

**Christiansburg Planning Commission
Minutes of May 16, 2016**

Present: Ann Carter
Harry Collins
Hil Johnson
Craig Moore, Chairperson
T.L. Newell
Virginia Peeples
Joe Powers
Jennifer D. Sowers, Vice-Chairperson
Sara Morgan, Secretary ^{Non-Voting}

Absent: Matthew J. Beasley
David Franusich

Staff/Visitors: Andrew Warren, Planning Director
Will Drake, staff
Eric Griffith, Tow 360, LLC
William Grubb, 409 Roanoke Street
Nancy and William Miller, 111 Miller Street, S.E.
Ronnie Hawkins, 109 Miller Street, S.E.

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 Planning Commission Minutes for April 18, 2016 meeting.

Chairperson Moore introduced the discussion. Commissioner Johnson made a motion to approve the April 18, 2016 Planning Commission meeting minutes. Commissioner Peeples seconded the motion, which passed 6-0. Commissioner Carter and Vice-Chairperson Sowers abstained as they were not present for the previous meeting.

Public Hearing on a Conditional Use Permit request by Tow 360, LLC, agent for Curtis Properties, LLC, for a towing service at 409 Roanoke Street (tax parcel 527 – ((A)) - 210) in the B-3 General Business District.

Chairperson Moore opened the public hearing. The agent, Eric Griffith, stated he would like to operate a towing business on the property. Mr. Griffith stated the property has been approved for an existing towing business and he understands a Conditional Use Permit is required to operate an additional towing business.

Nancy Miller, 111 Miller Street, S.E. stated the property in question adjoins her backyard and is between the residential areas on Miller Street, S.E. and Circle Drive, S.E. Mrs. Miller stated she and her husband can hear vehicles being loaded and unloaded. Mrs. Miller stated a vehicle may remain on the property for two or three months. Mrs. Miller stated she and her husband believe the proposed use will lower their property's value. Mrs. Miller stated towed vehicles can be unsightly and there is no screening in the winter when the vegetation is gone. Mrs. Miller asked Planning Commission to deny the request.

Commissioner Powers asked Mrs. Miller to identify her property on the projection screen. Mrs. Miller identified her property and noted repossessed vehicles have been stored on the hill (southern portion of the property) in the past.

William Grubb, 409 Roanoke Street, Suite B-3, stated he rents Suite B-3 at 409 Roanoke Street and has been a resident for five years. Mr. Grubb stated a towing business is always needed in a busy, growing area. Mr. Grubb stated Christiansburg needs all the jobs and revenue it can generate. Mr. Grubb stated the current towing/repossession business at 409 Roanoke Street has not negatively impacted him and he supports the request.

Ronnie Hawkins, 109 Miller Street, S.E. stated the property has been very noisy in the past. Mr. Hawkins stated the business operations begin at 4:00 a.m. and continue throughout the day. Mr. Hawkins stated he supported the business in the past because he thought the cars would only be stored on the flat portion of the property. Mr. Hawkins stated the cars have also been stored on the hill. Mr. Hawkins stated the elevation of his property provides little screening from the cars. Mr. Hawkins stated the proposed use would depreciate the value of his property and noted the noise level would be tremendous. Mr. Hawkins stated the property is zoned commercial but is surrounded by residential uses.

Commissioner Powers asked Mr. Hawkins to identify his property on the projection screen. Mr. Hawkins identified his property and noted the pine trees at the rear of his property do not provide adequate screening. Mr. Hawkins stated he was worried about the noise and spectators coming to view the wrecked cars.

With no objections, Chairperson Moore closed the public hearing.

Public Hearing on a Conditional Use Permit request by Tow 360, LLC, agent for Curtis Properties, LLC, for a towing service at 409 Roanoke Street (tax parcel 527 – ((A)) - 210) in the B-3 General Business District - (continued).

Chairperson Moore asked if there were outstanding violations or complaints against the property. Ms. Morgan stated the Planning Department does not have record of any violations since the repossession business began in 2005. Ms. Morgan stated she would follow-up with the Police Department regarding noise complaints.

