

**Christiansburg Planning Commission
Minutes of June 29, 2015**

Present: Matthew J. Beasley
Ann Carter
Harry Collins
Steve Huppert
T.L. Newell
Virginia Peeples
Joe Powers
Craig Moore, Chairperson
Nichole Hair, Secretary ^{Non-Voting}

Absent: David Franusich
Hil Johnson
Jennifer D. Sowers, Vice-Chairperson

Staff/Visitors: Sara Morgan, staff
Missy Martin, staff
Tabitha Proffitt, staff
Matthew Hicks, 100 Depot Street, N.E.
Steve Velarde, 1265 Flint Drive

Chairperson Moore called the meeting to order at 7:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia.

Public Comment.

Chairperson Moore opened the floor for public comment. Steve Velarde, resident at 1265 Flint Drive, spoke to advocate for the keeping of chickens to be allowed in the R-1 Single Family Residential District. Mr. Velarde stated he purchased chicks from a local retailer and then was notified he cannot have chickens at his residence. Mr. Velarde stated he attended the last Town Council meeting and is asking Planning Commission and Town Council to amend Town Code to allow chickens in residential districts.

Mr. Velarde has researched other localities and explained Salem allows chickens in residential districts. Mr. Velarde added chickens are clean and he would like his children to be able to eat this natural resource of food. Mr. Velarde thanked the Planning Commission for their time.

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

Approval of meeting minutes for June 15, 2015.

Chairperson Moore introduced the discussion. Commissioner Beasley made a motion to approve the Planning Commission meeting minutes. Commissioner Newell seconded the motion, which passed 8-0.

Planning Commission public hearing on a Conditional Use Permit request by Matthew Hicks, agent for Andrews Roofing and Construction, LLC, for a single family residence at 100 Depot Street, N.E. (tax parcel 496 – ((15)) – 61A) in the B-3 General Business District.

Ms. Hair, Planning Director, noted that the property owner for 100 Depot Street, N.E., Mr. Matt Hicks, is in attendance. Mr. Hicks explained to the Planning Commission he intends to remodel the building back to a single family residence. Ms. Hair added an adjoining property owner notified they were in favor of this request.

Chairperson Moore asked for clarification on setbacks due to the structure being located in the flood plains. Ms. Hair explained Mr. Hicks will only be remodeling the interior of the property and no exterior additions will be added, which could affect setbacks.

Commissioner Carter stated there are residential units across the street and she felt this was a justified use request.

Chairperson Moore asked if Planning Commission had any further questions for the public comment portion. With no further questions Chairperson Moore closed the public hearing.

Discussion of a Conditional Use Permit approved on November 20, 2010 for a towing service at 2000 Roanoke Street (tax parcel 499 – ((A)) – 14) in the B-3 General Business District.

Chairperson Moore opened by asking staff to discuss the issue. Ms. Hair explained during the monthly Conditional Use Permit checks, staff has noticed the screening for this property has fallen several times, which is in violation of the approved Conditional Use Permit. Ms. Hair stated she would like the Commissioner's guidance on how to proceed.

Commissioner Huppert asked if staff has spoken with Mr. Anderson regarding this issue. Ms. Hair replied yes and Mr. Anderson stated he would correct this issue but the screening still has not been fixed.

Commissioner Newell asked if the screening is sufficient and meets the approved Conditional Use Permit requirements. Ms. Hair replied yes, but Mr. Anderson cannot keep the screening up so it needs to be addressed. Commissioner Powers stated he feels screening needs to be something better than tarps. Commissioner Powers added a Conditional Use Permit was approved to be able to regulate screening for the adjoining properties and for visual issues.

Chairperson Moore stated the Conditional Use Permit may be revoked if Mr. Anderson does not bring the property into compliance with his approved Conditional Use Permit.

Discussion of a Conditional Use Permit approved on November 20, 2010 for a towing service at 2000 Roanoke Street (tax parcel 499 – ((A)) – 14) in the B-3 General Business District (continued).

Commissioner Powers stated he would like to recommend Mr. Anderson come up with a better solution to screen the property within 30 days and to let the Planning Commission know he would be addressing this issue.

Commissioner Newell asked Mr. Hair if any additional violations are on this property. Ms. Hair replied not at this time.

Ms. Hair stated she would draft a letter for Mr. Anderson requesting the screening be corrected.

Commissioner Newell asked if the number of vehicles in this lot is regulated by the Conditional Use Permit. Ms. Hair responded the number of vehicles is not regulated but all towed vehicles are only allowed for temporary storage.

Commissioner Powers asked if Mr. Anderson can have a resolution to this issue by the next Planning Commission meeting on July 20th and added that he would like to see slats used on the fencing like other towing businesses in Town. Chairperson Moore clarified Mr. Anderson will have a solution to the screening issue by the next Planning Commission meeting and then be given an additional 30 days to comply.

Commissioner Collins stated he would like to abstain from this discussion because his son is a competitor in the towing business.

Discussion of chickens in residential districts.

Ms. Hair stated Town Council has asked the Planning Commission to study this issue again. Ms. Hair asked if the Development Subcommittee would like to discuss the topic or if the Planning Commission would like to be involved. Ms. Hair added staff will also assist in the study and will provide update to the outcome. Commissioner Powers stated all the Planning Commissioners should be involved.

