



AGENDA
Wytheville Planning Commission
Thursday, June 14, 2018
6:00 p.m.
Council Chambers
150 East Monroe Street
Wytheville, Virginia 24382

- A. **CALL TO ORDER** — Chairman M. Bradley Tate
- B. **ESTABLISHMENT OF QUORUM** — Chairman M. Bradley Tate
- C. **CONSENT AGENDA**
 - 1. Minutes of the special meeting of May 3, 2018
 - 2. Minutes of the regular meeting of May 10, 2018
- D. **CITIZENS' PERIOD**
- E. **OTHER BUSINESS**
 - 1. Review of possible rezoning of the former Edgemont property, which is located on the southside of Chapman Road between Nye Springs Road and Echo Valley Road
 - 2. Continued discussion of Ager Park as a potential site for a dog park
 - 3. Continued discussion regarding smaller homes/smaller lots in town
- F. **ADJOURNMENT**

**MINUTES OF THE SPECIAL MEETING OF THE WYTHEVILLE PLANNING COMMISSION
HELD AT AGER PARK ON THURSDAY, MAY 3, 2018, AT 1:00 P.M.**

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

Members absent: Terrance E. Suarez

Others present: Assistant Town Manager Stephen A. Moore, Town Clerk Sherry G. Corvin, Town Attorney Christopher R. Menerick

RE: CALL TO ORDER, QUORUM

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

RE: REVIEW OF AGER PARK SITE

Chairman Tate stated the purpose of the meeting is to review a vacant portion of Ager Park to be considered for a dog park. The Planning Commission viewed the grounds and noted where various tracts of the site could be used for the dogs, parking, shelter, etc. They noted that dog park visitors could utilize the County restroom facilities. They also discussed the need for some type of shelter and access to water for the dogs. The Commission discussed several entrances that could be made into the proposed dog park, and how this could be accomplished with the current stormwater facilities in place on the property. They continued to discuss the various improvements that would need to be made to the property to make it useable as a dog park, including the placement of the gate for visitors to gain entry to the property. After considerable review and consideration of the property, it was the consensus of the Planning Commission that they were interested in developing this portion of property into a dog park. Assistant Town Manager Moore advised that he will contact Wythe County to discuss a lease for the property, the current stormwater berm, the entrance gate and the acceptable ways to gain access to the property. Town staff noted that they will take all the suggestions made by the Planning Commission members and compare them on a topography map and place them into a plan to be considered by the Planning Commission at their June meeting.

RE: LORETTO HISTORIC MANSION, LLC SPECIAL EXCEPTION PERMIT REQUEST

Chairman Tate inquired if the Morins had submitted an amended special exception permit request to be considered by the Planning Commission. Assistant Town Manager Moore noted that is correct. He explained that the revised request had two options in it, and that the first option is to conduct indoor meetings, conferences, recitals, educational seminars, tours, etc. with a maximum number of participants being 50-60. He advised that option two is the same as option one, but it also includes holding a maximum of five weddings, nonprofit fundraisers, special outdoor events, etc. per year. Assistant Town Manager Moore advised the Commission that the amended request would be included in their meeting packet for their consideration.

RE: ADJOURNMENT

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (2:10 p.m.).

M. Bradley Tate, Chairman

Sharon G. Corvin, CMC, Town Clerk

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE PLANNING COMMISSION
HELD IN THE COUNCIL CHAMBERS ON THURSDAY, MAY 10, 2018, AT 6:00 P.M.**

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

Members absent: Joseph E. Hand, Jr.

Others present: Assistant Town Manager Stephen A. Moore, Town Clerk Sherry G. Corvin, Town Attorney Christopher R. Menerick, Assistant Director of Planning and Development Brian Freeman, Sigrid Rogers, Jennifer Morin, Paul Morin, Robert Gordon, Dawn Taylor, Caleb Taylor, Casey Chaplin, Zach G. Taylor, John Puvak, Scot Davis, Ross Gates, Richard Copenhaver, Mark Sechrest, Frances Emerson, Larry Anderson, Mike Huff, Larry Edwards, Bob Melton, Others

RE: CALL TO ORDER, QUORUM

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

RE: CONSENT AGENDA

Chairman Tate presented the consent agenda consisting of the minutes of the regular meeting of April 12, 2018. 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 Mr. Ervin and seconded by Dr. Suarez to approve the consent agenda consisting of the minutes of the regular meeting of April 12, 2018, as presented. Chairman Tate 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: M. Bradley Tate, Bradford M. Litton, Cathy D. Pattison, Terrance E. Suarez, Kevin L. Varney, Kenny W. Ervin. Against: None.

RE: PUBLIC HEARING – PROPOSED ZONING ORDINANCE REVISION

Chairman Tate advised that the meeting constituted a public hearing (due notice having been given) to consider a revision to the Town of Wytheville Zoning Ordinance, Article XXI, Regulating Outdoor Advertising in Sight of Public Streets in the Town of Wytheville, Article III, Table of Permitted Size, Number, Height and Location of Signs. Assistant Town Manager Moore explained that this proposed revision is merely a housekeeping change to the Sign Ordinance that would remove the restriction of 42 inches for the maximum projection of a projecting sign from a building. He continued to explain to the Commissioners the proposed revisions to the ordinance. Assistant Town Manager Moore inquired if the Planning Commission members had any questions or comments. Chairman Tate inquired if there were any citizens who wished to address the Planning Commission regarding the proposed Zoning Ordinance amendment during the public hearing. There being no further questions or comments, Chairman Tate declared the public hearing closed and proceeded with the agenda.

