



**AGENDA**  
**Wytheville Planning Commission**  
**Thursday, July 13, 2017**  
**6:00 p.m.**  
**Council Chambers**  
**150 East Monroe Street**  
**Wytheville, Virginia 24382**

- A. CALL TO ORDER** — Chairman Kevin L. Varney
- B. ESTABLISHMENT OF QUORUM** — Chairman Kevin L. Varney
- C. CONSENT AGENDA**
  - 1. Minutes of the regular meeting of June 8, 2017
- D. PUBLIC HEARING**
  - 1. Consider proposed amendments to Article III of the Zoning Ordinance regarding the definitions for "Automobile Graveyard" and "Junkyard"
- E. RECOMMENDATION TO TOWN COUNCIL**
  - 1. Consider proposed amendments to Article III of the Zoning Ordinance regarding the definitions for "Automobile Graveyard" and "Junkyard"
- F. CITIZENS' PERIOD**
- G. OTHER BUSINESS**
  - 1. Discussion regarding possible locations for a Town owned dog park
  - 2. Discussion regarding where sidewalks should be constructed in neighborhoods currently without sidewalks
  - 3. Further discussion of appropriate future zoning for Exit 73 area
- H. ADJOURNMENT**

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE PLANNING COMMISSION  
HELD IN THE COUNCIL CHAMBERS ON THURSDAY, JUNE 8, 2017, AT 6:00 P.M.**

Members present: Kevin L. Varney, M. Bradley Tate, Terrance E. Suarez, Cathy D. Pattison, Joseph E. Hand, Jr., Bradford M. Litton, Kenny W. Ervin

Others present: Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Jennifer Anders, Madeline Brown, Bobby Anders, Larry Sharitz, Jack Singleton, Rebecca Beamer, Terry Beamer, Beverly Showalter

**RE: CALL TO ORDER, QUORUM**

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

**RE: CONSENT AGENDA**

Chairman Varney presented the consent agenda consisting of the minutes of the regular meeting of May 11, 2017. 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 minutes, as presented. A motion was made by Dr. Suarez and seconded by Mr. Hand to approve the consent agenda consisting of the minutes of the regular meeting of May 11, 2017, as presented. Chairman Varney 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: Kevin L. Varney, M. Bradley Tate, Terrance E. Suarez, Cathy D. Pattison, Joseph E. Hand, Jr., Bradford M. Litton, Kenny W. Ervin. Against: None.

**RE: SPECIAL EXCEPTION PERMIT REQUEST – LARRY K. SHARITZ**

Chairman Varney advised the meeting constituted a public hearing (due notice having been given) to consider the request of Mr. Larry K. Sharitz for a special exception permit to operate an auto repair shop at 140 Hillcrest Road, which is located on the north side of Hillcrest Road between Cove Road and the Town Corporate Limits, in a B-1 Business District. Assistant Town Manager Moore explained the request of Mr. Sharitz to the Planning Commission. He noted that as the Planning Commission is aware, automobile repair shops are permitted in a B-2 Business Zoning District but not a B-1 Business Zoning District, therefore, that is the reason for the request. Assistant Town Manager Moore commented that the staff report is self explanatory. He noted that if the Planning Commission has any questions, he would be glad to answer those at this time. Chairman Varney inquired of the Planning Commission if there were any questions or comments in regard to this matter. Mr. Hand inquired of Assistant Town Manager Moore if the Planning Commission should agree on recommending that the request be approved at this meeting, would the four stipulations listed in the staff report be the stipulations that are in place for the special exception permit. Assistant Town Manager Moore explained that the stipulations listed in the staff report are merely staff recommendations of things that the Planning Commission may want to consider should there be some testimony, someone who has a particular concern, etc. He noted that the stipulations could have more added or deleted. Assistant Town Manager Moore reviewed the stipulations for the citizens attending the meeting and the Commission members. Chairman Varney inquired if anyone wished to address the Planning Commission in regard to this public hearing.

Mr. Jack Singleton was recognized and stated that he has no objection to Mr. Sharitz's proposed use of the property. He noted that he knows the property, however, he would suggest

some caution. Mr. Singleton remarked that Mr. Sharitz will probably do well at the location, and citizens will get used to taking their cars there to be repaired. He commented, however, the stipulation of when, and if, a new owner takes over Mr. Sharitz's business, if he were to sell his business or turn it over to family members to continue the business, and they were to apply for a special exception permit to continue the use, this would actually be considered Spot Zoning. Chairman Varney thanked Mr. Singleton for his comments. He inquired if anyone else wished to address the Commission members in regard to this public hearing. Assistant Town Manager Moore commented that special exception permits are permitted by the State Code, and they are not considered a "Spot Zone." He stated that he wanted to make that perfectly clear to the Planning Commission. Mr. Singleton commented that he did not mean that it was Spot Zoning, and he noted that is not clear in his language sometimes. Chairman Varney inquired if there were any further questions or comments. There being no further questions or comments, Chairman Varney declared the public hearing closed and proceeded with the agenda.

### **RE: PUBLIC HEARING – CREATIVE K-9 DESIGNS**

Chairman Varney advised the meeting constituted a public hearing (due notice having been given) to consider the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District. Assistant Town Manager Moore explained the request to the Planning Commission. He noted that the property is zoned R-3 Residential. Assistant Town Manager Moore explained that the business use was allowed to continue as a nonconforming use. He noted that this new use of boarding dogs would need to have a special exception permit because the property is partially zoned R-3 Residential. Assistant Town Manager Moore expressed that the Future Land Use Map shows this property as residential property. Assistant Town Manager Moore inquired of the Commission if there were any questions for him in regard to this request. He noted that Town staff has several stipulation recommendations that are a summary of some of the things that were discussed prior to setting the public hearing. Assistant Town Manager Moore continued to explain the proposed stipulations to the Planning Commission. He noted that the Planning Commission may want to consider, but does not need to consider, these stipulations but based on the comments received at this public hearing, the Commission may want to consider the stipulations. Assistant Town Manager Moore inquired if the Commission members had any questions or comments concerning the request. Chairman Varney inquired of Assistant Town Manager Moore in regard to the stipulation of housing the dogs indoors. He noted that he would imagine that the primary reason for this stipulation would be because of the noise. Assistant Town Manager Moore stated that is correct. Mr. Litton inquired if there would be any reason to state in the recommendations "not to be housed outside." He remarked that the stipulations state "housed indoors." Assistant Town Manager Moore explained that the question at the last Planning Commission meeting was should there be a dog run allowed outdoors or will the dogs be contained inside. He noted that he thinks there was discussion that ensued both ways. Assistant Town Manager Moore remarked that he does not feel like the Commission ever reached a resolution. Mr. Litton stated that he is talking about housing, in general. He noted that the dogs will, obviously, need to go outside, but as far as being outside for 24 hours is what he was talking about. Assistant Town Manager Moore commented that Mr. Litton is correct, and the dogs would not be housed outside. Chairman Varney inquired if there was anyone who would like to address the Planning Commission regarding this public hearing. He noted that Ms. Jennifer Anders noted on the sign in sheet that she wished to address the Planning Commission.