Commissioner Collins asked why Town Council originally denied this request. Commissioner Powers discussed the outcome of the last study. Ms. Hair stated she would research the old minutes and will provide them for the discussion. Commissioner Huppert asked if staff can provide the pros and cons of having chickens in residential districts.

Commissioner Collins asked what timeline Ms. Hair would be looking at for the study to be completed. Ms. Hair stated it would be at least 2 weeks before this process can be started because she has a deadline for an important Federal project.

Chairperson Craig clarified with Ms. Hair and the Commissioners that all the Planning Commission would be involved in this discussion.

Other Business.

Chairperson Moore asked the Commissioners if they had questions for discussion concerning the Conditional Use Permit request for 100 Depot Street, N.E.

Commissioner Powers asked Mr. Hicks the scope of work he will be completing and what type of permits will be required. Mr. Hicks replied he will be adding a new roof, new windows, new plumbing, new electrical, new flooring and new paint. Mr. Hicks added he has already purchased the required building permits with the Town Building Department.

Commissioner Powers asked Mr. Hicks his estimated cost of the renovation. Mr. Hicks replied approximately \$32,000. Mr. Powers talked about the flood plain and how he is concerned this will be an issue with the property. Mr. Hicks explained the structure is 2 stories with an unfinished basement. Commissioner Powers added looking at the GIS mapping the structure is located within the 100 and 500 year flood plains. Mr. Hicks asked the Planning Commission if they would they are recommending regarding the flood plain.

Commissioner Powers read the definition of a flood plain from the Town Code. Mr. Powers stated the GIS mapping does not provide an accurate location of the flood plain and would like to know if Mr. Hicks can have a company complete a survey to locate the actual flood plains. Mr. Hicks feels he should not have to complete this survey. Mr. Powers stated the flood plains are regulated by the Federal Government and localities assist in this regulation.

Ms. Hair stated she would do some research concerning the flood plain and work with Mr. Hicks. Mr. Hicks stated the only reason he purchased this property is to have shared parking available for a downtown renovation he is completing. No further questions were asked concerning the Conditional Use Permit request.

Commissioner Powers provided an update from the Development Subcommittee meeting regarding setbacks on stairs. Commissioner Powers read the Town Code definition of front yard and noted that steps are excluded in this definition. Commissioner Powers added staff may have different interpretations of what the Town Code states. Ms. Morgan confirmed the front setback and front yard are not one in the same. The front yard is the distance between the front property line and the front façade of the building while the front setback is the distance from the front property line to the structure and in some cases the structure is the stairs.

Ms. Morgan explained that staff has not had issue outside of one development in regards to the interpretation of the stairs. Ms. Morgan stated there has not been a change in the way these setbacks are verified. Commissioner Powers explained that a local developer attended the Development Subcommittee meeting and has issues with the stairs being included in front setbacks. Mr. Powers stated he would like for staff and the Development Subcommittee to discuss the setbacks for stairs as well as decks. Mr. Powers has drafted up a document showing ways to address the issues and work with the developers.

Other Business (continued).

Ms. Morgan explained this has become an issue because the topography of the land and added two other home plans were submitted showing sidewalks and not stairs. Ms. Morgan added the stairs that have violated the front setback were not caught until they were already installed. Ms. Morgan explained when setbacks were approved for the properties; the setback inspection did not include the stairs because they were labeled as a sidewalk. Ms. Morgan stated the sidewalk would not affect the front setback. Commissioner Huppert asked Ms. Hair how that issue was handled. Ms. Hair explained she was willing to work with the developer on these two dwellings but moving forward they could either redo the design or apply for a variance request. Mr. Hair stated the developer did proffer sidewalks in this development but steps are not considered a sidewalk. Ms. Hair has not had time to review Mr. Powers proposal on setbacks and is requesting additional time to address the issue. Ms. Hair added this is the only developer having issues with the setbacks and this is a very uncommon for staff.

Chairperson Moore asked Ms. Hair if the developer is using a new engineer on this project. Ms. Hair replied the engineer and developer are aware of the proffers and setbacks.

Commissioner Powers stated the topography of the land seems to be the issue. Ms. Hair replied this is up to the engineer and developer to address and not the Town. Mr. Powers asked for clarification on covered decks and covered stoops to be included with the setback information Ms. Hair stated she will address this, as this seems to be a concern as well. Ms. Hair stated this is not an issue if the property owners apply for the appropriate permits before construction. Chairperson Moore clarified staff would work on this issue and discuss further with the Development Subcommittee.

Commissioner Huppert updated the Planning Commission on the Town Council meeting concerning the Conditional Use Permit request by Mr. Dobbin's gun transactions. Ms. Hair clarified a joint work session will be held next Tuesday to discuss this issue with Planning Commission and this meeting will be open to the public. Mr. Huppert added the Town Council would like to discuss with the Planning Commission their decision to recommend the request. Ms. Hair added she will update the Planning Commissioners on the location of this meeting.

There being no more business, Chairperson Moore adjourned the meeting at 7:38 p.m.



 Craig Moore, Chairperson



 Nichole Hair, Secretary Non-Voting