RE: RECOMMENDATION TO TOWN COUNCIL – PROPOSED ZONING ORDINANCE AMENDMENTS

Chairman Tate advised the next agenda item is for the Planning Commission to make a recommendation to the Town Council regarding a revision to the Town of Wytheville Zoning Ordinance, Article XXI, Regulating Outdoor Advertising in Sight of Public Streets in the Town of Wytheville, Article III, Table of Permitted Size, Number, Height and Location of Signs. A motion was made by Mr. Ervin and seconded by Vice-Chairman Litton to approve the revision to the Town of Wytheville Zoning Ordinance, Article XXI, Regulating Outdoor Advertising in Sight of Public Streets in the Town of Wytheville, Article III, Table of Permitted Size, Number, Height and Location of Signs. Chairman Tate 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: M. Bradley Tate, Bradford M. Litton, Cathy D. Pattison, Terrance E. Suarez, Kevin L. Varney, Kenny W. Ervin. Against: None.

RE: CITIZENS' PERIOD

Chairman Tate advised the next agenda item is Citizens' Period. He noted that Ms. Jennifer Morin is listed first to address the Planning Commission regarding the special exception permit request of Loretto Historic Mansion, LLC.

Ms. Jennifer Morin was recognized and stated that she is speaking to the Planning Commission regarding a special exception permit request for the Loretto Historic Mansion, LLC. She noted that the request has now been revised. Ms. Morin continued to read the high points of options

one and two to the Planning Commission members. She noted that option one is requesting a two year permit for basically an indoor venue for meetings and corporate conferences from private sectors and governmental entities, as well as educational seminars. She continued to describe option one to the Planning Commission members. Ms. Morin explained that Loretto Historic Mansion, LLC is sensitive to the residential setting, and in keeping some public exposure to the site, they believe that this can be compatible with the residential setting. She commented that they would give purposeful attention so there would be little or no visible or audible effect to the adjacent neighbors, or the nearby community would not be impacted. Ms. Morin remarked that she and Dr. Morin plan to live in the house. She noted that they have the second and third floor to continue to renovate, therefore, they will not be allowing disruptive activity since they will be residing at the mansion. Ms. Morin explained that as far as the appearance is concerned, it will continue to look like a single family residence. She noted that they do not plan to build any structures or erect any signs. Ms. Morin explained that the only thing that needs to be worked out is the physical address of Loretto, which is in confusion because of the history of the development there. She remarked that they might need to put numbers on the stone pillars that were built on Peppers Ferry Road. Ms. Morin noted that this would be the only signage addition that she could imagine. She remarked that, otherwise, anything else on the property would just be routine maintenance. Ms. Morin advised that option two basically adds the addition of infrequent outdoor celebrations such wedding, reunions and outdoor non-profit fundraisers. She continued to describe option two to the Planning Commission. Ms. Morin noted that most of the outdoor events would be located directly on the west side of the mansion, which is approximately 10 feet from the house. She described the location to the Commissioners. Ms. Morin inquired of the Planning Commission if they had any questions. Ms. Pattison inquired if Ms. Morin could elaborate about the references to meetings and conferences. She inquired of Ms. Morin as to who has contacted Ms. Morin regarding hosting those type of events. Ms. Morin stated that in December 2017, a corporate conference was held at the Loretto Historic Mansion. She noted that she did not solicit the event. Ms. Morin commented that a Human Resources associate from a local engineering firm, which is an international firm, approached her for a working conference. She explained that Loretto Historic Mansion, LLC tried this event as a test. Ms. Morin remarked that there were 20 men attending a two day conference from 8:00 a.m. until 5:00 p.m. She explained that she has made other contacts, mostly through Virginia Tech, for their interest in holding government agency conferences at Loretto. She continued to explain the events that have been solicited to be held at Loretto to the Commissioners. Ms. Pattison inquired if the Morins are planning to house guests overnight. Ms. Morin stated that they are not. She noted that for 1.4 miles, there is a host of hotels for accommodations. Ms. Morin commented that there may be a time during a reunion, etc., where five rooms could be used for sleeping quarters, but that is something for the future and not at this time. Ms. Pattison inquired of Ms. Morin if the food and drinks would be furnished or catered. Ms. Morin explained that the house tours would include a catered lunch. She noted that the two day corporate conference included both, however, she sees in the future that all will be catered events. Ms. Pattison inquired of Ms. Morin if she plans to be onsite at all times. Ms. Morin stated that she cannot promise that she will be onsite all of the time. She remarked that she was onsite for the two day conference, and she hired an event planner to help organize events, therefore, there will be an employee present that she has hired for events. Ms. Pattison commented that there is certainly a lot of public interest in the venue outside of the Loretto Subdivision. Ms. Morin remarked that she thinks Loretto is a gem, and she and Dr. Morin have lived there for 26 years. She noted that over the years, she and Dr. Morin have purchased property around the mansion so that they could keep the historic site intact. Ms. Morin remarked that the upkeep of a property like Loretto is monumental, and as a single family residence, that probably is not a viable future life for Loretto. She noted that it is not a matter of whether or not someone can purchase that property, but, rather, who can maintain the property. Mr. Varney inquired of Ms. Morin what the primary intent is for the request of a special exception permit. He remarked that what he means is if the Morins looking for income or history. Ms. Morin noted that the primary intent is not to profit from the request because this is not a big money business. She commented that Loretto Historic Mansion, LLC simply would like some public exposure because they feel that the property should be open to the public, which is the primary intent. She stated that it would be nice to have some revenue to defray expenses, therefore, that is the secondary intent, but primarily it is for the purpose of opening the home up as a resource. Ms. Morin continued to explain to the Planning Commission the intent of Loretto Historic Mansion, LLC. Mr. Varney inquired of Ms. Morin in reference to option one, what would be the frequency of some of the events. Ms. Morin noted that this was a difficult question, but she would say in the two year period, if Loretto Historic Mansion, LLC is granted the special exception permit, then, of course, they will go straight to Virginia Tech's procurement department where the mansion will be listed as a priority venue for their governmental agency conferences in Southwest Virginia. She noted that the frequency she is thinking would be once a week at the most for both the house tours and the conferences. Mr. Varney inquired of Ms. Morin as to what is the reason behind the two year special exception permit request. Ms. Morin commented that Loretto Historic Mansion, LLC was asked to present a more scaled down special exception permit request, therefore, she thought a two year period was a good time for the Planning Commission, Town Council and neighbors to assess if the mansion is something that is compatible with the