Ms. Jennifer Anders was recognized and stated that she would like to explain to the Commission that this is a new concept for pet care and the Wytheville area. She remarked that there seems to be a lot of questions about how the dogs are going to be housed. Ms. Anders depicted in a photo of how the dogs would be housed, if the permit is approved. She continued to explain the way the dogs would be housed to the Commission members. Ms. Anders commented that she is trying to offer customers a place where she would take her dogs. Chairman Varney inquired of Ms. Anders if her plan is to try to house 10-20 dogs. Ms. Anders stated that her primary business is grooming, however, she wants to be able to offer her clients the opportunity to keep their dogs while they are out of town because the dogs are in a familiar environment. She continued to explain what she would do to the building, if she were to be granted the special exception permit. Chairman Varney inquired of Ms. Anders if she would typically only be watching the dogs for a few hours and if that is her primary objective because of the grooming. Ms. Anders explained that Chairman Varney is explaining the grooming process, however, she is requesting the permit for boarding dogs. She remarked that the dogs will stay overnight while their owners are away on vacation, etc. Ms. Anders explained that the dogs would go outside just before the office closes for the last time during their normal business day, which is 5:00 p.m. or 6:00 p.m., let them use the restroom, bring the dogs inside and put them to bed. Chairman Varney inquired of Ms. Anders how she would handle an unruly dog that, for instance, barks a lot when taken outside, etc. Ms. Anders commented that this is where training procedures come in to play. She stated that if the dog is not one that can be comfortably housed away from home, first of all, it does not need to be. Ms. Anders explained that if a dog is so rowdy that it cannot be controlled enough to go out on a leash to go to the restroom, it is not really a candidate for boarding at all. Mr. Hand stated that he has a few questions for Ms. Anders. He continued to share a story with the Commission and Ms. Anders about his own personal experience when trying to contain his own dog on a leash. Mr. Hand stated that he feels like dogs are very strong sometimes. He noted that he feels like it is a huge liability for Ms. Anders to be taking out a pet that is not contained in a fenced in area. He commented that the problem with a fenced in area is that the business is located in a zoning district where it would have to be aesthetically pleasing. Mr. Hand explained that his main concern is stipulation number six, which states that the hours of operation shall coincide with normal business hours. He remarked that 9:00 p.m. is not normal business hours, and 7:00 a.m. is typically not normal business hours, etc. Mr. Hand stated that there will be dogs barking outside at 9:00 p.m. He continued to explain his concern for the surrounding houses and their value, if a kennel were located close. Mr. Hand inquired of Ms. Anders how she would dispose of the waste from the dogs without having a concrete run. He continued to express his concerns with the other Commissioners and Ms. Anders. Mr. Hand noted that he is a dog lover, and he loves Ms. Anders' idea, however, he does not think it is the right location for the business. Ms. Anders explained to the Commissioners her plans for taking the dogs out to use the restroom, etc. She noted that her business will only be looking to board smaller dogs and that she will not be looking to board big dogs. Mr. Hand asked that Ms. Anders please explain how she planned to take care of the dogs' waste. He inquired of Ms. Anders how she takes care of it now. Ms. Anders explained her and her staff's procedures when taking dogs out to use the restroom. She noted that she would use the same procedures with dogs that she would board. Mr. Litton inquired of Ms. Anders if she was planning to build a fence. He noted that a fence is listed in the staff recommendations, but he would like to know if she had intended to build a fence. Ms. Anders expressed that she is not opposed to that idea, if she is given some leeway to do so, however, it is not something that she feels is a necessity, therefore, she would leave that decision to the Planning Commission. She remarked that another concern she has regarding the stipulations is the time limit placed on the special exception permit. Ms. Anders explained that this will be a huge investment on her side, and a lot of money is going to be instilled in this operation, therefore, she would not want to invest thousands of dollars into being able to offer

this service if, in two to three years, she could be told that she can no longer provide the service. Ms. Anders expressed that if her business is a nuisance to the community, she does not have a problem with her permit being revoked, but as long as she is not a nuisance to the community, she does not agree with that stipulation because of the amount of revenue that it will cost to put this in business. Chairman Varney inquired of Ms. Anders of the six stipulations that have been listed, which is her greatest concern. Mr. Hand stated in regard to the timeframe, it is important for her to understand that the Town Council changes, and before she invests a significant amount of money into a property that is not zoned for what the use allows, there is a risk that she will be taking. He explained that as the Town Council changes, at any point in time, a special exception permit is not guaranteed, and Ms. Anders needs to understand this before she invests into the property because the permit is not guaranteed beyond the number of years that is being recommended by the Planning Commission. Ms. Anders remarked that of the six recommended stipulations, the time limit is her biggest concern and the amount of investment that is going into the business. She commented that if it is public nuisance, she understands, however, she does not agree if the Council simply changes their mind and decides that they do not want the service allowed anymore. Chairman Varney clarified that when Ms. Anders references time limit, she is not referring to the hours of operation, but, rather, the time limit placed on the permit. Ms. Anders stated that is correct. She stated that with the hours of operation, when she discussed taking the dogs outside for a bathroom break one last time at night, she was referring only to her staff, and it would not be a time for clients to come and pick up dogs, etc. Ms. Anders expressed that it would not be time for actual business. Mr. Ervin stated that the hours of operation shall coincide with normal business hours. He noted that normal business hours to him would normally be 8:00 a.m. until 5:00 p.m. Ms. Anders advised that she normally works from 7:00 a.m. or 7:30 a.m. because a lot of her clients need early drop off. She noted that she usually finishes between 5:00 p.m. and 5:30 p.m., which, to her, are normal business hours. Ms. Anders continued to explain her business hours to the Planning Commissioners. Mr. Hand commented in regard to the remark Ms. Anders made about weight restrictions she would have for boarded dogs. Ms. Anders replied that weight restrictions on large dogs are very common in her industry. She continued to explain the restrictions to the Commissioners. Mr. Litton inquired of Ms. Anders if she would object to the Commission inserting a seventh stipulation regarding the maximum weight a dog would be allowed to weigh in order to be boarded just to address the concern. Ms. Anders expressed that she would not object to that, however, she does not see how that is a true concern. Mr. Hand explained that it is a very big concern, especially if she were to have a 60 pound dog that cannot be controlled, and that is a very serious concern for him. He noted that he would think that stipulation would need to be added for the permit to even be considered. Mr. Hand remarked that Ms. Anders stated that she would not house a dog that was too large to handle, but, yet, she is not willing to put a weight limit on the dogs. He stated, therefore, he feels that is contradicting what she stated earlier in the meeting. He inquired if he had misunderstood Ms. Anders, and that if he did, he apologized. Ms. Anders remarked that she is not stating that she would not be willing to put a weight limit on the dogs, but she does not see how that pertains to anything. Mr. Hand expressed that the weight of the dogs pertains to the restrictions in a very big way. Dr. Suarez stated that he feels like it is not so much about the weight of a dog, but, rather, if a dog is controllable. He noted that a 30 pound dog can be uncontrollable just as much as a 60 pound dog. Mr. Hand explained to the Commission his thoughts regarding the weight limit of the dogs, etc. Ms. Anders stated that for the most part, the dogs that will be boarded will be clients' dogs, therefore, they will know the dogs and be familiar with them. Chairman Varney explained that he wants Ms. Anders to know that the Planning Commission's recommendation has nothing to do with it being a good or bad idea because he thinks it is a great idea and he really likes the concept, but what the Commission has to decide is to figure out a way to accommodate Ms. Anders and, also, the rest of the members of the community, especially, within the

