

**Christiansburg Planning Commission
Minutes of January 16, 2018**

Present: Catherine Clifton
Harry Collins
Mark Curtis
Hil Johnson
Jeananne Kries
Craig Moore, Chairperson
Ann Sandbrook
Jennifer D. Sowers, Vice-Chairperson
Andrew Warren, Secretary Non-Voting

Absent: Matt Beasley

Staff/Visitors: Will Drake, staff
Jared Crews, staff
John Elmore, 720 Peppers Ferry Road
Brian Hamilton, Montgomery County Economic Development Authority

Chairperson Moore called the meeting to order at 7:02 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 December 4, 2017 Meeting

Chairperson Moore introduced the discussion. Commissioner Clifton made a motion to approve the December 4, 2017 Planning Commission meeting minutes. Commissioner Kries seconded the motion, which passed 6-0. Vice-Chairperson Sowers and Commissioner Johnson abstained as they were not present for the December 4, 2017 meeting.

Public Hearing for a Rezoning request by John Elmore, agent for Donald and Rachel Wood, for an approximately 1.15 acre portion of tax parcel 435-A-20, located at 840 Peppers Ferry Road, N.W. from A, Agricultural to B-3. General Business. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Chairperson Moore opened the public hearing.

John Elmore, 720 Peppers Ferry Road, stated he is hoping purchase and rezone the property in order to expand his mini storage business. Mr. Elmore explained there is high demand for storage and his business is growing while the Woods family is hoping to sell the land to help pay for repairing their home.

Mr. Elmore pointed out the property is only accessible from either his own property or the property of the Woods and the property adjoins an acre of land he purchased in 2004. Mr. Elmore stated the increase in storage business would result in increased taxable income for the Town.

Mr. Drake displayed a map showing the area proposed for sale as well as the land already owned by Mr. Elmore. Mr. Drake pointed out the property purchased by Mr. Wood in 2004 was zoned B-3 but proffered so that only mini storage could occur on the property.

With no further comment, Chairperson Moore closed the public hearing

Public Hearing for a Town Code Amendment request, submitted by the Montgomery County Economic Development Authority to amend Chapter 42 "Zoning" of the Christiansburg Town Code to allow for research, experimental, or testing laboratories including animals in the I-2, General Industrial District, with a Conditional Use Permit.

Chairperson Moore opened the public hearing.

Brian Hamilton, Montgomery County Economic Development Authority, stated the United States Food and Drug Administration's drug development process begins with discovery and development followed by preclinical research. Mr. Hamilton explained preclinical research is defined as animal and laboratory testing to answer basic questions about safety and is a common practice preceding clinical review and FDA approval of drugs. Mr. Hamilton stated the Montgomery County Economic Development's ability to market property within the Town is hindered but the inability for animal research and testing.

Contingent on the above item, a Public Hearing for a Conditional Use Permit request by the Montgomery County Economic Development Authority for a research, experimental, or testing laboratory including animals at 145 Technology Drive, S.E. (tax parcel 559-1-7) in the I-2, General Industrial District. The property is designated as Industrial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Chairperson Moore opened the public hearing. Commissioner Clifton recused herself as she is an employee of Montgomery County.

Mr. Hamilton stated a biotech company is interested in developing at 145 Technology Drive. Mr. Hamilton explained animal testing would occur but no animals will be visible and the building will have the appearance of a standard office building.

Election of Officers – Chairperson, Vice-Chairperson, and Secretary

Chairperson Moore opened the discussion.

Mr. Warren stated nominations could be taken from the floor as no formal platform was currently in place for election.

Commissioner Johnson motioned to vote on the offices separately. Commissioner Collins seconded the motion, which passed 8-0.

Commissioner Knies motioned to recommend Andrew Warren continue to serve as non-voting Secretary of the Planning Commission. Commissioner Johnson seconded the motion, which passed 8-0.