Loretto Homeowners Association or the neighbors to the west of the mansion. She commented that it would also give her and Dr. Morin a chance to see what exactly is the hassle factor in the matter because it is not going to be a money maker. Mr. Varney inquired if the mansion would be available Monday through Friday. Ms. Morin commented that with option one, the mansion would be available for house tours Monday through Friday, 8:00 a.m. to 5:00 p.m. Mr. Varney inquired of Ms. Morin if she could clarify what a conference would consist of and what a tour would consist of. Ms. Morin advised that a working, indoor conference or meeting would probably consist of 20 to 25 participants. She continued to explain what a conference or meeting would consist of. Ms. Morin stated that the home tours would probably consist of older individuals who would tour the grounds, come indoors for lunch and then leave after approximately three hours. Mr. Varney inquired if Ms. Morin would be willing, when conducting home tours, to keep everyone inside. He inquired of Ms. Morin, if someone wanted to tour the grounds of the mansion, could she provide really upscale photos so that the tour guide could state that the grounds could not be toured, however, the photos could be examined. Ms. Morin stated that she would not be opposed to this idea. She noted that, also, she and Dr. Morin are opening themselves up to additional liability whenever they invite or have people on the property because there is a pond or storm sewer located at the back of the mansion, therefore, they are sensitive to people roaming the grounds, especially at the back of the property near the pond. A discussion ensued regarding the potential of the indoor and outdoor events at the mansion and how Ms. Morin plans to direct the events. Ms. Morin stated that there will be a director at the mansion, and the director will have a contract signed by the business, etc. who is sponsoring the event, which will state the rules of what is and/or is not allowed. She noted that the rules will need to be made clear to those attending the events by the companies, etc. hosting those events. Mr. Varney inquired of Ms. Morin how the people who would be touring the home would arrive. Ms. Morin stated that there would not be any motorcoaches going down the mansion's driveway or Loretto Drive. She remarked that she is in the process of working the details out with Mary Jo Babbitt of the Wytheville Convention and Visitors Bureau. She continued to explain the transportation of the guests touring the home, etc. Mr. Varney inquired of Ms. Morin if they are granted option one and a neighbor calls and complains about an event and the noise from the event, how will she deal with the complaint. Ms. Morin commented that she would take full responsibility for the any noise from an event. She noted that Loretto Historic Mansion could give the president of the Loretto Homeowners Association a schedule of events so that people know what events are taking place and when they are taking place. Ms. Morin expressed that she does not have that experience, therefore, she cannot tell the Planning Commission at this time. Ms. Pattison inquired of Ms. Morin if the Loretto Mansion is a part of the Loretto Homeowners Association. Ms. Morin stated that Loretto is not a part of the subdivision. She remarked that the Loretto property is zoned R-1 Residential, but it is not part of the subdivision. She continued to explain to the Commissioners that she and Dr. Morin own two other lots located in the subdivision that are buildable lots. Ms. Morin commented that the special exception permit that Loretto Historic Mansion, LLC is requesting does not include the two other lots that they own. Ms. Pattison inquired of Ms. Morin if the homeowners association has ever used Loretto as a meeting location or an entertainment venue for the association. Ms. Morin stated that the association has used one of their lots in the past with their permission. Chairman Tate inquired of Ms. Morin about the hours of operation. Ms. Morin explained the hours that she is requesting. A discussion ensued regarding future events and notification to the neighbors, etc. Chairman Tate inquired of Ms. Morin if they are prepared to pave the parking area, if the special exception permit request is granted. He noted that he envisions a paved parking area for approximately 10-15 vehicles, if not more. Ms. Morin inquired of Chairman Tate if he is inquiring about paving a parking lot directly on the Loretto Mansion property. Chairman Tate stated that is correct. Ms. Morin commented that paving would be tough due to the over 200 year old oak trees. She noted that Vice-Chairman Litton will attest that when there is that type of compaction with paving, it really is hard on the trees. Ms. Morin remarked that her first reaction is to protect the trees near the mansion, but, as far as further out toward Peppers Ferry Road, aesthetically, a paved lot is not going to look great. Ms. Morin stated that approximately 20 vehicles fit around the driveway at the mansion. She noted that in answer to Chairman Tate, if they would be required to pave an area to accommodate 70 vehicles in the front of the property, which is zoned B-1 Business, she thinks that it would be cost prohibitive and it would take away from the historic integrity of the site. Chairman Tate commented that the Planning Commission may require some landscaping buffer, as well, and he inquired of Ms. Morin if they are prepared to do this and invest in more buffer requirements. Ms. Morin stated that she would have to see the price involved before she could give that answer. Chairman Tate advised that the buffer would be to protect the residents of the Loretto Subdivision to keep the noise, etc. out. He inquired of Ms. Morin regarding the indoor recitals, the number of people she anticipates attending and if there would be any recitals held on the weekend. Ms. Morin stated that the number she listed, which was 60, was because that is the number of chairs that lined up, and, she does anticipate that there would be weekend recitals held. Chairman Tate remarked that the house tours and conferences/meetings would be held during the week from 8:00 a.m. to 5:00 p.m., however, the indoor recitals could possibly be held on the weekends. Ms. Morin stated that is correct. She noted that, typically, recitals are held on Sunday evenings. Vice-Chairman Litton stated that he had some questions and comments regarding the matter. He read a statement expressing why

he is able and would be participating in discussions and the vote regarding the special exception permit request of Loretto Historic Mansion, LLC. Vice-Chairman Litton inquired of Ms. Morin where the B-1 Business Zoning and R-1 Residential Zoning meet on the property. Ms. Morin stated that the two meet on the east side of the curb and gutter on Loretto Drive where the sign is located. Discussion continued regarding the zoning of the property. Chairman Tate inquired if there was any further discussion regarding the special exception permit request. He thanked Ms. Morin for addressing the Planning Commission. Ms. Morin thanked the Planning Commission for considering this request.