neighborhood. He remarked that the Commission is trying to address this from a safety standpoint or liability, and, also, from the aesthetics. Chairman Varney continued to explain to Ms. Anders the purpose behind the Planning Commission and some of the possible restrictions and questions. Mr. Litton inquired of Ms. Anders if she had a problem with installing a fence to assure that the dogs could not escape when exiting the building, etc. Ms. Anders explained to the Commission that she did not have a problem with a fence as long as it met the regulations with the fire code, etc. She continued to explain to the Commission how she could install a fence. Mr. Hand remarked that Ms. Anders stated earlier that she was willing to install a fence at some point. Ms. Anders explained that, financially, she could not install a fence at this time. Mr. Hand remarked that the fence would have to be in place before Ms. Anders could start to board dogs, should the special exception permit be issued by the Town Council. He noted that he is not trying to be so hard on Ms. Anders, however, there is a reason why kennels are not allowed in R-3 Residential Districts. Mr. Hand continued to explain his thoughts in regard to Ms. Anders' request.

Mr. Jack Singleton was recognized and stated that he would like to repeat his caution in regard to variances and special exception permits. He continued to explain to the Planning Commission his thoughts in regard to Ms. Anders' request. Mr. Singleton stated that he is the closest resident located near the business. He continued to express his thoughts in regard to Ms. Anders' request. Mr. Singleton remarked that the neighborhood is a very diverse place with an auto repair shop, apartments, woods where the kids play, etc. He thanked the Planning Commission for allowing him to speak. Chairman Varney thanked Mr. Singleton for his comments.

Ms. Beverly Showalter was recognized and stated that she lives at 690 South Fourth Street. She explained that her house is two houses away from the proposed kennel. Ms. Showalter explained that she has three concerns. She stated her first concern is if Ms. Anders is operating a kennel, a kennel is a 24 hour operation, which is not a 7:30 a.m. to 5:30 p.m. operation. She noted that the business is running, even though Ms. Anders is not at the business, the dogs will still be there, therefore, the hours concern her. Ms. Showalter expressed that her second concern is that there will be a lot of barking at night. She remarked that there will be 10-20 dogs at the facility together at night barking, and she is going to hear it. Ms. Showalter commented that over the past 16 years that she and her family have lived in their home, they have had to call the police at night for barking dogs. She noted that she is going to have to be calling the police for barking dogs if she is going to hear them. Ms. Showalter explained that her third concern is the property value of her home. She noted that Mr. Hand stated earlier in the meeting that the property value of the house located on the corner would depreciate with a kennel nearby. Ms. Showalter remarked that the property value on her home is more than the house on the corner, which means that her home's value will decrease, therefore, she has great concerns about the kennel being put in. She inquired if the Planning Commission could clarify if a kennel would not be considered a 24 hour business. Mr. Hand stated that he does not know how to answer that question, and the Commission is concerned about when people would be at the business in their vehicles dropping off and picking up animals. He noted that if it stayed a grooming business, it is more of a normal business operation, however, having dogs housed in the building at night is different. Vice-Chairman Tate inquired of Ms. Showalter if the barking she heard in the past was from Ms. Anders' grooming business or from something else. Ms. Showalter stated that the barking dogs she heard was from dogs located in the neighborhood. Ms. Showalter continued to explain to the Commission her thoughts about the proposed kennel. She thanked the Planning Commission for allowing her to speak. Mr. Ervin noted that if one dog starts barking, normally, another will join in and so on. Mr. Litton commented that the concern should be how much of the barking is heard from outside and how far the noise will travel.

Ms. Anders stated that she has stood outside of the building and could hear them close to the building, but she is not sure even at Mr. Singleton's property if the dogs could be heard. Mr. Singleton commented that he could hear them. Vice-Chairman Tate inquired as to what the Noise Ordinance states in regard to dogs barking. Mr. Singleton stated that he thinks the code states 80 decibels of the property line. Vice-Chairman Tate continued to express his thoughts in regard to the Noise Ordinance regarding the dogs. Chairman Varney commented that the Commission would need to verify what the Noise Ordinance states. Town Clerk Corvin advised that she knows what the Code states. She stated that the Town Code states "any noise that deprives a person of sleep or rest no matter what the source at any time." Town Clerk Corvin explained that the Town Code does not state decibels. Assistant Town Manager Moore continued to address some other conditions that may need to be considered by the Planning Commission in regard to the building.

Mr. Singleton inquired if there is a type of study that could be performed to check the decibels that the dogs are producing when they bark. He noted that, otherwise, this is an argument of things that may or may not happen. Mr. Hand commented that Mr. Singleton was correct when he stated that the neighborhood is a mixed area in that there are zoning types of M-1 Industrial, R-3 Residential District and Commercial, however, at some point, this has to be stopped in continuing on into an R-3 Residential community. He noted that the Commission has to put a stop to it somewhere, otherwise, it continues to expand. Mr. Hand inquired of Assistant Town Manager Moore if this business originally required a special exception permit. Assistant Town Manager Moore explained to the Commissioners how the business was allowed to operate in the zoning district. He noted that there was not a special exception permit issued, originally. Mr. Singleton commented that he thought there was a variance originally for a grocery store. Assistant Town Manager Moore expressed that he could be wrong, however, the use for the building has been in place since the Zoning Ordinance was implemented, and when it was implemented, it was considered a nonconforming use and allowed to continue. He noted, therefore, the business is strictly a nonconforming use and what this special exception permit would do is add another level of business use in that residential area. Assistant Town Manager Moore explained that he wanted to be very clear about this. Chairman Varney inquired of Ms. Anders that if the Planning Commission were to recommend to the Town Council that this special exception permit be issued, would she still be opposed the stipulation that has a time limit on the permit where it could be taken away at after that limit. He noted that he understands the risks she is taking financially, but anytime a person is a business owner, there is a risk. Ms. Anders expressed her concerns and thoughts to the Planning Commission in regard to the stipulations. She inquired of the Commissioner, if they would be open to allowing her to run the kennel as a trial period, and, if everything goes well and it is suited for the neighborhood, then at that point, she could consider installing a fence and growing the business more. Chairman Varney explained that the Planning Commission would discuss this and make a recommendation to the Town Council. He explained to Ms. Anders the Planning Commission's responsibility to take care of everybody and their best interests in the community. Ms. Anders agreed with Chairman Varney. Chairman Varney thanked Ms. Anders for her comments. Assistant Town Manager Moore stated that the Planning Commission may want to consider limiting the weight of a dog or taking away the fence requirement. He noted whatever would make the Commissioners feel comfortable. Mr. Litton inquired of Ms. Anders as to the weight of a dog that she would feel comfortable. Ms. Anders stated that she feels like 50 pounds and under would be a safe weight and would serve the majority of her clientele. Mr. Ervin noted that what the Commissioners are trying to do is protect the neighborhood, but, also, they are trying to protect any long term investment that Ms. Anders might have. He expressed that the Commission is looking out for her, as well as the neighborhood.

