



**AGENDA**  
**Wytheville Planning Commission**  
**Thursday, September 10, 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 August 13, 2020
- D. **CITIZENS' PERIOD**
- E. **OTHER BUSINESS**
  - 1. Set a public hearing to consider the request of McRoberts Auto, LLC and Donald W. Cook, Jr. for a Special Exception Permit to operate a Towing Service Storage Lot on property located on the northwest side of Cassell Road running parallel to Longview Drive, in a B-2 Business District
  - 2. Continued discussion regarding 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
  - 3. Review of rear yard fencing regulations
  - 4. Review of the Environmental Goal and Objectives of the Comprehensive Plan
  - 5. Review of the 2019-20 Annual Report
- F. **ADJOURNMENT**

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE PLANNING COMMISSION  
HELD IN THE COUNCIL CHAMBERS ON THURSDAY, SEPTEMBER 10, 2020, AT 6:00 P.M.**

Members present: Kenny W. Ervin, John W. Jones, Jr., Cathy D. Pattison, George F. Wittwer

Members absent: Bradford M. Litton, M. Bradley Tate, Kevin L. Varney

Others present: Mayor Beth A. Taylor, Town Manager Stephen A. Moore, 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 August 13, 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. Wittwer to approve the minutes of the regular meeting of August 13, 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., George F. Wittwer. Against: None. Abstentions: Cathy D. Pattison. Vice-Mayor Pattison advised that she abstained from voting to approve the minutes due to her absence from the August 13, 2020, Planning Commission meeting.

**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: SPECIAL EXCEPTION PERMIT REQUEST – MCROBERTS AUTO, LLC/DONALD W. COOK, JR.**

Chairman Ervin advised that the next agenda item is to set a public hearing to consider the request of McRoberts Auto, LLC and Donald W. Cook, Jr. for a Special Exception Permit to operate a Towing Service Storage Lot on property located on the northwest side of Cassell Road running parallel to Longview Drive, in a B-2 Business District. Town Manager Moore advised that as the Commission will see in the Staff Report, the lot is located in a B-2 Business Zoning District, and because it is a towing and wrecker service only, this would not be incidental use, therefore, the request requires a Special Exception Permit. Discussion continued regarding the request. Chairman Ervin inquired if there is a motion to set a public hearing to consider the request of McRoberts Auto, LLC and Donald W. Cook, Jr. for a Special Exception Permit to operate a Towing Service Storage Lot on property located on the northwest side of Cassell Road running parallel to Longview Drive, in a B-2 Business District, which could be held at the October 8, 2020, Planning Commission meeting, at 6:00 p.m. A motion was made by Vice-Mayor Pattison and seconded by Vice-Chairman Jones to set a public hearing to consider the request of McRoberts Auto, LLC and Donald W. Cook, Jr. for a Special Exception Permit to

operate a Towing Service Storage Lot on property located on the northwest side of Cassell Road running parallel to Longview Drive, in a B-2 Business District for the Wytheville Planning Commission meeting to be held Thursday, October 8, 2020, at 6:00 p.m., in the Council Chambers. 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. George F. Wittwer. Against: None.

**RE: REZONING OF VARIOUS PROPERTIES ON FAIRVIEW ROAD**

Chairman Ervin advised that the next agenda item is the continued discussion regarding 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. Town Manager Moore stated that as the Planning Commission is aware, Town Staff has been working to make sure that the zoning reflects the actual use of the properties, and these are properties that were subdivided and zoned M-1 Industrial. He commented that there is an apartment, a house and a group home that have all been built on the subdivided property. Town Manager Moore remarked that, ultimately, there will be nine more townhouse like structures built on the vacant property. Town Manager Moore explained that Town Staff felt like this was a good opportunity to exercise some discretion and rezone the property to residential use. He advised that Town Staff sent letters to all of the property owners, and Town Staff has heard from two of them. He noted that their comments are attached and made a part of the minutes. Town Manager Moore stated that the Planning Commission would need to set a public hearing, if they would like to rezone the properties. Chairman Ervin inquired if there is a motion to set a public hearing regarding 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. A motion was made by Vice-Chairman Jones and seconded by Mr. Wittwer to set a public hearing regarding 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 for the Wytheville Planning Commission meeting to be held Thursday, October 8, 2020, at 6:00 p.m., in the Council Chambers. 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. George F. Wittwer. Against: None.