Mr. Robert Gordon was recognized and stated that he appreciates the Planning Commission's ruling against the earlier proposal. He noted that the last time he spoke, it was about the property values decreasing if the request is granted. Mr. Gordon commented that he has to give Ms. Morin credit for reaching out to him by giving him a copy of the proposal before presenting it to the Planning Commission. He remarked that even with the new proposals, he does not think it will increase his property value, and he still feels that his property value will decrease. Mr. Gordon continued to express his thoughts regarding the request and how Ms. Morin answered the Commissioners when asked questions. He noted that he made his decision to buy his home in the Loretto subdivision because he did check on the zoning of the mansion, and it was zoned residential. Mr. Gordon stated that Ms. Morin stated that Loretto Historic Mansion, LLC is not including the other two lots that they own in the special exception permit request. He inquired of the Planning Commission where does he have assurance in Ms. Morin's proposal that the LLC or other future owners would not include the other lots in the plans for business use. Mr. Gordon commented that he feels that the Morins have had time to amend their plans, and there is nothing in option one or two that states that they are not including the other two lots that they own out of the plans for business use. He remarked that he actually thought the Morins owned three other lots instead of two, however, Ms. Morin would know better. He thanked the Planning Commission for allowing him to speak, and noted that if the request is recommended to the Town Council for approval, he would like to address the Council, as well. Vice-Chairman Litton commented that the Loretto subdivision covenants would override the Morins and prevent them from using their lots for business use. Mr. Gordon stated that he has been told that the Morins are proposing to include the exception clause for the two lots in the subdivision, as well, which they would not be allowed to do because of the subdivision covenants. He remarked that the Planning Commission should look at the Morins' deeds because the deeds state that they are not allowed to go against the ordinances on the two lots. Dr. Suarez stated that he did not see anything in the special exception permit request other than the mansion property. Mr. Gordon commented that their request does not exclude the subdivision properties. Vice-Chairman Litton explained that the Planning Commission can simply state tax map numbers that specifically identify the property to be and not to be included regarding the special exception permit request. Mr. Gordon expressed that the Morins signed deeds for the two lots in the subdivision stating that they have agreed within the covenants and ordinances for those two properties located in the Loretto subdivision and not to affect them in any way other than household properties. Vice-Chairman Litton stated that the Morins do not want to use those two lots for this. Mr. Gordon reiterated that this is not clear in their proposals to the Commission. Mr. Ervin inquired of Mr. Gordon if he has discussed his property values regarding that they would diminish. Mr. Gordon stated that besides Mr. Hand, he has discussed this with one other real estate agent, and she agreed with Mr. Hand in that the property value would decrease. Mr. Ervin inquired of Mr. Gordon who the real estate agent was who agreed. Mr. Gordon noted that it was Ms. Cathy Roberts, who is the realtor who helped sell him his house. A discussion ensued regarding the value of the properties in the subdivision. Chairman Tate thanked Mr. Gordon for discussing the issue of the two lots that the Morins own in the subdivision. He noted that as Vice-Chairman Litton stated, the Planning Commission can exclude the two lots. Chairman Tate commented that Mr. Gordon is referring to the covenants and restrictions within the deed and that is common place, but the Planning Commission will exclude those two lots. Chairman Tate inquired of the Commission if they had any further questions for Mr. Gordon. There being none, he thanked Mr. Gordon for his comments and he asked Mr. John Puvak to approach the podium to address the Commission.

Mr. John Puvak was recognized and stated that he is an attorney with Gentry Locke of Roanoke. He advised that he specializes in land use and zoning matters and represents governments, property owners and developers. Mr. Puvak commented that he did not attend the previous Planning Commission meeting, however, he was fortunate to have read the minutes, and he is attending this meeting to represent Ms. Dawn Taylor and her sons, Caleb and Zach. He noted that Ms. Taylor asked that he review the special exception permit request. Mr. Puvak remarked that he is respectful of the Planning Commission's time, and he sent a letter in advance hoping that the Commission would have a chance to read it. He expressed that he wanted to limit his comments at this meeting. Mr. Puvak stated that he wanted to focus on a few things that he wrote in his letter. He noted that the most significant point of the application that cannot be undone is the fact that it is simply incompatible with a residential use. Mr. Puvak advised that the Town of Wytheville has a Zoning Ordinance for a reason, and special exceptions are, obviously, allowed by the Virginia Code, but special exceptions are still

