

**Christiansburg Planning Commission  
Minutes of August 31, 2015**

Present: Matthew J. Beasley  
Ann Carter  
Harry Collins  
David Franusich  
Craig Moore, Chairperson  
T.L. Newell  
Virginia Peeples  
Joe Powers  
Nichole Hair, Secretary <sup>Non-Voting</sup>

Absent: Steve Huppert  
Hil Johnson  
Jennifer D. Sowers, Vice-Chairperson

Staff/Visitors: Sara Morgan, staff  
Cindy Wells, Montgomery County  
Harless Todd Ratliff, 1050 Peppers Ferry Road  
Jeanie M. Ratliff, 1050 Peppers Ferry Road  
Barney Horrell, Brushy Mountain Engineering  
George Smith, Peppers Ferry Investments, L.L.C.  
Joel Justice, Little Oil Company, 895 Peppers Ferry Road, N.W.

Chairperson Moore called the meeting to order at 7:01 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia.

Public Comment.

Chairperson Moore opened the floor for public comment. With no comments, Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for August 17, 2015.

Chairperson Moore introduced the discussion. Commissioner Carter made a motion to approve the Planning Commission meeting minutes. Commissioner Collins seconded the motion, which passed 6-0. Commissioner Beasley and Chairperson Moore abstained, as they were not present for the last meeting.

Planning Commission public hearing Town Council's intention to adopt an ordinance in regards to a rezoning request by George Smith, agent for Peppers Ferry Investments, L.L.C., for property located at 915 Peppers Ferry Road, N.W. (tax parcel 434 – ((A)) – 16) from R-2 Two-Family Residential to B-3 General Business. The property contains 1 acre and is scheduled as residential in the Future Land Use Map of the Christiansburg Comprehensive Plan.

Chairperson Moore introduced the public hearing.

Chairperson Moore asked Mr. George Smith to describe his request. Mr. Smith stated the intent behind the purchase of the property was to rezone the property to its highest and best use. Mr. Smith added with the road improvements and the surrounding property being zoned B-3 General Business, the property owners, Peppers Ferry Investments, L.L.C., have decided to move forward with the rezoning request. Mr. Smith stated Peppers Ferry Investments, L.L.C. does not have any plans for the property other than listing the property for sale.

Mr. Joel Justice stated he owns the gas station adjoining the property. Mr. Justice added his company is interested in knowing what is going to happen with the neighboring property and how it may impact the existing business.

Chairperson Moore closed the public hearing.

Chairperson Moore asked the applicant to stay until the Planning Commissioners discuss the request, as the Planning Commission may vote on the request tonight.

Discussion by Planning Commission on Town Council's intention to adopt an ordinance in regards to a rezoning request by Harless Todd and Jeanie M. Ratliff for property located at 1050 Peppers Ferry Road, N.W. (tax parcel 434 – ((A)) – 22) from A Agriculture to B-3 General Business. The property contains 5.49 acres and is scheduled as residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. The Planning Commission public hearing was held on August 17, 2015.

Chairperson Moore read the proffer statement provided by the applicant, which is attached to these minutes, and referenced the topographic map requested by the Planning Commission at the previous meeting. Ms. Hair noted the dark black contour lines, on the topographic map, are depressions. Ms. Hair added sink holes are not available through GIS mapping.

Chairperson Moore asked if Ms. Hair had received any further comment from the public. Ms. Hair referenced her phone call with Christina Ryplansky, an adjoining property owner. Ms. Ryplansky voiced her support of the request for B-3 General Business for the entire property. Ms. Hair added the Planning Commission has received an email from Ms. Ann Hess.

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Commissioner Powers stated he believes B-3 General Business is now appropriate given the restrictions provided by the proffer statement. Commissioner Powers added he no longer feels B-1 Limited Business is a better designation for the property. Commissioner Carter agreed B-3 General Business is appropriate.