Commissioner Johnson motioned to nominate Vice-Chairperson Sowers to serve as Chairperson of the Planning Commission. Commissioner Sandbrook seconded the motion, which passed 8-0.

Commissioner Sandbrook motioned to nominate Commissioner Johnson to serve as Vice-Chairperson of the Planning Commission. Commissioner Clifton seconded the motion, which passed 8-0.

Chairperson Moore announced the officers would assume their positions at their next meeting on January 29, 2018.

Discussion on a Rezoning request by John Elmore, agent for Donald and Rachel Wood, for an approximately 1.15 acre portion of tax parcel 435-A-20, located at 840 Peppers Ferry Road, N.W. from A, Agricultural to B-3. General Business. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Chairperson Moore opened the discussion. Mr. Warren explained the adjoining property, purchased by Mr. Elmore in 2004, is proffered to only sell mini warehouses and this proffer was not currently proposed to extend to the 1.15 acre portion of property being acquired.

Mr. Elmore stated he would like all of his property zoned General Business without the restriction of the proffer on the abutting parcel.

Commissioner Kries asked whether there were plans for future residential development on the property. Mr. Drake stated there are no plans currently but most of the adjoining land is designated as residential on the Future Land Use Map. Vice-Chairperson Sowers stated the farm behind the property would likely become a development in the future.

Commissioner Johnson pointed out there is opportunity for a range of uses to occur on the new property should it be rezoned to B-3 without any proffers. Chairperson Moore stated a proffer would be necessary to limit the lot to mini storage and it would apply to any future property owner.

Mr. Drake stated a lot line vacation between the Wood's property and the adjoining lot owned by Mr. Elmore was possible but the proffer on Mr. Elmore's land would not extend if the lots were to combine. Commissioner Collins stated a proffer could be placed on the new property. Mr. Warren stated the proffer would need to be voluntary from the applicant.

Mr. Elmore stated he had considered putting storage for landscaping businesses on the lot in the future. Mr. Warren stated a Conditional Use Permit would be needed for a contractor storage yard but a proffer limiting the lot to mini storage and contract storage (by conditional use) could be attached to the rezoning presently.

Mr. Warren explained a new public hearing would need to be held for a Conditional Use Permit to be granted. Mr. Warren stated if a contract storage yard was allowed by a Conditional Use Permit, the storage yard would need to be established within two years or the permit would expire. Mr. Warren stated a proffer would not expire and a conditional use permit for contractor storage could be sought in the future. Mr. Elmore stated he was willing to proffer that the land would only be used for mini warehouses and possibly contractor storage.

Discussion on a Rezoning request by John Elmore, agent for Donald and Rachel Wood, for an approximately 1.15 acre portion of tax parcel 435-A-20, located at 840 Peppers Ferry Road, N.W. from A, Agricultural to B-3. General Business. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan - (continued).

Mr. Warren stated the only way to change the proffer on the adjoining parcel would be to amend the rezoning which would require advertising as well as a public hearing but could be done in addition to the request for a conditional use permit in the future.

Chairperson Moore stated a Conditional Use Permit for a contractor storage yard could not be sought presently. Mr. Warren pointed out a rezoning amendment of the adjoining parcel could be sought concurrently if Mr. Elmore wished to remove or amend the proffer on that parcel.

Mr. Warren explained if a Conditional Use Permit for a contractor storage yard and a rezoning amendment for the adjoining property were to be voted on in concurrence with the current request for a rezoning, the current request would be delayed until all issues were advertised and heard by Town Council.

Commissioner Johnson asked whether Mr. Elmore planned to install mini-storage buildings, contractor storage, or both immediately upon approval of the rezoning. Mr. Elmore stated he planned to expand the mini-storage business as soon as possible. Mr. Elmore stated he had no definite plans for the contractor storage yard currently but would like to have the option available.

Commissioner Kries suggested Mr. Elmore speak with staff regarding his options before the Planning Commission's discussion and possible action at the next meeting on January 29, 2018.