supposed to fit the essential character of the Zoning Ordinance. He noted that there is really no way to place this request within this area. Mr. Puvak commented that Mr. Varney asked some thoughtful questions, however, those questions are intended to narrow the application. He stated that at some point, there is an application that has been so narrowed and includes so many conditions that the Commission must ask themselves why are they approving the application in the first place, if they have to limit it in such a manner. Mr. Puvak continued to state why the special exception permit request of Loretto Historic Mansion, LLC should not be approved. He noted that, by law, a special exception permit is revocable at any time. Mr. Puvak commented that the two year prohibition or two year probation period is not necessary. He noted that the Town of Wytheville can revoke the permit at any time, and the Morins can close the business at any time they want, as well. Mr. Puvak stated that the two years is a misnomer in that it is not necessary because it can be revoked. He discussed his thoughts regarding the broad use that the Morins have presented to the Planning Commission. Mr. Puvak stated that this would be a commercial business due the fact that there will be housekeepers, delivery trucks, etc. in and out during events. He noted that it is going to look like a single family home, however, what matters is the use of the home and what is taking place inside of the home, which will be a business. Mr. Puvak commented that Ms. Taylor may have been able to support the request, however, the application has still not been limited as requested by the Planning Commission at the April meeting. He noted that there is really no way to make this compatible with a residential use because, frankly, it is inappropriate. Mr. Puvak stated that this property has always been residential since 1852 according to the Comprehensive Plan. He noted that even under the ownership of the Morins, it has always been residential, however, at this time, the Morins are proposing a commercial business that is inconsistent. Mr. Puvak stated that he would be happy to answer any questions, and he thanked the Planning Commission for allowing him to speak. Chairman Tate inquired of the Planning Commission if there were any questions for Mr. Puvak. There being none, he thanked Mr. Puvak for speaking.

Mr. Scot Davis was recognized and stated that he lives at 575 Loretto Drive. He noted that he has lived in the subdivision for approximately 20 years. Mr. Davis commented that there were probably five or six houses located in the subdivision when he, his wife and three daughters moved into the subdivision. He remarked that Dr. and Mrs. Morin have been his neighbors for the last 20 years, and they have been excellent neighbors. Mr. Davis explained that the Morins have opened their home numerous times to various groups, free of charge, and he has never heard of any problem, disruption, etc. during those events. He stated that he remembers Dr. Morin performing the bulk of the yard labor at the mansion. Mr. Davis commented that he did not attend the first meeting, but the one question he has, if he understands correctly, is if the Morins want to host any events at the mansion and not charge a fee, they are not required to have approval from the Planning Commission or Town Council. The Commissioners stated that is correct. Mr. Davis remarked that the discussion of disturbances and parties at the mansion could happen quicker without compromise between the groups. He noted that based on the Morins' track record and the good neighbors that they have been, they think a lot of Wytheville, the local community, etc. Mr. Davis remarked that the homeowners association has held picnics at the mansion. He commented that, personally, he feels like his property values would be impacted much quicker and more adversely if the subdivision did not have someone like the Morins maintaining the property. Mr. Davis expressed that a property like the Loretto mansion could deteriorate fast and become an eyesore to the entire town. He noted that this is when property values are going to suffer. Mr. Davis explained that he would like to see a compromise reached. He thanked the Commissioners for allowing him to speak. Chairman Tate thanked Mr. Davis for addressing the Commission.

Chairman Tate stated there were no other citizens attending the meeting who stated on the sign in sheet that they wished to address the Planning Commission regarding another topic, therefore, he would proceed with the agenda.

RE: RECOMMENDATION – LORETTO HISTORIC MANSION, LLC SPECIAL EXCEPTION PERMIT REQUEST

Chairman Tate advised the next agenda item is for the Planning Commission to make a recommendation to the Town Council regarding the request of Loretto Historic Mansion, LLC for a special exception permit to conduct meetings, conferences, educational seminars, tours, indoor recitals and outdoor special events at 205 Loretto Drive, which is located on the west side of Loretto Drive between Peppers Ferry Road and Mountain View Drive, in an R-1 Residential District. Mr. Ervin stated that Mr. Davis made a good argument in that the deterioration of the Loretto property would certainly have a negative impact on the surrounding neighborhood. He continued to state why he would be in favor of the special exception permit request, if events were limited to indoors. Vice-Chairman Litton advised that the Planning Commission needs to identify the area of the property that is being discussed because it seems to him that there is somewhat of a discrepancy of what property the Morins are applying for the special exception permit. He continued to express his thoughts regarding the request and the question of the deed. Assistant Town Manager Moore stated that all he has is the implication