**RE: REAR YARD FENCING REGULATIONS**

Chairman Ervin advised that the next agenda item is the review of the rear yard fencing regulations. Town Manager Moore noted that the Town's Zoning Ordinance states that fences that are in the front and side yard must be less than four feet high and 50 percent open, which means that 50 percent of the fence's surface would be seen. He remarked that since the rear yard is determined by the rearmost portion of the house on a lot, oftentimes, the homeowner cannot screen decks with an eight foot tall solid fence. Town Manager Moore continued to explain the current fencing regulations to the Planning Commission. Vice-Mayor Pattison inquired if staff will present the schematics stated in the Staff Report. Town Manager Moore presented the schematics to the Commissioners to better demonstrate the difficulties the homeowners encounter. He continued to explain the schematics to the Planning Commission. Vice-Chairman Jones inquired of Town Manager Moore if the eight foot high fence could be built on the edge of the property. Town Manager Moore depicted on the schematics where the fence could be built. Discussion continued regarding the rear yard fencing regulations. Town Manager Moore stated that he wanted the Planning Commission to understand before the changes were

made to the regulations. Chairman Ervin inquired if Town Staff would make the revisions to the rear yard fencing regulations for the Planning Commission to review at the next meeting. He noted that this would require a public hearing. Town Manager Moore stated that is correct. It was the consensus of the Planning Commission for Town Staff to revise the rear yard fencing regulations as discussed and present the changes at the next meeting. Chairman Ervin inquired if there were any further questions or comments regarding the fencing regulations. There being none, he proceeded with the agenda.

#### **RE: COMPREHENSIVE PLAN UPDATE**

Chairman Ervin advised that the next agenda item to the review of the Environmental Goal and Objectives of the Comprehensive Plan. Town Manager Moore inquired if any of the Commissioners had any questions for Town Staff regarding the Environmental Goal and Objectives of the Comprehensive Plan. Vice-Mayor Pattison commented that she did not have a chance to review all of the material, therefore, she would like to continue reviewing it, if that is acceptable to the other members. It was the consensus of the Planning Commission to continue to review the Environmental Goal and Objectives of the Comprehensive Plan at the next meeting in October. Town Manager Moore stated that another section of the Comprehensive Plan would be presented to the Planning Commission for review, as well. Chairman Ervin inquired if there were any other comments regarding the Comprehensive Plan. There being none, he proceeded with the agenda.

#### **RE: 2019-20 PLANNING COMMISSION ANNUAL REPORT**

Town Manager Moore advised that the next agenda item is the review of the 2019-20 Annual Report. He noted that the report is submitted to the Town Council, which shows the activity over the past year and identifies objectives in the Comprehensive Plan. Vice-Chairman Jones stated that he would recommend that Vice-Mayor Pattison submit the portions of the report that she thinks need to be brought to the attention of the Council. Chairman Ervin inquired if there is a motion to adopt the 2019-20 Planning Commission Annual Report and submit the report to the Wytheville Town Council for approval. A motion was made by Vice-Chairman Jones and seconded by Mr. Wittwer to adopt the 2019-20 Planning Commission Annual Report and submit the report to the Wytheville Town Council for approval. 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. George F. Wittwer. Against: None.

#### **RE: DOG PARKS**

Vice-Mayor Pattison advised that she had an inquiry regarding a dog park in the town. She noted that she would like to see the Planning Commission revisit this topic at the next meeting. Vice-Mayor Pattison commented that she would like to see the Commission find a desirable location for a dog park. Town Manager Moore noted the water tower property owned by the Town and commented that this idea could be discussed with the Council to see if they would be interested, and if they are, Town Staff will approach the property owners in the area with a letter to discuss the idea and see if they have any objections. Discussion ensued regarding a dog park in the town. Mr. Wittwer inquired of Town Staff regarding dog waste stations, and if these could be installed throughout town. Landscaping Consultant Woods explained that once upon a time, places to install the stations had been marked, however, throughout time, the markings have disappeared. Town Manager Moore stated that these can be remarked, and the stations can be installed. Landscaping Consultant Woods explained that the Comprehensive Plan will

identify sites around town that would be conducive as park sites, and some of the others have the potential to be a dog park, which is something that the Planning Commission can review. Vice-Mayor Pattison inquired of Mr. Woods if he could provide the Commissioners with a list of potential dog park sites for the next meeting. Mr. Woods stated that he would provide a list of potential sites for the Commissioners to review at the next meeting. Chairman Ervin inquired of Town Manager Moore if it would be his recommendation for the Planning Commission to request the Council to review the water balloon site as a potential dog park site before considering other sites. A motion was made by Vice-Chairman Jones and seconded by Mr. Wittwer to request the Town Council to review the water tower property as a potential dog park site. 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. George F. Wittwer. Against: None.

**RE: JAKE BRAKE USAGE**

Mr. Wittwer inquired of Town Staff if there is any Town Code or ordinance that limits large trucks from using jake brakes when coming through town. Town Manager Moore explained that this topic has been discussed by the Council, and some signage has been erected, however, the question is how much enforcement the Town can do. Discussion continued regarding the use of jake brakes.

**RE: ADJOURNMENT**

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (6:27 p.m.).

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Kenny W. Ervin, Chairman

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Sharon G. Corvin, CMC, Town Clerk