. Town Manager Moore continued to discuss the potential dog park site with the Planning Commission members regarding the comments that were received. He noted that Town Staff is finding that this may be a reasonable location for the dog park. Vice-Mayor Pattison stated that she would like to receive a cost estimate for the dog park to present to the Town Council because she is sure that cost is of utmost importance right now. Town Manager Moore advised that Town Staff will have a cost estimate to provide for the next meeting. Mr. Litton inquired of Town Manager Moore as to what size the fenced area would be. Town Manager Moore stated that it was meant to be approximately one acre. Discussion continued regarding the cost of the cost of the dog 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: GUIDELINES FOR CONSIDERING REVITALIZATION AREAS

Chairman Jones advised that the next agenda item is to consider a revitalization area on Calhoun Street bounded by Jefferson Street and South 8th Street. Assistant Town Manager Freeman stated that the Town received an inquiry from Wytheville Redevelopment and Housing Authority (WRHA) Executive Director Randy Martin regarding the possibility of adding to the current revitalization zoned designated areas another area. He continued to discuss Mr. Martin's request for the revitalization on Calhoun Street bounded by Jefferson Street and South 8th Street with the Planning Commission. Assistant Town Manager Freeman commented that he and Town Manager Moore feel that it would be necessary for the Planning Commission to schedule a public comment session to consider the designation of the revitalization area for the area just described, which could be scheduled for the Thursday, February 11, 2021, Planning Commission meeting. He noted that Mr. Martin is in somewhat of a hurry to get his financing, etc. moving with the Virginia Housing Development Authority (VHDA). Assistant Town Manager Freeman depicted on the map the area that Mr. Martin would propose to revitalize. Discussion continued regarding this agenda item. Town Manager Moore stated that Mr. Martin would like to demolish the house that is currently located on property and build an apartment and convert the two office buildings into apartments. Assistant Town Manager Freeman commented that Mr. Martin is contemplating one or two bedroom units. He noted that he has the demand for over 100 of these types of units. Vice-Mayor Pattison stated that she is delighted to hear this. Town Manager Moore inquired if it is the consensus of the Planning Commission to schedule the public comment session for the next meeting. It was the consensus of the Wytheville Planning Commission to schedule a public comment session at 6:00 p.m. on Thursday, February 11, 2021, in the Council Chambers of the Municipal Building 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. Chairman Jones inquired of the Planning Commission if there were any other comments. There being none, he proceeded with the agenda.

RE: SETBACK REGULATIONS IN BUSINESS ZONING DISTRICTS

Assistant Town Manager Freeman advised that Wytheville Redevelopment and Housing Authority (WRHA) Executive Director Randy Martin faces the same issue each year, which is setback regulations in business zones. He noted that Mr. Martin will soon face this same issue with the proposed revitalization area. He continued to give examples of these issues. Assistant Town Manager Freeman stated that Town Staff is proposing a provision in the Zoning Ordinance to allow the Zoning Administrator/Town Manager to make a determination on these old converted buildings when they are being converted from business to residential in business zones, particularly in B-2 DT General Business District – Downtown. He noted that there are no setback requirements for businesses in those zones, therefore, in some regard, Town Staff thinks that residents in those zones might need to be offered some of the same capability when renovating an old building. Discussion ensued regarding this issue. Town Manager Moore noted that with this provision, it would keep repetitive requests from going before the Board of Zoning Appeals. He commented that Town Staff will bring this back before the Planning Commission, but staff wanted the Commission to know this is going to be hurried because Mr. Martin will need to know if this is going to change in the Zoning Ordinance or if he will need to go before the Board of Zoning Appeals. Discussion ensued as to when a public hearing would need to be

scheduled. Chairman Jones inquired if there were any other comments. There being none, he proceeded with the agenda.

RE: DISCLOSURE OF REAL ESTATE HOLDINGS

Town Manager Moore advised that Town Clerk Corvin would remind the Planning Commissioners if their Disclosure of Real Estate Holdings forms have not been returned, to please do so as soon as possible.

RE: ADJOURNMENT

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (7:27 p.m.).

John W. Jones, Jr., Chairman

Sharon G. Corvin, CMC, Town Clerk