Ms. Showalter inquired of Ms. Anders if she planned to add any additions to the building. Ms. Anders stated that she is not expanding the building. Ms. Showalter stated that Ms. Anders would be housing 20 dogs at night in the current space that she already has and inquired if she is not supposed to hear any barking. She inquired if the Commissioners were aware of the size of that building. Ms. Showalter inquired of Ms. Anders how she planned to fit 20 dogs in that space at night. She remarked that she is sure she is going to hear barking, which is her big concern. Ms. Showalter continued to express to the Commission her thoughts regarding the request and the property value. Mr. Hand noted his concerns regarding the decreased property value of the homes and land in the residential area near the proposed kennel. Ms. Showalter remarked that she thinks the dog kennel is a wonderful idea, however, she does not think it is a wonderful idea in the neighborhood. Mr. Litton inquired of Ms. Showalter how far she lives from Ms. Anders' business. Mr. Hand commented that he would suspect that Ms. Showalter's house is approximately 300-400 feet from the business. Ms. Showalter noted that her yard abuts the Turpin's yard. Mr. Litton inquired of Ms. Showalter if she has heard dogs barking from her house. Ms. Showalter continued to note her concern over the barking dogs at night. Ms. Anders inquired of Mr. Hand how a resort style boarding facility would reduce property value more so than a grooming salon. Mr. Hand explained that it is because there is overnight stay. He commented that when the business only grooms the animals, it is only at the business during the day. Mr. Hand noted that what makes it a kennel and a place to board is the overnight stay. He noted the issue is the night stay, and nothing to do with the day business. Mr. Hand remarked that there is a significant difference. Ms. Anders reiterated if that reduces property value. Mr. Hand stated that it is considered a kennel and would no longer be considered a place for grooming only. He noted that this is where all of the issues arise. He remarked that it would absolutely affect the value of a property and he would stake his name on that comment. Ms. Anders commented that she was just curious. Mr. Hand continued to explain to Ms. Anders why it would decrease the property value. Vice-Chairman Tate expressed his thoughts regarding Ms. Anders concerns and Mr. Hand's explanation of why it decreases the property value. Mr. Litton inquired of Assistant Town Manager Moore if any other abutting property owners have commented about the request. Assistant Town Manager Moore stated that Mr. Singleton and Ms. Showalter are the only citizens who have commented regarding the request. Ms. Pattison expressed that she had surveyed four neighbors and their main concerns were noise, smell and property values. She reiterated that all four of the people she surveyed had the same concerns. Chairman Varney briefly discussed his thoughts in regard to property value and kennels. Chairman Varney inquired if there were any further questions or comments. There being no questions or comments, Chairman Varney declared the public hearing closed and proceeded with the agenda.

#### **RE: RECOMMENDATION TO TOWN COUNCIL – MR. LARRY K. SHARITZ**

Chairman Varney advised the next agenda item is for the Planning Commission to make a recommendation to the Town Council regarding the request of Mr. Larry K. Sharitz for a special exception permit to operate an auto repair shop at 140 Hillcrest Road, which is located on the north side of Hillcrest Road between Cove Road and the Town Corporate Limits, in a B-1 Business District. Chairman Varney inquired if there is any discussion regarding the request of Mr. Larry K. Sharitz. Mr. Hand inquired if the stipulations that are listed in the staff report are what the Planning Commission would be voting on if the Commission makes the recommendation. Assistant Town Manager Moore noted that the stipulations are only suggestions. Vice-Chairman Tate inquired of Assistant Town Manager Moore in regard to stipulation number three. Assistant Town Manager Moore explained that Town Attorney Kaase has recommended this in the past, however, it is not necessary. A brief discussion ensued regarding the proposed stipulations and the property. Assistant Town Manager Moore explained



to the Commissioners how stipulations are associated with special exception permits, etc. Mr. Ervin inquired of Mr. Sharitz as to the number of mechanics he would employ. Mr. Sharitz stated he would employ two mechanics. Mr. Ervin inquired of Mr. Sharitz as to the number of work bays he would have at his shop. Mr. Sharitz stated that he has two lifts. A discussion ensued regarding the number of mechanics, etc. that Mr. Sharitz would have at his shop, and one of the stipulations that would affect this. Mr. Sharitz noted that one mechanic would be working for the public performing inspections, etc., and the other mechanic works on his business vehicles. Chairman Varney stated that one bay is designated for Mr. Sharitz' business and the other bay would be used for other jobs. Mr. Sharitz stated that is correct, unless the mechanic does not have anything to work on for Home and Commercial Cleaning and then he could work on another vehicle. He noted that the shop would not be changing out or rebuilding motors. Mr. Sharitz expressed that he would not be working on wrecked vehicles either because they are not a body shop. Vice-Chairman Tate inquired if Mr. Sharitz planned to perform any additional work on the building. Mr. Sharitz stated he did not. Chairman Varney thanked Mr. Sharitz for his comments. Chairman Varney inquired of the Commission if there is a motion for a recommendation to the Town Council regarding Mr. Sharitz' request. A motion was made by Ms. Pattison and seconded by Mr. Litton to recommend to the Town Council to approve the request of Mr. Larry K. Sharitz for a special exception permit to operate an auto repair shop at 140 Hillcrest Road, which is located on the north side of Hillcrest Road between Cove Road and the Town Corporate Limits, in a B-1 Business District with the following stipulations: 1.) The number of vehicles waiting repair and outside the garage shall not exceed two vehicles, and that they not be allowed for more than 30 days; 2.) A time limit be placed on the special exception permit, such as five years, after which time it must be renewed through the public hearing process or some form of neighborhood review process. The application fee shall be waived, but the advertising cost shall be the responsibility of Mr. Sharitz; 3.) The special exception permit shall not be transferred and shall be granted only to Mr. Sharitz. The subsequent owners would need to apply for a special exception permit, if the service were to continue; and, 4.) Hours of operation shall coincide with normal business hours. Chairman Varney inquired of Mr. Sharitz if the hours of operation seemed reasonable to him. Mr. Sharitz stated that his mechanics work Monday – Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 9:00 a.m. to 12:00 p.m. Chairman Varney advised that he would like to change stipulation number four and stipulation two. He noted that in number four he would like for the Saturday hours to state 9:00 a.m. to 12:00 p.m. Chairman Varney stated in stipulation number two he would like for it to state a time limit of two years. Dr. Suarez commented that in changing the time limit of the permit to two years would be moving up the advertising cost for Mr. Sharitz. He noted that the Commissioners would be adding several fees for Mr. Sharitz fairly quickly. A discussion ensued regarding the fees associated with a special exception permit. Mr. Hand inquired if a person is not complying and the Town is receiving complaints can a special exception permit be revoked even if it is not in the time period. Assistant Town Manager Moore stated that the permit can be revoked, if the stipulations are not complied with that have been placed on the permit. Mr. Hand stated with that being said, he feels like the five year time limit is acceptable. Chairman Varney remarked that he agreed. Assistant Town Manager Moore advised that with the changes Chairman Varney has suggested, an amendment to the original motion would need to be made. A discussion ensued regarding what is considered normal business hours. Ms. Pattison amended her motion, which was seconded by Mr. Litton, to recommend to the Town Council to approve the request of Mr. Larry K. Sharitz for a special exception permit to operate an auto repair shop at 140 Hillcrest Road, which is located on the north side of Hillcrest Road between Cove Road and the Town Corporate Limits, in a B-1 Business District with the following stipulations: 1.) The number of vehicles awaiting repair and outside the garage shall not exceed two vehicles, and that they not be allowed for more than 30 days; 2.) A time limit of five years shall be placed on the special exception, after which time it must be renewed through the public hearing process or

some form of neighborhood review process. The application fee shall be waived, but the advertising cost shall be the responsibility of Mr. Sharitz; 3.) The special exception permit shall not be transferred and shall be granted only to Mr. Sharitz. The subsequent owners would need to apply for a special exception permit, if the service were to continue; and, 4.) The hours of operation shall be Monday - Friday, 8:00 a.m. to 5:00 p.m., and Saturday, 8:00 a.m. - 12:00 p.m. Chairman Varney inquired if there was any further discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: Kevin L. Varney, M. Bradley Tate, Terrance E. Suarez, Cathy D. Pattison, Joseph E. Hand, Jr., Bradford M. Litton, Kenny W. Ervin. Against: None.