Commissioner Powers stated the current permitted use is for repossessed vehicles and contractor equipment. Commissioner Powers asked if a repossessed vehicle is considered operable. Ms. Morgan stated a repossessed vehicle could be inoperable, but she believed they are typically operable. Ms. Morgan stated the 2005 Conditional Use Permit limits the storage of repossessed vehicles to 60 days and contractor equipment to 30 days.

Commissioner Powers asked if vehicles with flat tires or no tires would be considered inoperable. Ms. Morgan stated they would be considered inoperable and the Police Department Ordinance Officer would assist with any inoperable vehicle violations.

Commissioner Johnson inquired about vehicle licensing requirements. Ms. Morgan stated vehicles must have a valid state inspection sticker and license plate to be considered operable. Ms. Morgan stated more than five inoperable vehicles is considered an automobile graveyard and can be pursued as a zoning violation. Ms. Morgan noted staff refers violations of less than six inoperable vehicles to the Ordinance Officer.

Commissioner Powers asked staff to inspect the lot for inoperable vehicles. Commissioner Johnson asked if the 2005 Conditional Use Permit included a condition limiting noise or the hours of operation. Ms. Morgan stated the 2005 Conditional Use Permit does not include these conditions and noted the permit was approved before these conditions were common inclusions.

Commissioner Powers noted the 2005 Conditional Use Permit was limited to the portion of the property zoned B-3 General Business. Commissioner Powers noted the 2015 imagery depicts cars stored on the R-2 Two-Family Residential District portion of the property.

Commissioner Newell asked if the 2005 Conditional Use Permit is active. Ms. Morgan stated she believes the 2005 Conditional Use Permit is active. Mr. Warren stated there is a question of whether a nonconforming towing service is allowed over the entire parcel. Mr. Warren stated staff would confer with Mr. Wingfield, Assistant Town Manager/Zoning Administrator and provide this information to Planning Commission at the next meeting.

Public Hearing on a Conditional Use Permit request by Tow 360, LLC, agent for Curtis Properties, LLC, for a towing service at 409 Roanoke Street (tax parcel 527 – ((A)) - 210) in the B-3 General Business District - (continued).

Commissioner Powers stated a towing business would need to have been operating before the southern portion of the property was zoned R-2 Two-Family Residential. Commissioner Powers stated this would have been a long time ago.

Commissioner Johnson asked how many buildings are located on the property. Ms. Morgan stated she believes there are three buildings. Commissioner Johnson asked how many businesses are located on the property. Ms. Morgan stated she would check with the Finance Department to see how many business licenses are registered to the property.

Mr. Griffith stated he was not aware the use was restricted to the B-3 General Business portion of the property until Mr. Drake brought it to his attention. Mr. Griffith stated he has moved every car out of the R-2 Two-Family portion of the property. Mr. Griffith stated he has mowed the property and maintained the fence line for the past twelve years.

Commissioner Powers asked who has been operating the nonconforming towing business. Mr. Griffith stated he has been running the towing business, Bullet Recovery, for the past 12 years. Mr. Griffith stated Bullet Recovery is owned by Angela Griffith and he is requesting to start his own, separate towing business.

Commissioner Powers inquired if the 2005 Conditional Use Permit was for a towing business. Ms. Morgan stated it was for the storage of repossessed vehicles and contractor equipment. Commissioner Powers inquired why a Conditional Use Permit for towing is required today if the property has a preexisting towing use. Ms. Morgan stated the current request is for a new, additional towing business.

Commissioner Powers asked if the Zoning Administrator has determined there is a preexisting towing business on the property. Mr. Warren stated Bullet Recovery is the preexisting towing business that has operated on the property for the past twelve years and there was a previous towing company before Bullet Recovery.

Mr. Warren stated Bullet Recovery is the existing towing business operating in Suite B-2 and Tow 360 is requesting to operate from Suite C. Mr. Warren stated he believes the Zoning Administrator has determined a separate, additional towing business requires a new Conditional Use Permit and is not covered by the preexisting status of the first towing business.

