

**Christiansburg Planning Commission
Minutes of September 8, 2008**

Present: Steven C. Simmons, Chairperson
Wayne E. Booth
Michael Byrd
Dan Canada
Ann H. Carter
Lance Terpenny, Secretary Non-Voting

Absent: Craig Moore

Staff/Visitors: Barry Helms, Staff
Nichole Hair, Staff
James Vanhoozier, Town Council
Mike Barber, Town Council
Bryan Rice, Montgomery County Liaison
Phillip Nolen
Lonnie Linkous
Carol Lindstrom

Chairperson Simmons called the meeting to order at 4:04 p.m. to discuss the following items.

A Conditional Use Permit request by Christiansburg Livestock Market (acting as agent for property owner Julia Stewart Milton) for property located at 870 Park Street (tax parcel 498 – ((A)) – 87) for keeping of livestock overnight (utilizing an enclosure for more than 100 fowl and enclosed pasture or range with an area less than 100 square feet for each small animal or 4,000 square feet for each larger animal, such as horses, ponies, cattle or sheep) in the I-2 General Industrial District. The Public Hearing is set for September 16, 2008.

Chairperson Simmons introduced the request. Chairperson Simmons stated he had reviewed the Town Code and inquired about why the request is being made. Mr. Terpenny stated the I-2 District does allow agricultural operations as stated in the Agricultural District. Mr. Terpenny added the stock pen is grandfathered however keeping of animals overnight is not. Mr. Terpenny stated the Agricultural District requires a Conditional Use Permit when livestock stays overnight.

Commissioner Canada inquired to what the applicant is requesting. Mr. Terpenny stated the request is to keep livestock overnight or for a 24-hour period. Mr. Nolen addressed the Planning Commission stating the market for livestock has changed and animals are shipped out of state. Mr. Nolen added the length of time the animals stay overnight depends on when trucks can pick them up. Mr. Terpenny stated he has received letters from the Commonwealth of Virginia Department of Agriculture and Consumer Services and from a veterinarian which indicate the location is inspected weekly.

A Conditional Use Permit request by Gillespie and Linkous Properties, L.L.C. for property located at 1750 Depot Street, N.E. (tax parcels 498 – ((A)) – 98A and 98C) for a towing service in the B-3 General Business District. The Public Hearing is set for September 16, 2008.

Chairperson Simmons introduced the request. Mr. Linkous addressed the Planning Commission stating the business is not looking to store vehicles, just towing vehicles that will be worked on in a short time period. Mr. Linkous added overnight vehicles are not going to be allowed and there will be no major repairs allowed. Councilman Barber inquired about the use of vacant lot owned by the business, adding utilizing culverts to pipe the creek starts tampering with the creek. Mr. Linkous stated the business will not be utilizing the other parcel at this time. Commissioner Canada inquired about heavy trucks. Mr. Linkous stated work will be minor and there will be no heavy trucks. Chairperson Simmons read the drafted conditions for the request:

1. The property is to be maintained in a clean, sanitary, and sightly manner.
2. This permit is for a commercial garage and towing service, not a body shop or for conducting bodywork.
3. All parts, including faulty parts, tires, etc. are to be kept inside the garage or a fully enclosed building (including a roof) until disposal.
4. All waste petroleum products and/or chemicals are to be disposed of properly and are not to accumulate upon the premises. Provisions are to be made for the capture of leaking petroleum products and/or chemicals.
5. There will be no storage of vehicles upon the premises except for vehicles occasionally left for repair. All vehicles left for repair are to be kept on-premises and not within any public right-of-way or adjacent property. All vehicles on the property are to have a State inspection decal that is either valid or dated within 90 days of its expiration.
6. Mechanical work is to be done inside the building and not outside.
7. There are to be no loud offensive noises so as to constitute a nuisance to the residential properties in the vicinity.
8. There are to be no discernible noises to residential properties in the nearby vicinity between 7:00 p.m. and 7:00 a.m..
9. This permit shall be revocable for violations of Chapter 3 "Advertising" of the Christiansburg Town Code occurring on the property.
10. All towed vehicles and/or vehicles left for repair are to be stored within an area surrounded by a minimum eight-foot tall privacy fence obscuring the view of the storage lot and its contents or inside the building. Such fence is to be constructed of durable materials and maintained in a sightly manner and installed within six months of the CUP approval date.
11. A double row of screening-type trees a minimum of six feet in height at time of planting staggered on eight-foot centers are to be planted adjacent to the neighboring Residential Districts within six months of the CUP approval date.
12. This permit shall not be effective until a sketch showing all screening is approved by the Town.
13. This permit is subject to inspections and approval of the facilities by the Fire Marshall and Building Official.