from the Morins that they plan to use the Loretto property properly and not the other two lots in the subdivision that they own. Town Attorney Menerick stated that he is not aware of any identifiable tax map numbers or lots, but he thinks it would be appropriate for the Commission to condition its decision on using the lot that the mansion sits on and the driveway. Chairman Tate inquired of Town Attorney Menerick if he is instructing the Commission to exclude the front parcel of land, which he considers a part of the mansion that borders Peppers Ferry Road. Town Attorney Menerick stated that is not correct. He explained that the driveway goes through the front parcel, therefore, he would recommend including the front parcel, as well. A discussion continued regarding the parcels included in the request. Vice-Chairman Litton advised that he has discussed the request with approximately 12 citizens who live in the subdivision and citizens outside of the neighborhood. He noted that one of the first comments he heard from citizens in the neighborhood concerned the other two lots that the Morins own. Vice-Chairman Litton continued to discuss the concerns he received from the citizens in the subdivision regarding the special exception permit request. He noted that there was numerous opposition to outdoor events at the mansion from the citizens in the subdivision. Chairman Tate inquired if there is a consensus of the Planning Commission to pursue option one and revise the language. Dr. Suarez stated that he was somewhat disappointed that the Morins made a good effort to compromise and presented two options, but he felt that it was still not good enough for the citizens of the subdivision. He reiterated that he was disappointed in that because Dr. Morin has shown a great history of conservation and preservation at the mansion. Dr. Suarez expressed that he still keeps revisiting the fact that the mansion property is located in an R-1 Residential Zoning District, the property borders R-1 and R-2 Residential Zoning Districts and it would be a fairly large special exception, therefore, he would not be in favor of recommending that the special exception permit be approved. Chairman Tate inquired what the Planning Commission would recommend regarding the request. Mr. Varney advised that he feels like option two, at this point, is an absolute no. He commented that he does feel like there was some genuine effort in a compromise. Mr. Varney continued to express his thoughts regarding the request. He noted that he appreciates the Morins and how well they take care of the mansion. Mr. Varney stated that he assures the Morins that he has tried to be as diligent as he can, however, with the questions that have been raised, even though the Morins made a genuine step forward, there are still a lot of issues. He commented that at the end of the day, the property is still zoned R-1 Residential, therefore, he cannot vote in favor of recommending that the special exception permit be approved. He continued to voice his thoughts regarding the request. Chairman Tate commented that he would like to discuss option one with the Planning Commission. He inquired of the Commission if there were any changes, etc. to option one that they felt needed to be amended. Chairman Tate inquired of the Morins if they would be willing to give up recitals on the weekends, which is listed in option one. He asked if the Morins would receive compensation for those recitals. Ms. Morin explained to the Planning Commission the recitals that have been held at Loretto in the past. She noted that if recitals would keep them from receiving the special exception permit, then they would be willing to offer the venue free of charge for recitals for classical musicians who want to utilize the area. Discussion continued regarding the weekend recitals. Chairman Tate inquired of the Commission if they had anymore input regarding option one. He noted if there is not, is there a motion regarding the recommendation to the Town Council. Vice-Chairman Litton stated that he reverts back to Mr. Davis' comment regarding the Morins willing to maintain the Loretto property. He noted that he thinks that is a good compromise. Vice-Chairman Litton commented that when he thinks about the 3.6 acres of B-1 Business Zoned property abutting three roadways, there is a lot of potential for development. He remarked that there is a lot of businesses that could be developed on the front of the Morins property, if they wanted to do so. Vice-Chairman Litton stated that a laundromat that operates 24 hours a day seven days a week could be erected, if they choose this, if he is not mistaken. He commented that if real estate values are of concern, then this should be thought about. Vice-Chairman Litton continued to express his thoughts regarding the recommendation to the Commission. Mr. Varney expressed his thoughts regarding option one and the potential options to the Commission. Chairman Tate inquired of Assistant Town Manager Moore if the Morins utilize the R-1 Residential and part of the B-1 Business Zoning Districts as a business, if approved, if paved parking is required or could they just park on the grass. He inquired if there are any stipulations within the Town Code or Zoning Ordinance. Assistant Town Manager Moore stated that there are no stipulations to his knowledge. He commented that Chairman Tate did not mention that the Planning Commission has received two letters or emails that were placed at the Commissioners seats, and, also, a letter that was received from Mr. Puvak that he discussed earlier in the meeting. Assistant Town Manager Moore discussed parameters and noted that those parameters were noted in the Town staff report. Mr. Ervin commented that there has only been limited opposition by a couple of citizens, and if he were going to make a recommendation, he would say that Dr. and Mrs. Morin could host private parties at the mansion week after week, free of charge in an R-1 Residential District. He noted that he can see, as well, like Vice-Chairman Litton noted earlier regarding that anything could be erected on the B-1 Business District property or what if the property is overgrown and the house deteriorates. Mr. Ervin commented that he would think that the Morins' proposal would be acceptable, and he does not understand why it is not acceptable. Chairman Tate stated that he would recommend limiting the number of people to 50 for conferences and seminars only, and,

then excluding the indoor recitals. He noted that he would recommend having onsite parking. Chairman Tate inquired if there was any further discussion on the recommendation for option one. Ms. Pattison commented that at the April meeting, she had three concerns that she discussed with Ms. Morin, and those concerns included the safety of pedestrians walking, noise levels and parking. She noted that she feels like Ms. Morin has made good indications as to how they plan to take care of these concerns, therefore, at this time, she would be in favor of option one. Ms. Pattison remarked that she feels like the Morins have very good intentions. She continued to discuss her feelings regarding the recommendation. Mr. Varney stated that he did not disagree with Ms. Pattison's comments, however, in moving forward with the plan, he thinks that the problem is not whether or not the Morins can handle the business because he thinks they will handle it well, but there is also people who live in Loretto and in this town who have concerns regarding the frequency of the events. He noted that even though general time has been discussed, frequency of events has not and is not defined. Mr. Varney commented that he does think this is a great idea, and if he was a homeowner in Loretto he does not think that it would hurt the value of the home, but he does think there is any way of knowing if events will get out of control until it happens. He remarked that the Planning Commission can make suggestions, but, ultimately, it has to be what the Commissioners are agreeing to in the special exception permit. Mr. Varney stated, for example, the driveway. He noted that he agrees with Ms. Morin in that asphalt would look terrible, but if the parking area had a type of stone, it would be very complimentary that would help minimize the wood, save the trees, etc. Mr. Varney continued to express his thoughts regarding the recommendation. Assistant Town Manager Moore advised that there has been a lot of discussion regarding the recommendation, however, someone needs to make a motion so that a decision can be made because, if not, discussion could continue at length. A motion was made by Mr. Ervin and seconded by Ms. Pattison to recommend to the Town Council option one with a maximum of 50 attendants, all parking will be onsite and operating hours would be Monday through Friday, 8:00 a.m. to 5:00 p.m. Chairman Tate inquired if there is any discussion on the motion. Ms. Pattison stated that she would like to amend the motion to include the stipulations recommended by Town staff. A discussion ensued regarding the stipulations recommended by Town staff. The amended motion made by the Planning Commission is to recommend to the Town Council option one with the following stipulations: 1.) All activities shall be held indoors of the Loretto Mansion, with a maximum of 50 people attending meetings, corporate and governmental conferences, educational seminars and recitals; 2.) All house tours shall be with a maximum of 50 guests and shall be organized through the Wytheville Convention & Visitors Bureau; 3.) The property shall be maintained in the same manner as it has been maintained in the past, with attention to the residence and outbuildings, landscaping detention pond and outflow structures; 4.) The volume of parking shall be limited to specific areas and these areas shall be screened from the adjacent neighborhoods with landscaping according to the Buffer Yard Regulations. The parking for smaller meeting and conferences shall be defined and located with permanent paving and landscaping; 5.) The hours of all indoor activities shall be limited to Monday – Friday, 8:00 a.m. to 5:00 p.m.; 6.) The appearance and character of the property shall remain unchanged and the property shall maintain the appearance of a private residence; 7.) The Special Exception Permit shall be granted for a period of one year, with a provision for renewal every year; and, 8.) The Special Exception Permit shall be granted only to the Loretto Historic Mansion, LLC so that any change in ownership shall require an application for a Special Exception Permit. Chairman Tate inquired if there was any further discussion regarding the motion to recommend option one to the Town Council. There being none, the motion was approved with the following voting results: For: M. Bradley Tate, Bradford M. Litton, Cathy D. Pattison, Kenny W. Ervin. Against: Terrance E. Suarez, Kevin L. Varney. Against: None.

