

**Christiansburg Planning Commission
Minutes of May 31, 2016**

Present: Matthew J. Beasley
Harry Collins
David Franusich
Hil Johnson
Craig Moore, Chairperson
T.L. Newell
Jennifer D. Sowers, Vice-Chairperson
Sara Morgan, Secretary Non-Voting

Absent: Ann Carter
Virginia Peeples
Joe Powers

Staff/Visitors: Andrew Warren, Planning Director
Randy Wingfield, Assistant Town Manager/Zoning Administrator
Will Drake, staff
Eric Griffith, Tow 360, LLC
William Grubb, 409 Roanoke Street

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.

Site Visit at 409 Roanoke Street – Planning Commissioners will travel to site and conduct visit of the proposed Conditional Use Permit request to be discussed in item #4. Meeting will reconvene at Town Hall after site visit.

Chairperson Moore introduced the discussion. Mr. Warren stated Planning Commission would remain in open meeting during the site visit to 409 Roanoke Street. Planning Commission and staff traveled to 409 Roanoke Street. The property owner, Joe Curtis, was on site.

Mr. Griffith stated activity from the storage units at 405 Roanoke Street generates the noise issues discussed during the previous Planning Commission meeting.

Mr. Warren indicated the general vicinity of the boundary between the R-2 Two-Family Residential District and the B-3 General Business District on the property.

Site Visit at 409 Roanoke Street – Planning Commissioners will travel to site and conduct visit of the proposed Conditional Use Permit request to be discussed in item #4. Meeting will reconvene at Town Hall after site visit - (continued).

Commissioner Collins inquired about the location of the residential areas adjoining the property. Mr. Griffith indicated the placement of the homes on Miller Street, S.E. and Circle Drive, S.E.

Planning Commission viewed the separate impound lots and examined the visibility of the property from Roanoke Street and the adjoining residential properties.

Commissioner Franusich asked if a towing business currently operates on the property. Chairperson Moore stated an existing, grandfathered towing business operates out of Suite B-2 and identified the impound lot utilized by the existing towing business. Mr. Warren stated a Conditional Use Permit is required in order to permit a second towing business to operate on the property.

Vice-Chairperson Sowers asked if a person is living in the recreational vehicle (RV) parked on the property. Mr. Warren stated he was not aware of anyone living in the RV.

Commissioner Newell noted the property had been cleaned since she last viewed it.

Commissioner Johnson inquired if there was a limit on the number of stored vehicles. Ms. Morgan stated there is a limit on the number of inoperable vehicles.

Commissioner Newell inquired about the setbacks for the B-2 Central Business District and B-3 General Business District. Ms. Morgan stated both districts have 0-foot side and rear setback. Ms. Morgan noted the B-2 Central Business District requires a 10-foot setback from the boundary of a residential district and the B-3 General Business District requires a 20-foot setback from the boundary of a residential district.

Planning Commission returned to Town Hall.

Approval of Planning Commission Minutes for May 16, 2016 meeting.

Chairperson Moore introduced the discussion. Commissioner Newell made a motion to approve the May 16, 2016 Planning Commission meeting minutes. Vice-Chairperson Sowers seconded the motion, which passed 5-0. Commissioners Beasley and Franusich abstained as they were not present for the previous meeting.

Discussion 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. The public hearing for this item was held at the Planning Commission meeting on Monday, May 16, 2016.

Chairperson Moore introduced the discussion. Ms. Morgan reviewed the memorandum to Planning Commission which provided additional information requested by Planning Commission at the previous meeting.

Commissioner Collins asked if multiple towing businesses are allowed on a single property. Ms. Morgan stated the Police Department allows multiple towing businesses on a single property if the property contains different addresses.

Commissioner Newell inquired about the grandfathered towing business. Mr. Warren stated a towing use is grandfathered on the property. Mr. Warren stated the Conditional Use Permit approved in 2005 permitted the towing of repossessed automobiles and contractor equipment.

Mr. Wingfield stated the repossession business was originally operated by Alpha 2 Omega from 2005-2010. Mr. Wingfield stated Bullet Recovery has operated on the property since 2006. Mr. Wingfield noted Extreme Trucking operated on the property from 2013-2014. Mr. Wingfield stated business license records only extend back to businesses that were active in 2006.