Commissioner Beasley inquired about amending the Future Land Use Map in the Christiansburg Comprehensive Plan to reflect the zoning. Ms. Hair reminded Planning Commission the Future Land Use Map is a guiding tool and could be amended to better reflect the future needs. Ms. Hair added during the next Planning Commission meeting, a presentation will be given regarding a study for Urban Development Areas and the Comprehensive Plan may be amended as part of that study.

Commissioner Franusich asked for staff's explanation of the suggested B-3 General Business for the request. Ms. Hair stated she suggested B-3 General Business because it was a reflection of adjoining properties' zoning. Ms. Hair added the applicants could not request a Conditional Use Permit for a Major Home Occupation due to the nature of the business being a retail store. Ms. Hair stated she felt the B-3 General Business District was best suited for the applicants' needs. Commissioner Newell asked Ms. Hair if this zoning and proffers would convey with the future of the property. Ms. Hair stated if the applicants end up selling the property, the new owners would need to go through the Proffer Amendment process if they wish to change what has been proffered here. Ms. Hair added the Proffer Amendment process requires a public hearing.

Chairperson Moore asked Ms. Hair if there are any future issues given the larger adjoining property and the potential change to the Future Land Use Map. Ms. Hair stated she does not see an issue of spot zoning if the Rykplansky property were to be rezoned in the future.

Commissioner Beasley asked Ms. Hair why the applicants would need to rezone the property rather than apply for a Conditional Use Permit. Ms. Hair stated a Conditional Use Permit is not possible given the applicants' intentions for the property. Ms. Hair stated a rezoning is necessary because it is a retail store, not a home occupation.

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Commissioner Beasley inquired about the increased traffic. Ms. Hair noted she does not foresee a high increase in traffic as the applicants do custom work. Ms. Hair added the applicants will be required to provide a site plan for the retail store.

Commissioner Powers noted how the Agriculture zone provides a good tax benefit to the applicant. Ms. Hair agreed.

Commissioner Franusich asked if rezoning a small portion of the property constitutes spot zoning. Ms. Hair stated this is not an issue of spot zoning. Ms. Hair provided examples of other split zone requests such as the request by Stateson Homes for single family residences off Quin W. Stuart Boulevard.

Commissioner Beasley asked the applicant if he has moved in to the home. Mr. Ratliff stated he will be remodeling the house prior to moving. Commissioner Beasley pointed out his home on the map and welcomed the Ratliffs to the neighborhood.

Commissioner Newell referenced the concept drawing provided by Mr. Horrell. Commissioner Newell inquired if the Zoning requirements are being met. Ms. Hair stated the necessary setback requirements are being met.

Commissioner Franusich stated he believes the Planning Commission should discuss amending the Comprehensive Plan. Commissioner Powers explained the original thoughts behind the Future Land Use Map. Commissioner Powers added the topography was seen as an issue and therefore resulted in the residential designation. Commissioner Franusich stated he would like to be proactive for future requests that may come before Planning Commission. Ms. Hair stated the Town is working with a consultant to review possible Urban Development Areas. Ms. Hair added if UDAs are adopted, this is done through a Comprehensive Plan update. Ms. Hair stated the Planning Commission can again look at the Future Land Use Map at that time. Ms. Hair asked the Planning Commission to begin thinking about who would like to be involved in the discussions with the consultant.

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Commissioner Beasley stated the Development Subcommittee should be involved in this process. Chairperson Moore explained the changes to legislation requiring the adoption of UDAs as it applies to transportation funding. Commissioner Powers noted this change ties land use and transportation decision making together. Chairperson Moore agreed Commissioner Powers' assessment is fair. Commissioner Collins asked if traffic lights are included in the funding. Ms. Hair confirmed improvements to intersections are included.

Commissioner Beasley asked if a dumpster would be used for the store. Mr. Ratliff stated he will not be using a dumpster for his business.