RE: SUBDIVISION REQUEST

Chairman Tate advised that the next agenda item is the request of Country Club Heights, LLC for the preliminary approval of the subdivision of property located on the west side of Dodgion Street, between Old Stage Road and West Lee Highway, in an R-1 Residential and R-2C Residential Districts. Assistant Town Manager Moore reviewed the subdivision request with the Planning Commission members. He reminded the Commissioners that there is a new requirement for a sidewalk located on at least one side of the developed street. Assistant Town Manager Moore advised that it is Town staff's recommendation that this requirement not be waived. He inquired if there were any questions for him. A discussion ensued regarding the size of the houses that would be located in this subdivision. Chairman Tate inquired if the developer could tell him what size the houses would be in the subdivision.

Mr. Larry Edwards was recognized and stated that he and his partner have not made that final decision, however, they are leaning more toward single family dwellings like those allowed in R-1 Residential Zoning Districts. He noted that there seems to be a shortage of housing in Wytheville. Mr. Edwards commented that they purchased the property before the housing crisis in 2007, and it has been sitting ever since. He remarked that he would like to address the curb and guttering. Mr. Edwards stated that if the Commissioners visit the property, there are quite a few sink holes and other situations, therefore, it is a unique piece of property and some of it will

not lend itself to curb and gutter, due to the fact that work will have to be performed around the sink holes, etc. He noted that it might be an option on the first phase of construction. Mr. Edwards explained that they are proposing 22 lots to test the market. He noted that it will require a substantial investment. Chairman Tate thanked Mr. Edwards for his comments, and noted that he agrees with Mr. Edwards regarding the shortage of smaller houses in Wytheville. Assistant Town Manager Moore advised that the minimum house size is 1,400 square feet in an R-1 Residential Zoning District. Vice-Chairman Litton inquired of Assistant Town Manager Moore if curb and gutter is required but has the option to be waived. Assistant Town Manager Moore stated that it is required and has been waived on the majority of residential subdivisions in the past 15 years. Discussion ensued regarding why the requirement of curb and gutter should not be waived. Chairman Tate inquired if Dodgion Street has curb and gutter. Assistant Town Manager Moore advised that, currently, it does not have curb and gutter because it was waived. Mr. Varney explained that there is a type of curb and gutter that is more cost effective and is very attractive. He noted that he would think this is something the Planning Commission could consider. Mr. Varney advised regarding the rolled edge curb and gutter. He inquired of Mr. Edwards if there is any way that curb and gutter could be installed. Mr. Edwards commented that they could certainly take a look at it on Phase I. He noted that some of the lots are going to have to be large. Mr. Edwards noted that this is currently a subdivision now, and there are 40 lots. He noted that they do not meet any legal requirements, however, they have been paying taxes as a subdivision. Mr. Edwards remarked that it is just not feasible, therefore, they are redesigning the subdivision coming off of Dodgion Street and creating a new street. He noted that they are basically doing what they can do with gravity. Mr. Edwards continued to explain the plans for the subdivision. Ms. Pattison inquired of Mr. Edwards as to what size houses they were planning to build. Mr. Edwards commented that they are targeting the middle market, and Assistant Town Manager Moore stated that 1,400 square feet is the minimum size for R-1 Residential Zoning Districts. He noted that they are certainly not targeting the market like Loretto, but they are not going small, government assisted living either. Mr. Edwards remarked that they think there is a market in the price range of \$160,000 to \$250,000 range. He noted that they will develop some good restrictions so that they can have a homogeneous type of subdivision. Mr. Edwards remarked that they will probably require plan approval. A discussion ensued regarding the house size compared to lot size and the cost. Mr. Edwards noted that in this subdivision, there are 176 acres of land. Mr. Varney inquired of Mr. Edwards about the lot size of the properties. Mr. Edwards commented that he thinks they told The Lane Group that they would prefer each lot to be at least 100 feet wide. Mr. Varney commented that the lot sizes will be great and make the houses located on them look attractive. Mr. Edwards commented that they might build one or two spec houses to get things going. He noted that they have people constantly calling to see when the lots will be available. Ms. Pattison inquired of Mr. Edwards if all utilities would be buried. Mr. Edwards stated that is correct. He commented that Dodgion Street will be extended, and there are 12 lots along that street. Mr. Edwards remarked that they will come south with a new street that has additional lots, which the Commissioners have in front of them. He depicted on the map an area that will be developed into duplexes soon. Mr. Edwards noted that Country Club Heights, LLC will be developing the property, and they will not be subcontracting. Chairman Tate inquired if there were any further questions for Mr. Edwards. Vice-Chairman Litton remarked that he agreed with Mr. Varney regarding the rolled edge curb. He noted that he thinks curb and gutter should be required. Mr. Varney noted that it is cost effective and handles water very well. Discussion continued regarding the curb and gutter. Chairman Tate inquired if there were any further comments regarding the curb and gutter. He inquired if there is a motion for the preliminary approval. A motion was made by Vice-Chairman Litton and seconded by Mr. Ervin for the Planning Commission to give preliminary approval of the subdivision of property located on the west side of Dodgion Street, between Old Stage Road and West Lee Highway, in R-1 Residential and R-2C Residential Districts. Chairman Tate 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: M. Bradley Tate, Bradford M. Litton, Cathy D. Pattison, Terrance E. Suarez, Kevin L. Varney, Kenny W. Ervin. Against: None.