### **RE: RECOMMENDATION TO TOWN COUNCIL – CREATIVE K-9 DESIGNS**

Chairman Varney advised the next agenda item is for the Planning Commission to make a recommendation to the Town Council to consider the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District. Chairman Varney inquired of the Commission if there were any comments regarding this recommendation. Vice-Chairman Tate noted that a trial period was mentioned for this request. He noted that he is not in favor of a trial period. Vice-Chairman Tate continued to express his thoughts regarding this request. Chairman Varney inquired of the Commission if there is a motion to recommend to the Town Council issuing or denying a special exception permit to Creative K-9 Designs. Mr. Ervin explained that there needs to be a motion on the floor in order to vote. Mr. Litton inquired if the Commission is going to change the fencing aspect of the stipulations because Ms. Anders stated that she does not want to install the fence right away. Vice-Chairman Tate noted that what was discussed was including a weight limit on the dogs to be boarded in lieu of the fence, however, he would recommend to still include the fence in the regulations. A motion was made by Mr. Ervin and seconded by Mr. Litton to recommend to the Town Council to consider the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District with the following stipulations: 1.) There shall be a fenced area for the dogs when they are taken outdoors; 2.) Dogs shall be housed indoors; 3.) There shall be a limit on the number of dogs allowed to be housed; 4.) A time limit be placed on the special exception permit, such as three years, after which time it must be renewed through the public hearing process or some form of neighborhood review process. The application fee shall be waived, but the advertising cost shall be the responsibility of Ms. Anders; 5.) The special exception permit shall not be transferrable and shall be granted only to Ms. Anders. The subsequent owners would need to apply for a special exception permit, if the service were to continue; and, 6.) Hours of operation shall coincide with normal business hours. Chairman Varney inquired if there was any discussion on the motion. There being none, the motion was denied with the following voting results: For: Bradford M. Litton. Against: Kevin L. Varney, M. Bradley Tate, Terrance E. Suarez, Cathy D. Pattison, Joseph E. Hand, Jr., Kenny W. Ervin.

Dr. Suarez suggested that each Commissioner explain the reasoning behind their vote. Mr. Hand noted that he thinks he made his reasoning clear as to why he voted against issuing the special exception permit. Dr. Suarez remarked that he agrees with Mr. Hand. He stated that he feels like the noise, smell and property value will all be issues and that is his reason for voting against issuing the special exception permit. Chairman Varney explained that he voted against issuing the permit because of the concern in the depreciation of the property value of the homes in the neighborhood. He noted that he does think Ms. Anders' idea for the boarding/grooming business is great, and he appreciates her demeanor and attitude. Mr. Ervin explained that he

voted against issuing the permit because of the property value, but, also, because of the noise and odor issues. He remarked that this will be recommended to the Town Council Ms. Anders will have the opportunity to plead her case with them, as well. Ms. Pattison expressed that if she had not personally surveyed four of Ms. Anders' neighbors, she probably would have voted in favor of issuing the permit, however, she did survey the neighbors. She noted that the issues were the property value, the smell and the noise. Ms. Pattison stated this is why she voted the way that she did. Mr. Hand explained that he is very much pro business, and he hopes Ms. Anders will continue her endeavors, but at a different location. Vice-Chairman Tate stated that he voted against issuing the permit because of the potential noise issue at night. Mr. Litton explained that he voted in favor of issuing the permit because he thinks it is a great idea, and he thinks Ms. Anders would do a great job with it, but there are also some safeguards from the Town's side to where if she does not, the permit could be revoked, therefore, he felt comfortable voting in favor of the permit. He noted, therefore, maybe the best thing for Ms. Anders to do would be for her to personally speak to the four neighbors that Ms. Pattison spoke to make them feel more comfortable about her business and to get them to come to the Town Council public hearing. Chairman Varney expressed that Mr. Singleton made a good point when he suggested a noise test. He noted that if Ms. Anders feels strongly about this business, she should think about doing what it is that she needs to do to get the Town Council to believe in her idea. Dr. Suarez commented that he was not so much concerned about the odor, but that he was more concerned about the property value. He noted that he would have concern if someone wanted to put a kennel in the neighborhood where he lived at the moment. Chairman Varney thanked the Commission for stating their reasons for the way they each voted.

#### **RE: CITIZENS' PERIOD**

Chairman Varney advised the next agenda item is Citizens' Period. He thanked the citizens for attending the meeting and inquired if anyone wished to address the Planning Commission. There being no one who wished to address the Commission, he proceeded with the agenda.

#### **RE: STUDY OF EAST MAIN STREET ENTRANCE CORRIDOR**

Chairman Varney advised that the next agenda item is the status regarding the study of the East Main Street entrance corridor from 11<sup>th</sup> Street to Cassell Road. Assistant Town Manager Moore stated that he would discuss this agenda item briefly. He continued to explain to the Commission members that Town staff has contacted Ms. Kathy Frazier of Frazier and Associates who is performing other corridor work in the town, along with wayfinding. He noted that Town staff will bring a proposal to the next Planning Commission meeting in July. Assistant Town Manager Moore explained that Town staff has not arrived at a contract with Ms. Frazier for the corridor study at this time. Chairman Varney inquired if there was any further discussion regarding the study of the East Main Street entrance corridor from 11<sup>th</sup> Street to Cassell Road. There being none, he proceeded with the agenda.

#### **RE: PROPOSED ZONING ORDINANCE AMENDMENTS**

Chairman Varney advised the next agenda item is the review of proposed amendments to the Zoning Ordinance regarding the definitions for "Automobile Graveyards" and "Junkyards." Assistant Town Manager Moore advised that the Planning Commission members had each been given information about the proposed ordinance. He continued to explain to the Commissioners the proposed amendments. Assistant Town Manager Moore inquired if the Planning Commission would like to set a public hearing for the July 13, 2017, Wytheville Planning Commission meeting to consider amending the Zoning Ordinance. It was the

consensus of the Wytheville Planning Commission to set a public hearing for the July 13, 2017, Wytheville Planning Commission meeting at 6:00 p.m., in the Council Chambers, to consider amendments to Article III – Definitions, of the Town of Wytheville Zoning Ordinance to amend the definitions of “Automobile Graveyards” and “Junkyards.”