Mr. Wingfield stated there has been a towing business on the property for many years. Mr. Wingfield stated there was a towing business with a fenced lot operating on the property when he began working for Christiansburg in 1998.

Commissioner Newell stated the Conditional Use Permit was for repossession and storage and there have been three businesses operating under the repossession Conditional Use Permit from the date it was approved. Mr. Wingfield stated there have been three businesses operating under the Conditional Use Permit, but not at the same time. Mr. Wingfield stated no more than two businesses have operated on the property at the same time. Mr. Wingfield stated one business was considered grandfathered and the other business operated under the Conditional Use Permit.

Commissioner Collins noted the applicant was highly recommended by Captain Altizer and Sergeant Townley of the Christiansburg Police Department.

Mr. Wingfield stated the 2005 Conditional Use Permit would be considered void as it has not been used for over two years. Commissioner Newell inquired if Bullet Recovery was operating under the Conditional Use Permit. Mr. Wingfield stated Alpha 2 Omega was operating under the Conditional Use Permit and he would consider Bullet Recovery operating as the grandfathered towing business.

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Chairperson Moore read the suggested conditions.

1. This permit shall be valid for a single business to operate a towing service.
2. This permit shall only be valid to the portion of the property zoned B-3 General Business.
3. The property shall be maintained in a clean, sanitary, and sightly manner.
4. All waste petroleum products and/or chemicals shall be disposed of properly and are not to accumulate upon the premises. Provisions shall be made for the capture of leaking petroleum products and/or chemicals.
5. There shall be no storage of vehicles upon the premises except for vehicles left for temporary storage. All vehicles on the property shall have a State inspection decal that is either valid or dated within 90 days of its expiration. Towed vehicles shall remain on-premises no longer than three months.
6. There shall be no loud offensive noises so as to constitute a nuisance to the residential properties in the vicinity.
7. There shall be no discernible noises to residential properties in the nearby vicinity between 7:00 p.m. and 7:00 a.m.
8. This permit shall be subject to review by the Planning Commission in one year.

Commissioner Newell inquired about restricting the Conditional Use Permit to a specific suite address. Commissioner Newell noted the State Police requirements presented during the Conditional Use Permit request for a towing service at 980 Roanoke Street appear to differ from the Christiansburg requirements related to the number of allowable towing businesses on a single property. Commissioner Moore stated limiting the Conditional Use Permit to a specific address may restrict the applicant if the business were to move or expand into additional suites on the property.

Commissioner Franusich inquired if the present Conditional Use Permit request would supersede the grandfathered towing business. Mr. Wingfield stated the Conditional Use Permit would not supersede the grandfathered status of the original towing business. Mr. Wingfield noted the existing towing business could continue to operate if the Conditional Use Permit request were denied. Mr. Wingfield noted the grandfathered towing business is not specific to a particular business and if Bullet Recovery were to leave the property another commercial towing service could operate under the grandfathered status if they commenced operations within two years of the current business leaving.

Discussion 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. The public hearing for this item was held at the Planning Commission meeting on Monday, May 16, 2016 - (continued).

Mr. Wingfield stated two towing businesses could operate on the property if the Conditional Use Permit were approved. Mr. Wingfield stated if one of the towing businesses ceased operations and was not replaced by another towing business within two years the Conditional Use Permit would be void but the grandfathered towing business could continue. Mr. Wingfield stated he considers Bullet Recovery to be the grandfathered towing business and Tow 360 to be covered under the Conditional Use Permit, but he would need to consult with the Town Attorney.

Planning Commission discussed limiting the Conditional Use Permit to 409 Roanoke Street, Suite C. Mr. Wingfield suggested limiting the Conditional Use Permit to the tow lot designated for 409 Roanoke Street, Suite C.

Commissioner Franusich inquired why Bullet Recovery is grandfathered. Mr. Wingfield stated there has been a towing business operating on the property for decades and it predates the property's rezoning to B-3 General Business.

Mr. Warren stated Town Code distinguishes between a towing service and a repossession business. Mr. Warren noted a large portion of Mr. Griffith's business includes repossession.