Public Hearing on a Conditional Use Permit request by Tow 360, LLC, agent for Curtis Properties, LLC, for a towing service at 409 Roanoke Street (tax parcel 527 – ((A)) - 210) in the B-3 General Business District - (continued).

Commissioner Collins stated he did not believe multiple towing businesses could operate from a single property. Commissioner Newell stated she believed the State Police restrict the number of towing business to one property for their registration purposes, but it is not a requirement of Town Code.

Commissioner Powers asked if the businesses would share an impoundment lot. Mr. Griffith stated the impound lots are separated by a fence.

Chairperson Moore requested staff to provide additional information prior to the next meeting. Ms. Morgan stated staff will check with the Police Department regarding noise complaints, inspect the number of inoperable vehicles on the property, verify the status of the nonconforming towing use, verify the number of business licenses registered to the property, and confirm with the Police Department on the allowance of two separate towing businesses.

Commissioner Newell stated she was able to hear the noise from the current towing business from the western side of Circle Drive, S.E.

Commissioner Powers inquired about screening. Ms. Morgan stated staff could provide pictures of the property. Commissioner Johnson asked if Planning Commission would like to make a group visit to the property. Commissioner Powers suggested Planning Commission could make a visit during the first part of the next Planning Commission meeting.

Planning Commission discussed the possibility of a group site visit. Ms. Morgan stated staff will verify the State Code advertising requirements for a site visit and follow-up with Planning Commission.

Chairperson Moore stated Planning Commission will not vote on the Conditional Use Permit request tonight. Chairperson Moore stated the request will be further reviewed and discussed at the next Planning Commission meeting on May 31, 2016. Chairperson Moore noted Planning Commission will make a recommendation to approve/not approve to Town Council, with or without certain conditions. Chairperson Moore noted Town Council will hold a public hearing for this request on June 14, 2016 and encouraged the residents in attendance to continue to participate in the public hearing process.

Other business.

Chairperson Moore introduced the discussion. Commissioner Collins stated he proposed a moment of silence to precede Town Council meetings. Chairperson Moore noted Commissioner Collins initiated the saying of the Pledge of Allegiance before Planning Commission meetings.

Mr. Warren stated staff has been working with the Urban Development Areas (UDA) consultants and hope to receive a draft report from the consultants by the beginning of June. Mr. Warren noted once the draft report is received Planning Commission can move forward with an open house and schedule the public hearings for an amendment to the Comprehensive Plan in order to incorporate the UDA language.

Commissioner Collins noted Town Council hired Mr. Steve Biggs as the new Town Manager.

Commissioner Collins stated a grant was procured to enable the Blacksburg Transit Go Anywhere route to continue to operate.

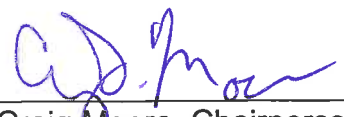
Commissioner Peebles asked if anything has been filed by the owners of 350 Industrial Drive, N.E. since the Board of Zoning Appeals hearing. Mr. Warren confirmed nothing had been received.

Mr. Warren stated the Board of Zoning Appeals will hold a hearing on May 19, 2016 for a variance request for the Farmhouse restaurant at 285 Ridinger Street, N.W. Mr. Warren stated the variance request is to permit an outdoor dining area and building addition to encroach into the front setback.

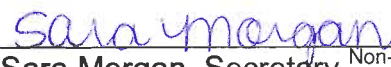
Commissioner Collins stated Planning Commission may have the opportunity to revise the I-2 General Industrial District Zoning Ordinance. Mr. Warren stated he believes there is an opportunity to review the industrial sections of the Zoning Ordinance. Mr. Warren stated this may include defining some of the specific uses and clearly defining which uses are permitted by right and which uses require a Conditional Use Permit.

Commissioner Powers stated the backyard chicken course was good, proactive outreach. Mr. Warren stated the Parks and Recreation Department partnered with Virginia Cooperative Extension to put the class together and Will Drake will present on behalf of the Town's Planning Department.

There being no more business, Chairperson Moore adjourned the meeting at 8:00 p.m.



Craig Moore, Chairperson



Sara Morgan, Secretary Non-Voting