**RE: EXIT 73 FUTURE ZONING**

Assistant Town Manager Moore explained to the Planning Commission that several months ago, the Commissioners reviewed an interstate alignment change and interchange revisions at Exit 73. He noted that the Commission discussed the possibility of rezoning those corridors. He expressed that Town staff would like to discuss this in future meetings.

**RE: PLANNING COMMISSIONER’S INSTITUTE**

Assistant Town Manager Moore explained that Mr. Ervin has a conflict during the dates scheduled for the Planning Commissioner’s Institute. He explained that the Wytheville Planning Commission would not be attending the institute.

**RE: ADJOURNMENT**

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (7:25 p.m.).

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Kevin L. Varney, Chairman

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Sharon G. Corvin, Town Clerk

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**JULY 13, 2017**

**AGENDA INFORMATION**

**PUBLIC HEARING**

**Item No. 1. Zoning Ordinance Amendment**

A public hearing has been scheduled to consider two amendments to the Article III, Definitions, of the Zoning Ordinance regarding the definitions for "Automobile Graveyard" and "Junkyard." As the Commission will recall, these changes are being made to the definitions to make them parallel State Code. To date, Town staff has received one inquiry regarding the amended definitions, and it was for informational purposes only. After receiving comments from any interested citizens, it will be necessary to close the public hearing.

**(During the meeting, please request that all persons addressing the Planning Commission approach the podium so everyone can hear and the minutes can be properly recorded. Anyone addressing the Commission will not be recorded properly if they do not approach the microphone at the podium.)**



## **Zoning Ordinance Revisions to Definitions for Automobile Graveyards and Junkyards**

### **Staff Report**

**Zoning Ordinance revision to Article III, Definitions, to provide for updated definitions regarding “Automobile Graveyards” and “Junkyards.”**

#### **Background**

Town staff has recently been approached about the accumulation of inoperable automobiles in several areas of town and has been asked to have them removed. In addition, Town Council has become more proactive relative to improving the appearance of the town by not only improving or removing dilapidated structures, but, also, enhancing all areas of town. These issues have prompted the Town’s Planning Staff to review the Town’s Zoning Ordinance relative to sections that affect the town’s appearance. One such review included the definition of Automobile Graveyards and Junkyards. It was discovered that these sections do not reflect State Code. The proposed changes bring these definitions to mirror State Code and assist enforcement efforts.

#### **Discussion**

The attached proposed revisions will reflect State Code on these issues and potentially assist the Town in enforcement efforts. In many cases where enforcement is handled by the State, the Town simply passes violation information on to the appropriate agency and assists them in their efforts to enforce the State Code.

3-12 AUTOMOBILE GRAVEYARD: Any lot or place ~~which~~ **that** is exposed to the weather upon which more than five (5) motor vehicles of any kind, ~~that~~ **are** incapable of being operated, and which it would not be economically practical to make operative, ~~and are~~ placed, located or found. ***The movement or rearrangement of vehicles within an existing lot or facility does not render this definition inapplicable. The provisions established by this subsection shall begin with the first day that the vehicle is placed on the subject property.*** (Section ~~33-279.3~~ **32.2-804** Code of Virginia of 1950 as amended in 1968.)

3-46 JUNK YARD: ~~The use of any area of land lying within one hundred (100) feet of a State highway, a public street or the use of more than two hundred (200) square feet of land area in any location for the storage, keeping or abandonment of junk including scrap metals or other scrap materials.~~ ***An establishment or place of business that is maintained, operated or used for storing, keeping, buying or selling junk for the maintenance or operation of an automobile graveyard. "Junkyard" includes garbage dumps, sanitary landfills and automobile graveyards. No junkyard shall be established, any portion of which is within 1,000 feet of the nearest edge of the right of way of any National Highway System highway or primary highway or within 500 feet of the nearest edge of the right of way of any other highway or town street, except with exclusions as listed in Section 33.2-804, Code of Virginia.***

**AGENDA INFORMATION**

**RECOMMENDATION TO TOWN COUNCIL**

**Item No. 1. Zoning Ordinance Amendments**

It will now be necessary for the Planning Commission to make a recommendation to the Town Council regarding the proposed amendments to Article III, Definitions, of the Zoning Ordinance for the definitions of "Automobile Graveyard" and "Junkyard."



## **AGENDA INFORMATION**

### **OTHER BUSINESS**

#### **Item No. 1. Dog Parks**

The Town Council has requested the Planning Commission to review where dog parks could be permitted. This has been a topic over the years, and the Town recently received an inquiry regarding a dog park. The Council noted that this would be a topic for the Planning Commission to review. Please find enclosed the information on a dog park design from the American Kennel Club, as well as a map depicting where potential dog parks could be located. Assistant Town Manager Moore will review this information with the Planning Commission members.



## Review of the Potential for a Dog Park

### Staff Report

#### Background

Over the past several years, there have been a few requests for a dog park in town. The last request prompted Town Council to request that the Planning Commission explore suitable sites within the town. Town Staff researched the ideal requirements for dog parks, and the map is attached with several potential sites identified. These sites include:

1. A portion of the elevated water tank (balloon tank) property (Town owned);
2. A tract adjacent to the landfill property (Town owned);
3. The former Town reservoir property, and a tract adjacent to Ager Recreation Park (Town owned);
4. A site on the Wytheville Community College property near the walking track (College owned; The College has been asked informally about this, with no response at this time.);
5. The wooded tract adjacent to the Veterans' Housing Project (Housing Authority owned); and,
6. The old Wastewater Treatment Plant site on Atkins Mill Road (Town owned).

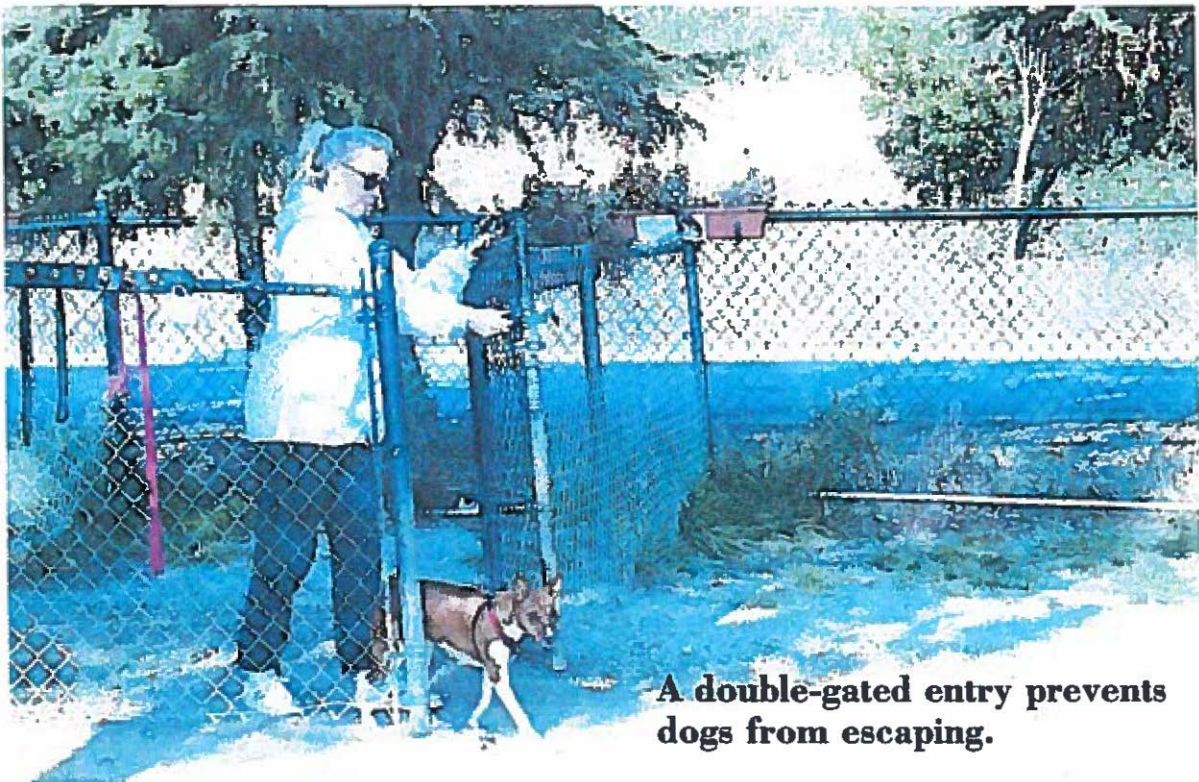
Staff has made an effort to identify publicly owned areas, however, development of some of these areas may lead to more investment costs than tracts that could be purchased. It is obvious that many of these sites would require significant monetary outlay for access drives, parking, fencing, benches, dog cleanup facilities, trash containers, benches and tables, signs, etc.