Commissioner Newell stated there is an existing grandfathered towing business and there was a 2005 Conditional Use Permit for vehicle repossession which is now void. Mr. Wingfield stated a repossession business on its own does not require a Conditional Use Permit but the associated towing does require a Conditional Use Permit. Commissioner Newell clarified the present Conditional Use Permit is necessary because the 2005 Conditional Use Permit is void.

Commissioner Johnson asked if the entire property would become grandfathered if the grandfathered towing business were to merge with the new towing business. Mr. Wingfield stated the grandfathered towing business uses lot 2-B and lot 2-B would be grandfathered, but not the whole property. Chairperson Moore stated the grandfathered use could not expand and retain its grandfathered status.

Commissioner Newell noted the southern portion of the property zoned R-2 Two-Family Residential is landlocked. Commissioner Newell noted the residential zoning serves as a buffer to the adjacent homes. Commissioner Newell stated the property owner could request a rezoning to B-3 General Business. Commissioner Newell inquired if this would allow the applicant to utilize the entire property for towing under the Conditional Use Permit. Chairperson Moore suggested condition #2 be modified to read "This permit shall only be valid to the portion of the property currently zoned B-3 General Business". Planning Commission agreed.

Discussion 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. The public hearing for this item was held at the Planning Commission meeting on Monday, May 16, 2016 - (continued).

Chairperson Moore asked if Planning Commission would like to consider a screening condition. Commissioner Johnson noted there was a fence along the property. Planning Commission did not feel a screening condition was necessary.

Commissioner Franusich stated he was concerned with the proximity to the homes and the implications to future land use.

Chairperson Moore asked if Planning Commission would like a map to denote the Suite C impound lot to which the Conditional Use Permit applies. Planning Commission agreed to limit the towing area to the gravel portion of the impound lot currently utilized by Suite C and to include an accompany map referenced by this condition. Mr. Griffith stated he was comfortable with this condition.

Commissioner Newell asked if the RV could be addressed. Chairperson Moore stated properly tagged and licensed personal property could be stored on the property. Ms. Morgan noted the Building Department responds to persons permanently living in RV's.

Commissioner Johnson made a motion to recommend Town Council approve the Conditional Use Permit with the drafted conditions, including the addition of the word "currently" to condition #2 noted above and the addition of a condition limiting the towing business to the gravel portion of the Suite C impound Lot with an accompanying map. Commissioner Collins seconded the motion, which passed 5-2. Commissioners Franusich and Newell voted no.

Chairperson Moore stated Planning Commission has recommended Town Council approve the request. Chairperson Moore encouraged the applicant to attend the Town Council meetings.

2017 Capital Improvement Plan – Review and Recommendation

Chairperson Moore introduced the discussion. Mr. Wingfield stated Planning Commission may review the Capital Improvement Plan (CIP) under the Code of Virginia.

Mr. Wingfield stated the department heads provide five-year capital sheets. Mr. Wingfield stated each department head provides their list of proposed capital expenditures with a priority ranking. Mr. Wingfield noted the Administration Department also includes budget items.

2017 Capital Improvement Plan – Review and Recommendation - (continued).

Commissioner Johnson inquired who has final say on the CIP. Mr. Wingfield stated Town Council makes the final decision on the CIP. Mr. Wingfield noted he works with the Town Manager and the Treasurer to produce the draft budget which is brought to the Finance Committee. Mr. Wingfield stated the Finance Committee will fine-tune the budget and bring it before Town Council.

Commissioner Johnson inquired if the CIP is based on previous spending. Mr. Wingfield stated there is a general spending target. Mr. Wingfield stated this year the amount is roughly \$5.5 million and next year is scheduled to be \$5.6 million. Mr. Wingfield stated the Town generally increases the amount each year. Mr. Wingfield noted the spending amount does not include grant or revenue sharing funds.

Commissioner Johnson asked if grant funding has increased year over year. Mr. Wingfield stated grant funding may vary year to year, but the general trend has been an increase in grant funding.

Mr. Warren stated Planning Commission has been asked in previous years to review the CIP and make a finding that the CIP is in accordance with the long range goals of the Comprehensive Plan. Commissioner Beasley made a motion to affirm the 2017 Capital Improvement Plan is in accordance with the Comprehensive Plan. Vice-Chairperson Sowers seconded the motion.