RE: DOG PARKS

Chairman Tate advised that the next agenda item is further discussion of Ager Park as a potential site for a dog park. Assistant Town Manager Moore updated the Planning Commission regarding the special meeting held at Ager Park and continued to discuss the site as a potential dog park for the Town of Wytheville. He noted that access to the area where the park would be is the main concern. Assistant Town Manager Moore stated that the Town's Engineering Department will be working on preliminary plans in the next few weeks so that the Planning Commission can review it at the next meeting. Chairman Tate inquired if there was any further discussion concerning the proposed dog park. Vice-Chairman Litton inquired of Assistant Town Manager Moore if there had been any further contact with the County. Assistant Town Manager Moore stated that he did mention to County Administrator Stephen Bear that there had been positive input from the Planning Commission and that the Town would be pursuing the dog park,

but that there had not been any formal discussion regarding what the lease on the property might be, etc.

RE: SMALLER HOMES/SMALLER LOTS

Chairman Tate advised that the next agenda item is further discussion of the concept of smaller homes/smaller lots in town. Assistant Town Manager Moore stated that the Planning Commissioners have lots of information in their packets regarding this topic. He noted that Assistant Planning Director Brian Freeman compiled information regarding how to approach this and make the decision process easier. Mr. Freeman stated that he wanted to try to help the Planning Commission look at what regulatory framework for what he thought was the goal of the Planning Commission, which is to provide increased opportunities for high quality, affordable home ownership and increase residential infill development. He remarked that there are approximately three ways through planning and zoning that the Planning Commission can accomplish this. Mr. Freeman explained that one that the Commission kept revisiting was revising the R-3 Residential Zoning District, however, if this occurs, not only is R-3 Residential Zoning included, but so is B-1, B-2 and B-2DT Business and M-1 and M-2 Industrial Zoning Districts all follow the R-3 Residential Zoning District requirements. He remarked that after Town staff looked through the GIS mapping system, and there are over 4,100 lots included in these zoning districts that would be impacted. Mr. Freeman stated that another option would be to create a new zoning district, such as R-4 Residential, that would relax some of the R-3 Residential requirements. He noted that the pros of this would be that it is incremental, and it can be placed wherever the Planning Commission wishes to place it without having to change over 4,000 lots in the R-3 Residential Zoning Districts. Mr. Freeman explained that the cons would be that the Commission would be limiting the area of placement, therefore, there might not be as much impact on their stated goal. He commented that the third option, which as a staff member he thinks is probably the most viable option, is to create an overlay district that allows lines to be drawn regardless of the underlying zoning district. Mr. Freeman stated that it can be placed in R-3 Residential, M-1 and M-2 Industrial and the existing boundaries do not have to be followed, but it would allow some of the R-3 Residential requirements to be relaxed under the overlay. He noted that if any of the Commissioners have any questions, he would be happy to answer those. A discussion ensued regarding the overlay option. Mr. Freeman stated that it may be beneficial to consider a small portion of properties to gather the citizens' thoughts and hear their opinions regarding a rezoning before notifying thousands of citizens because that might not go well. Discussion continued regarding the overlay option. Mr. Freeman stated that he thinks the next best step would be for Town staff to determine some places in town where the overlay option would best fit. Dr. Suarez commented that he thinks they need to think about exactly what kind of small house is being considered. He noted that he is getting the impression that Mr. Hand and some other Commissioners are looking for a nicer looking small house development. He noted that it would have to be consistent. Mr. Freeman stated that form based codes could help this and he continued to explain what form based codes are to the Planning Commission. Discussion ensued regarding the lots on Cassell Road that would be perfect for the smaller houses and rezoning. Ms. Pattison inquired of Mr. Freeman as to which of the three options would receive the least opposition from citizens, in his opinion. Mr. Freeman stated that the overlay district would receive the least opposition in his opinion. He noted that there will be similar feedback from option two and three, which are both a great departure from option one as far as anticipated public outcry because the Planning Commission has the ability to make it a small area. He noted that when the R-3 Residential District is changed, it will change every parcel noted on the map provided. Discussion continued regarding the large amount of citizens who would need to be contacted regarding the change. Mr. Freeman inquired of the Planning Commission if they would like for Town staff to provide another map for the next meeting that gives possibilities of places that may be appropriate for an overlay district. It was the consensus of the Planning Commission to have Town staff provide a map of possible places for an overlay district at the next meeting in June with the form based codes included. Discussion ensued regarding the required setbacks and how they could be changed to help with the smaller homes/smaller lots in town.

RE: 2018 RURAL PLANNING CAUCUS

Chairman Tate advised that the next agenda item is in regard to the 2018 Rural Planning Caucus. Assistant Town Manager Moore stated that the annual Rural Planning Caucus will be held at Mountain Lake on October 17-19, 2018. He continued to discuss the caucus with the Planning Commission. He inquired if the Planning Commission is interested in attending. It was the consensus of the Planning Commission to let Town Clerk Corvin know if they are interested in attending at a later date.

RE: ADJOURNMENT

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (8:07 p.m.).

M. Bradley Tate, Chairman

Sharon G. Corvin, CMC, Town Clerk