The Commission may feel that there is a need to study the matter further, or make several recommendations to the Town Council.

# Dog Park Design:

## The Ideal Dog Park Should Include . . .

- One acre or more of land surrounded by a four- to six-foot high chain-link fence. Preferably, the fence should be equipped with a double-gated entry to keep dogs from escaping and to facilitate wheelchair access.
- Cleaning supplies, including covered garbage cans, waste bags, and pooper-scooper stations.
- Shade and water for both dogs and owners, along with benches and tables.
- A safe, accessible location with adequate drainage and a grassy area that is mowed routinely.
- If space allows, it is preferable to provide separate areas for small and large dogs. This will enable large dog owners to allow their pets to run more freely, while protecting smaller dogs who may not be suited to the enthusiastic play of larger breeds.
- Signs that specify park hours and rules.
- Parking close to the site.



**A double-gated entry prevents dogs from escaping.**



## **AGENDA INFORMATION**

### **OTHER BUSINESS**

#### **Item No. 2. Sidewalk Placement**

As the Planning Commission is aware, the Town has several neighborhoods that do not have sidewalks. Over the years, the Town has received many requests from these neighborhoods to provide sidewalks where they do not currently exist. Enclosed is a map showing where sidewalks are located within the town. Assistant Town Manager Moore will review the map with the Planning Commission. The Town Council would be desirous of the Planning Commission recommending where the Town may want to consider placing sidewalks and put these neighborhoods on a priority schedule for the placement of sidewalks, as funds become available.



## **Review of the Sidewalks and Connectivity**

### **Staff Report**

#### **Background**

The Planning Commission is charged with preparing the Comprehensive Plan, reviewing the Plan on a regular basis and anticipating changes that may be necessitated by, or desired, as a result of recent developments.

One of the things that Town Council has been interested in pursuing is the "HEAL" (Healthy Eating Active Living) initiative that was introduced at the last Virginia Municipal League Conference. One of the many facets of this initiative is ensuring that communities are pedestrian and bicycle friendly so that it is easy to walk or bike for exercise. The attached map shows the majority of Wytheville's sidewalks, and it becomes immediately obvious that there are a number of areas where there are no sidewalks or there is lack of connectivity. Wytheville's downtown area is the only area which provides the opportunity for pedestrian routes without having to utilize either the street or the street right of way. (The Comprehensive Plan also includes future bicycle routes.)

The enclosed map is provided so that the Planning Commission and Town Staff can identify and prioritize areas for sidewalk construction. It is extremely important that sidewalks and walking/biking paths be identified in new projects, which receive VDOT funding, because they can be funded by VDOT if identified in the community's Comprehensive Plan. Transportation projects, such as Community Boulevard, have been recipients of the funding from VDOT for walking and biking paths because they were identified in the Comprehensive Plan.

Some areas that have been previously identified as needing sidewalks or walking paths are the west side of: Fourth Street from McDonald's to Northwinds, and Tazewell Street from Ridge Road to Commonwealth Boulevard.

The Planning Commission should note that the Subdivision Ordinance does not specifically require sidewalks next to streets when subdivisions are constructed.

The Planning Staff will seek the input of the Planning Commission to identify and discuss areas that are in need of sidewalks or walking and biking paths for connectivity.

## **AGENDA INFORMATION**

### **OTHER BUSINESS**

#### **Item No. 3. Future Zoning for Exit 73 Area**

At the last meeting, Assistant Town Manager Moore discussed the potential growth for the Exit 73 area and the zoning that will be required for this development. He will continue to discuss this issue with the Planning Commission.



## **Review of the Exit 73 Accessibility and Zoning**

### **Staff Report**

#### **Background**

Over the past several years, there has been some discussion by Wythe County to improve the access to Progress Park. There have been several proposals, most of which involve the I-77, Exit 41 interchange and a new road turning off of Nye Road and partially paralleling Peppers Ferry Road to Progress Park. Initial proposals called for terminating Lovers Lane with a cul-de-sac to accomplish this. This, along with several other proposed features of this road project, have led to opposition to this route.

VDOT, when approached about this, has suggested that a stronger project would be the construction of a complete intersection at the end of East Main Street that would allow access to the park from Nye Road, and would utilize the existing bridges at this intersection to continue East Main Street across the interstate and connect it to Nye Road. (This arrangement is also identified in Wytheville's 2030 Transportation Plan and in the Comprehensive Plan by reference.) The Planning Commission looked at this concept approximately a year ago, and, since that time, VDOT has indicated a willingness to study this concept further, and the County has agreed to look at this as either as an option or as a supplement to the Exit 41 project. The Town Council has also authorized the design of sewer facilities to serve the southeast quadrant of this intersection.

All of these activities suggest that it is timely to look at how this area might be zoned such that development is orderly and reflects Wytheville's desire to present an appealing aesthetic to travelers and citizens entering Wytheville.

Staff will be requesting the Planning Commission to comment on their thoughts regarding the zoning in this future development area and on applying some restrictions which mirror, or a similar, to the Entrance Corridor Overlay requirements.

This discussion will only be the beginning of the thoughtful planning process that needs to occur in this area, Staff feels that, at a minimum, this area should be in the B-1 Business District, and that setbacks similar to, or even greater than, the Entrance Corridor Overlay should be considered.