Chairperson Newell stated she has a lot of respect for the effort Town Council, the Finance Committee, and the department heads put into the budget preparation process. Commissioner Newell stated she does not feel involved enough with the information to make an affirmative or negative vote and will abstain from voting. Commissioner Franusich agreed with Commissioner Newell.

Chairperson Moore stated he reviews the goals of the Comprehensive Plan and matches them to the general contributions of the line items in the CIP. Chairperson Moore noted there are line items for water, sewer, sidewalk, and trail improvements. Chairperson Moore noted funds are being allocated to line items that contribute to the goals and objectives of the Comprehensive Plan. Mr. Wingfield noted that Department Heads have input into the Comp Plan and all receive copies of the Comp Plan for consideration in developing their respective budgets.

Commissioner Newell noted Planning Commission is receiving this information at the end of the process. Mr. Wingfield noted the State of Virginia does not require a review by Planning Commission and there would not be a penalty if Planning Commission did not pass the motion.

Chairperson Moore stated there may be an opportunity for Planning Commission to review the CIP in greater detail in the future.

2017 Capital Improvement Plan – Review and Recommendation - (continued).

Commissioner Johnson stated a lot of hard work has gone into the CIP but he is not sure if Planning Commission has reviewed it thoroughly enough to affirm it is in line with the Comprehensive Plan.

The motion passed 5-0, with Commissioners Franusich and Newell abstaining.

Chairperson Moore stated he appreciated the feedback. Mr. Warren stated the Planning Department can provide a future analysis of the CIP to highlight its general connections to the Comprehensive Plan.

Commissioner Newell stated the CIP contains items like snow plows with limited use and limited expense and longer-range items that contribute to the strategies and goals of the Comprehensive Plan. Commissioner Newell stated she would like the line item rankings proposed by the department heads to include a connection to the elements of the Comprehensive Plan. Commissioner Newell suggested a summary analysis of the CIP expenditures distributed among the goals and objectives of the Comprehensive Plan.

Mr. Wingfield stated he intends to work with the new Town Manager to develop a five-year outlook of the equipment and projects and will bring this information to Planning Commission. Mr. Warren stated a multi-year CIP outlook would assist future reviews of the CIP.

Commissioner Johnson noted the CIP demonstrates Christiansburg is making wise capital expenditures.

Commissioner Collins stated Mr. Wingfield and Mr. Helms are big proponents of infrastructure projects and the projects support the Comprehensive Plan. Commissioner Newell suggested planning commissioners highlight the amount of grants secured by the town as a way to stretch dollars when looking at the proposed budget items.

Other business

Chairperson Moore introduced the discussion. Mr. Wingfield stated the North Franklin Street/Cambria Street Interchange and North Franklin Street Entrance Consolidation projects were included in the House Bill Two (HB2) draft six-year plan. Mr. Wingfield stated the Connector Route was not included in the draft six-year plan, even though it scored very high. Mr. Wingfield noted the ramp off the 460 Bypass was also included in the draft six-year plan.

Chairperson Moore stated town staff did a superb job with the applications.

Other business - (continued).

Ms. Morgan stated a Conditional Use Permit for Ignite - Life Pacific College is scheduled for the next Planning Commission meeting on June 20, 2016. Ms. Morgan noted the B-2 Central Business District requires a Conditional Use Permit for classrooms and libraries. Ms. Morgan noted the Conditional Use Permit is on an accelerated schedule and Planning Commission and Town Council are both scheduled to hold their public hearing and decision on the same night of their respective meetings.

Ms. Morgan stated an Urban Development Areas (UDA) Open House is scheduled for June 20, 2016. Ms. Morgan noted the Open House will be held before the Planning Commission meeting, with the location and exact time to be determined. Ms. Morgan noted the Recreation Center is a possible location. Mr. Warren stated the UDA consultant will prepare conversational boards and staff is looking to schedule the open house from 3:00-6:00 p.m.

Commissioner Newell asked if the Open House will be marketed to the community. Mr. Warren stated staff will work with the Public Relations Director to publicize the event.

There being no more business, Chairperson Moore adjourned the meeting at 8:43 p.m.



Craig Moore, Chairperson



Sara Morgan, Secretary

Non-Voting