With no further comment, Chairperson Moore closed the public hearing.

Discussion on a Town Code Amendment request, submitted by the Montgomery County Economic Development Authority to amend Chapter 42 "Zoning" of the Christiansburg Town Code to allow for research, experimental, or testing laboratories including animals in the I-2, General Industrial District, with a Conditional Use Permit.

Chairperson Moore opened the discussion.

Mr. Warren stated the development subcommittee discussed what future scenarios may arise if the code was amended to allow animal testing in the I-2 district. Mr. Warren explained the committee discussed the possibility of allowing animal testing in the I-2 District as a by-right use with defined limitations on the use. Mr. Warren stated the committee considered whether the use could be controlled based on impact and what potential conditions could be put in place to address the impact.

Discussion on a Town Code Amendment request, submitted by the Montgomery County Economic Development Authority to amend Chapter 42 "Zoning" of the Christiansburg Town Code to allow for research, experimental, or testing laboratories including animals in the I-2, General Industrial District, with a Conditional Use Permit – (continued).

Mr. Warren stated staff would provide the Commission with a comparison of Christiansburg and other localities in Virginia relating to how animal testing is addressed in the zoning ordinance. Mr. Warren announced the Development Subcommittee will meet again before the Commission's January 29, 2018 meeting and the public hearing before Town Council will occur February 13, 2018.

Chairperson Moore stated the Commission needed to look closely at ramifications of the code amendment. Chairperson Moore stated the Commission would likely move forward with voting on allowing animal testing with a Conditional Use Permit but may consider other options such as amending the ordinance to allow animal testing and research by-right with limitations in the future.

Mr. Hamilton stated Virginia Tech currently houses a mousery.

Mr. Warren stated the current code amendment before the Commission would require a vote regardless of how the Commission moved forward relating to whether animal testing would be allowed by-right or by Conditional Use Permit.

Commissioner Kries suggested the Commission wait for additional information and take a vote on the item at their next meeting on January 29, 2018.

Review of Planning Commission by-laws and 2018 meeting schedule.

Chairperson Moore opened the discussion.

Mr. Warren discussed the by-laws and the 2018 meeting schedule with commissioners.

Mr. Warren pointed out the Commission could be between 5 and 15 members and noted the Town is currently receiving applications for Commission membership.

Mr. Warren pointed out a quorum is necessary for voting and abstentions do not count towards the total vote. Mr. Warren asked the Commissioners let staff know if they are unable attend a meeting and noted leaves of absence are allowed in certain instances.

Review of Planning Commission by-laws and 2018 meeting schedule – (continued).

Mr. Warren stated the Development Committee and Comprehensive Plan Committee will be active in the coming months. Mr. Warren noted the Historical District Committee was currently on hiatus and additional committees could be created in the future.

Mr. Warren explained Town Council can remove Commissioners based on absences according to State Law but the Commission determined the number of absences required for disciplinary action. Chairperson Moore added Town Council can remove Planning Commissioners without limitation and without a public hearing. Mr. Warren stated Commissioners could reach out to him for more information relating to absences.

Other business.

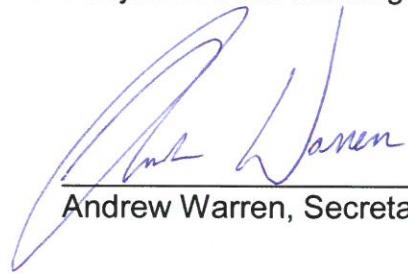
Chairperson Moore opened the discussion.

Mr. Warren announced Clerk of Council Michele Stipes sent out updated annual Conflict of Interest forms. Commissioner Collins pointed out a fine occurs if the forms are not completed by February 1, 2018.

With no further business, Chairperson Moore adjourned the meeting at 8:23 p.m.



Jennifer D. Sowers, Chairperson



Andrew Warren, Secretary Non-Voting