A Conditional Use Permit request by Gillespie and Linkous Properties, L.L.C. for property located at 1750 Depot Street, N.E. (tax parcels 498 – ((A)) – 98A and 98C) for a towing service in the B-3 General Business District – (continued).

Mr. Terpenny stated the drafted conditions are standard for this kind of request; however the Planning Commission may want to modify conditions regarding screening and make a condition to keep all vehicles stored inside. Chairperson Simmons requested item 11 be removed and item 10 be changed to store all vehicles inside the building. Chairperson Simmons inquired about a tow truck or roll back being stored on the property. Mr. Linkous stated the truck can be stored inside. Chairperson Simmons suggested allowing only one truck to be left outside if needed.

Consideration of amendment to Chapter 3 "Advertising" of the Christiansburg Town Code in regards to provisions for roof, wall, and marquee signage.

Chairperson Simmons introduced the discussion. The Planning Commission reviewed the proposed changes which included adding "highest point of" primary roofs to the definition of secondary roof and secondary roof sign and allowing only one secondary roof sign per secondary roof and only one roof sign per side. The Planning Commission agreed to have the public hearing set at the next Town Council meeting.

Consideration of amendment to Chapter 30 "Zoning" of the Christiansburg Town Code in regards to provisions for a Historic District Overlay.

Chairperson Simmons introduced the discussion. Ms. Lindstrom clarified the Town staff is working with Diane Zahm of Virginia Tech for questions or a survey regarding the Historic District Overlay. Chairperson Simmons stated he would contact Diane Zahm.

Consideration of amendment to Chapter 30 "Zoning" of the Christiansburg Town Code in regards to provisions for bed and breakfast inns.

Chairperson Simmons introduced the discussion. Commissioner Carter inquired about the zoning districts where bed and breakfasts inns are allowed. Mr. Terpenny and Chairperson Simmons explained the R-3 District (and MU-1 and MU-2 Districts) allows for bed and breakfast inns with a Conditional Use Permit. Bed and breakfast inns are allowed in the B-3 District (and B-2 District) by right.

Chairperson Simmons added a recent request in the R-2 District was a suitable structure but had to be rezoned to B-3 to allow for the bed and breakfast inn. Commissioner Canada inquired as to whether there is a current request. Chairperson Simmons responded that there is not a current request, rather just looking at a change to the zoning ordinance. Mr. Terpenny added the most recent request could have asked for a rezoning to R-3 but the rezoning would have been considered spot zoning.

Consideration of amendment to Chapter 30 "Zoning" of the Christiansburg Town Code in regards to provisions for bed and breakfast inns. – (continued)

Commissioner Canada stated he has a concern about a home being built specifically to be used as a bed and breakfast inn. Chairperson Simmons stated he did not think a new structure should be allowed unless it is built with a more historical design. Commissioner Canada stated his concern is if a home is built in R-2, that it can be converted into a bed and breakfast. Chairperson Simmons stated a bed and breakfast inn would require a Conditional Use Permit in the R-2 District, so the request would have to come before the Planning Commission for review.

Commissioner Canada asked for a definition of a bed and breakfast inn. Mr. Terpenny read such definition: "A single-family owner-occupied dwelling which, as an accessory use, offers no more than five bedrooms for short-term transient occupancy for compensation and where food service for resident guests is limited to breakfast only." Chairperson Simmons stated the definition could be edited to include only existing structures. Chairperson Simmons suggested adding this item with the other proposed changes to the zoning ordinance.

Commissioner Canada inquired about the new Planning Commissioner recommendation. Mr. Terpenny stated the Town Council had not charged the Planning Commission with this task at this time. Commissioner Canada suggested the addresses of applicants be included in the discussion. Commissioner Canada added he would like to see equal representation of the quadrants within the Town.

There being no more business Chairperson Simmons adjourned the meeting at 4:51 p.m.


Steven C. Simmons, Chairperson


R. Lance Terpenny, Secretary Non-Voting