**COUNCIL ACTION LETTER**  
**Staff Assignments and Information**

June 12, 2017

Number 435

**ACTIONS TAKEN OR DISCUSSED**

**STAFF ASSIGNMENTS**

1. Approved the consent agenda consisting of the minutes of the regular meeting of May 22, 2017.
  2. Conducted a public hearing to consider the Budget Ordinance for Fiscal Year 2017-18.
  3. Conducted a public hearing to consider the request of Riley Construction Company, Incorporated for a special exception permit to conduct propane gas sales and for the construction of additional storage units on their property located at 555 Peppers Ferry Road, which is located on the east side of Peppers Ferry Road between Community Boulevard and Hedgefield Lane, in a B-1 Business District.
  4. Conducted a public hearing to consider an amendment to Article XVI, General Provisions, Section 16-3, Special Exceptions, of the Town of Wytheville Zoning Ordinance regarding special exception permits becoming null and void if not acted upon within two years after issuance of the permit.
  5. Upon recommendation of the Budget and Finance Committee, approved changing the Wall of Honor Committee Guidelines to note a change in membership from seven to five members to include one member of the Wytheville Town Council; one member of the Wythe County Board of Supervisors; two representatives from the veterans organizations (VFW and American Legion); and, one member of the Sports Hall of Fame Committee. Also, changed the language to clarify the age of youth members eligible to serve on the Committee.
5. **Town Clerk – revise Wall of Honor Committee Guidelines**



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| <p>6. Upon recommendation of the Public Works Committee, approved the requests of the Take a Break from the Interstate organization and the Department of Museums for the Fourth Annual 100 Mile Road Market Sale to be held on July 28-30, 2017, and relaxed the Town regulations to allow citizens to hold yard sales for three days rather than two days; set the yard sale route for this event to begin at the Route 21 entrance corridor, continue along Main Street, turn left on Tazewell Street and continue to the E. Lee Trinkle Visitors Center; and, approved downtown businesses, between 12<sup>th</sup> Street and 11<sup>th</sup> Street, to hold sidewalk sales.</p> | <p>6. <b>Director of Museums</b> – advise Take a Break from the Interstate organization</p> |
| <p>7. Approved Ordinance No. 1319, an ordinance amending and reenacting Chapter 14, Taxation, Article II. Property Taxes, Section 14-17, Unpaid Taxes and Assessments, of the Code of the Town of Wytheville, Virginia, on second, but not final, reading.</p>   | <p>7. <b>Town Clerk</b> – place on next meeting agenda</p>                                  |
| <p>8. Approved Ordinance No. 1320, the Budget Ordinance for Fiscal Year 2017-18 on second, but not final, reading, as amended.</p>   | <p>8. <b>Town Clerk</b> – place on next meeting agenda</p>                                  |
| <p>9. Suspended the rules and adopted Ordinance No. 1321, an ordinance amending and reenacting Chapter 2, Administration, Article V. Recreation Commission, Section 2-197. Composition; Appointment and Term of Members; Reappointment of Former Members, of the Code of the Town of Wytheville, Virginia, on first and final reading, as amended.</p>   | <p>9. <b>Town Clerk</b> – amend Town Code</p>   |
| <p>10. Approved Ordinance No. 1322, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend and reenact Article XVI, General Provisions, Section 16-3, Special Exceptions, on first, but not final, reading.</p>   | <p>10. <b>Town Clerk</b> – place on next meeting agenda</p>                                 |
| <p>11. Adopted a resolution to participate in the Virginia Retirement System Hazardous Duty Supplement Benefit Program at the 1.7% level.</p>  | <p>11. <b>Human Resource Manager</b> – forward to Virginia Retirement System</p>            |
| <p>12. Issued a special exception permit to Riley Construction Company, Incorporated for a special exception permit to conduct propane gas sales and for the construction of additional storage units on their property located at 555 Peppers Ferry Road, in a B-1 Business District, with several stipulations.</p>  | <p>12. <b>Town Clerk</b> – forward special exception permit to applicant</p>                |

13. Issued a Certificate of Public Convenience and Necessity to D19 Transportation Service, Incorporated for the operation of taxicabs for 2017.

14. Consensus of the Town Council to set a public hearing for the July 10, 2017, Council meeting to consider the request of Mr. Larry K. Sharitz for a special exception permit to operate an auto repair shop at 140 Hillcrest Road, which is located on the north side of Hillcrest Road between Cove Road and the Town Corporate Limits, in a B-1 Business District.

15. Consensus of the Town Council to set a public hearing to consider the request of Creative K-9 Designs for a special exception permit to operate a dog boarding/grooming business at 195 Calhoun Street, which is located on the east side of Calhoun Street between Jefferson Street and Withers Road, in an R-3 Residential District.

13. **Town Clerk**– forward certificate to applicant

14. **Deputy Clerk** – send notice to news media

15. **Deputy Clerk** – send notice to news media

**COUNCIL ACTION LETTER**  
**Staff Assignments and Information**

June 26, 2017

Number 436

**ACTIONS TAKEN OR DISCUSSED**

1. Approved the consent agenda consisting of the minutes of the special meeting of June 1, 2017; the minutes of the regular meeting of June 12, 2017; the request of Wythe County Community Hospital Women's Center to conduct a Fight Like a Premie 5K Color Run on Saturday, August 26, 2017, at 8:00 a.m.; and, the request of Wythe Care Veterinary Service, Inc. to hold the Dog Days of Summer Event on Saturday, August 19, 2017, from 4:00 p.m. to 8:00 p.m. on Main Street, and to close Main Street from First to Monroe Streets and to close Tazewell Street from Main to Monroe Streets for the event.
2. Requested the Public Works Committee to study a drainage issue and truck traffic on 12<sup>th</sup> Street.
3. Upon recommendation of the Budget and Finance Committee, authorized the Town Treasurer to make the necessary line item revisions within the Fiscal Year 2016-17 budget.
4. Upon recommendation of the Budget and Finance Committee, approved the request of Director of Museums Emerson to carryover \$6,500 into the Fiscal Year 2017-18 budget from the Museum Heritage Education Program, and authorized the Town Treasurer to make the necessary accounting changes regarding these funds.
5. Upon recommendation of the Public Works Committee, changed the brush pick up schedule to occur the last week of each month between the months of April and September, and, thereafter, the schedule will revert to the bi-monthly method.
6. Adopted Ordinance No. 1319, an ordinance amending and reenacting Chapter 14, Taxation, Article II. Property Taxes, Section 14-17, Unpaid Taxes and Assessments, of the Code of the Town of Wytheville, Virginia, on third and final reading.

**STAFF ASSIGNMENTS**

1. **Town Clerk** - advise by letter
2. **Deputy Clerk** – place on Council Work Session agenda
3. **Town Treasurer** – make budget revisions
4. **Town Treasurer** – carryover funds
5. **Director of Public Works** – implement new schedule
6. **Town Clerk** – amend Town Code  
**Town Treasurer** – implement new tax deadline

7. Adopted Ordinance No. 1320, the Budget Ordinance for Fiscal Year 2017-18 on third and final reading.
  8. Approved Ordinance No. 1322, an ordinance amending and reenacting Ordinance No. 640, generally known as the Zoning Ordinance, to amend and reenact Article XVI, General Provisions, Section 16-3, Special Exceptions, on second, but not final, reading.
  9. Reappointed Mr. David Taylor and appointed Mr. Terry Beamer to the Willow Brook Jackson/Umberger Homestead Museum Advisory Board (terms expire July 31, 2022).
  10. Reappointed Councilwoman Beth A. Taylor as the member and Councilman Thomas F. Hundley as the alternate member to the District Three Governmental Cooperative (terms expire June 30, 2018).
8. **Town Clerk – place on next Council agenda**
  9. **Town Clerk – advise by letter**
  10. **Town Clerk - advise District Three Governmental Cooperative**