Commissioner Carter asked about Route 114/460 Corridor materials. Ms. Hair stated the materials are available for review. Ms. Hair added it appears the Corridor Study was conducted as part of the 1988 Annexation. Commissioner Carter and Ms. Hair noted the designation of mixed use and business along the corridor.

Chairperson Moore asked if there is any further discussion or questions to be addressed. Commissioner Powers stated the proffer statement reduces impact for the rezoning request. Commissioner Beasley stated he is comfortable with the revised request.

Commissioner Newell made a motion to recommend Town Council approve the request with the proffer statement. Commissioner Carter seconded the motion, which passed 8-0.

Commissioner Powers thanked the applicant for working with the Planning Commission and staff on the request.

The next meeting for the applicant is the Town Council Public Hearing on Tuesday, September 8<sup>th</sup>. Chairperson Moore explained the applicants will want to be present at the public hearing to address any questions or concerns that arise.

Discussion of Town Council's intention to adopt an ordinance in regards to a rezoning request by George Smith, agent for Peppers Ferry Investments, L.L.C., for property located at 915 Peppers Ferry Road, N.W. (tax parcel 434 – ((A)) – 16) from R-2 Two-Family Residential to B-3 General Business. The property contains 1 acre and is scheduled as residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. The Planning Commission public hearing was held on August 31, 2015.

Chairperson Moore opened the floor for discussion.

Commissioner Collins asked what the plan was for the house on the property. Mr. Smith noted the recent renovations to the house and intention to rent the property.

Commissioner Beasley asked if this was the house that held many yard sales. Ms. Hair confirmed this is the house in question.

Commissioner Newell noted the property appears to be a residual property that did not get rezoned as the surrounding properties are B-3 General Business. Commissioner Newell inquired if the B-3 zone was the best use for the surrounding property at the time of those rezoning. Ms. Hair stated she believes so.

Commissioner Powers stated he would have liked the Slate Creek properties to be rezoned R-3 Multi-Family. Commissioner Powers added if that were the case, the zoning would better represent the land use.

Chairperson Moore detailed the location and surrounding zoning. Chairperson Moore noted the Planning Commission can reevaluate the residential designation of this property in the Future Land Use Map of the Comprehensive Plan.

Commissioner Beasley stated he believes this request makes sense especially with the request that was approved earlier in the meeting. Commissioner Franusich agreed with Commissioner Beasley.

Commissioner Newell inquired about the setbacks for the property. Ms. Hair noted the 20 foot rear setback requirement for the property given the adjoining residential zoned property. Commissioner Newell and Ms. Hair discussed the zero setback requirements for the sides of the property. Commissioner Powers noted the parking would also have a setback requirement. Ms. Hair stated the parking would have a 15 foot setback from the street right-of-way. Chairperson Moore, Commissioner Franusich, Commissioner Carter and Ms. Hair discussed the residential and gas station neighbors.

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Commissioner Collins made a motion to recommend Town Council approve the request. Commissioner Beasley seconded the motion, which passed 8-0.

Chairperson Moore asked Ms. Hair to elaborate on what is allowed in the B-3 District. Ms. Hair provided some examples. Chairperson Moore noted that the B-3 District opens the options up for the applicant.

The Town Council public hearing for the request will be held Tuesday, September 22<sup>nd</sup>.

#### Other Business

Commissioner Newell asked about the screening at Mr. Anderson's property. Ms. Morgan noted the screening has been installed. Ms. Morgan described the location of the screening. Commissioner Newell and Ms. Hair reiterated the screening issue for the property. Ms. Hair stated the Planning Department checks Conditional Use Permits monthly.

Ms. Hair stated she will contact Mike Chandler regarding the Planning Commissioner training for future trainings that may be closer to Christiansburg. Ms. Hair stated she did not see an issue with Planning Commissioners completing their training within the first year and will inform the Mayor of the issues.

There being no more business, Chairperson Moore adjourned the meeting at 7:37 p.m.

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Craig Moore, Chairperson

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Nichole Hair, Secretary <sup>Non-Voting</sup>