

**Christiansburg Planning Commission
Minutes of October 10, 2011**

Present: Barry Akers
Mark M. Caldwell, III
Ann H. Carter
Craig Moore, Chairperson
Joe Powers
Jennifer D. Sowers
Jim Vanhoozier
Randy S. Wingfield, Secretary ^{Non-Voting}

Absent: Kevin Conner, Vice-Chairperson
M. H. Dorsett, AICP

Staff/Visitors: Nichole Hair, staff
Kali Casper, staff
Jim and Linda Salyers, 115 Lester Street
Kevin and Jennifer Salyers, 117 Lester Street
John Neel, Gay and Neel, Inc.

Chairperson Moore called the meeting to order at 7:01 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia to discuss the following items:

Chairperson Moore stated the agenda needed to be amended to add two items. Chairperson Moore indicated Vice-Chairperson Conner has resigned as co-chair and the Planning Commission will need to fill the position for remainder of his term. Chairperson Moore indicated a resolution of support for Christiansburg CAPER needs to be added to the agenda.

Commissioner Carter made a motion to amend the agenda to include both items. Commissioner Vanhoozier seconded the motion which passed 7-0.

Public Comment.

Chairperson Moore opened the floor for public comment. Hearing no public comments, the comment period was closed.

Approval of meeting minutes for September 26, 2011.

Chairperson Moore introduced the discussion.

Commissioner Vanhoozier made a motion to approve the meeting minutes for September 26, 2011. Commissioner Sowers seconded the motion which passed 7-0.

A Conditional Use Permit request by Jim and Linda Salyers for a bed and breakfast inn at 115 Lester Street (tax parcel 527 – ((A)) - 169) in the Multi-Family Residential District. The public hearing is set for October 18, 2011.

Chairperson Moore introduced the discussion. Chairperson Moore indicated the applicants were present. Mr. Jim Salyers addressed the Planning Commission stating he and his wife have owned the property for 17 years. Mr. Salyers stated they did have a CUP for 10 years for child day care and the day care has since closed. Mr. Salyers stated they have a large 2-story home with 4 bedrooms that are unused. Mr. Salyers added there is one large bathroom on the second level. Mr. Salyers stated the intent is to start with a 2 bedroom bed and breakfast sharing the one bath until January. Mr. Salyers added in January a contractor will come in to renovate the one large bathroom into 3 bathrooms so that each room would have an individual bathroom. Mr. Salyers stated there is parking in the rear of the property that would suit four cars. Commissioner Vanhoozier inquired about the requirement for parking with a bed and breakfast. Mr. Wingfield stated one parking space is required per room. Mr. Wingfield added the application requested for approval 4 rooms but the Town Code allows for 5. Mr. Salyers stated a contractor looked at the upstairs bathroom and only able to make 3 bathrooms. Commissioner Powers stated he would like to give flexibility to the applicant if there was expansion. Mr. Salyers stated they would only have 4 bedrooms. Commissioner Vanhoozier stated it looks like they have parking for 4 rooms so adjust the Conditional Use Permit conditions to restrict it to 4 rooms. Mr. Salyers was in agreement with this change. Commissioner Vanhoozier suggested wording the condition to no more than 4 bedrooms for the bed and breakfast.

Chairperson Moore read the drafted conditions:

1. No more than five bedrooms for short-term transient occupancy for compensation shall be offered.
2. Food service for resident guests shall be limited to breakfast only and shall be subject to inspections from Montgomery County Health Department.
3. This permit is subject to inspections and approval of the facilities by the Fire Marshall and Building Official.
4. This permit shall be revocable for violations of Chapter 3 "Advertising" of the Christiansburg Town Code occurring on the property.
5. This permit is subject to the requirement of a site plan to be reviewed and approved by Town staff.

Chairperson Moore inquired why a site plan would be required. Mr. Wingfield stated the Town would want to verify the parking requirement but the applicant seems to meet it now. Commissioner Vanhoozier requested it be stricken and the Planning Commission was in agreement. Commissioner Carter inquired what signage would be allowed. Mr. Wingfield stated a sign up to 2 square feet is allowed. Commissioner Carter requested something be included regarding the signage. Chairperson Moore suggested stating the signage shall comply with current Town Code regulations.

A Conditional Use Permit request by Jim and Linda Salyers for a bed and breakfast inn at 115 Lester Street (tax parcel 527 – ((A)) - 169) in the Multi-Family Residential District.
– (continued)

Chairperson Moore suggested modifying condition 5 to restrict parking on the property at the rear. Chairperson Moore stated the intent is to keep guest parking on the property. Mr. Wingfield stated that on-street parking does not count toward meeting Town requirements. Chairperson Moore inquired if the Planning Commission would like to add a provision regarding the permit is for the current applicant only. Commissioner Carter agreed with this provision. Chairperson Moore requested a condition be added in regards to the CUP being nontransferable.

Discussion of update to the Christiansburg Comprehensive Plan.

Chairperson Moore introduced the discussion. Ms. Casper stated Commissioner Dorsett had added the item to the agenda but is absent. Ms. Casper stated the next meetings will be held October 16th from 2:00-5:00 p.m. and October 17th from 6:30-9:30 p.m. Ms. Casper stated the purpose of second public work group meeting is to develop goals. Chairperson Moore stated he has heard positive feedback regarding the process. Commissioner Caldwell stated he has encouraged all friends and family to participate in order to get the most public input. Commissioner Sowers inquired about the attendance at the first meetings. Commissioner Caldwell stated at the first Sunday meeting there were about 8-9 participants. Ms. Casper stated at the Monday night meeting there were 3 or 4 participants. Commissioner Powers inquired about the number of surveys returned. Ms. Casper stated there have been over 500 respondents and the Town did hit the 3% threshold of adult Town residents.

Discussion regarding the potential for separate public hearings.

Chairperson Moore introduced the discussion. Chairperson Moore stated a public hearing schedule has been provided with some other information. Mr. Wingfield stated he has expanded on Commissioner Powers' timeline. Mr. Wingfield added it looks like the process takes approximately 9 weeks; months with a 5th Tuesday would have a 10 week process. Commissioner Powers stated the table shows 2 applications going through the process. Commissioner Powers added the new process does adjust when the Planning Commission has their meetings. Commissioner Powers stated a meeting would be held the Monday before the Town Council meeting and the Monday after the second Town Council meeting. Commissioner Powers reminded the Planning Commission the new process would not go into effect until the first of the year. Mr. Wingfield stated the Planning Commission By-Laws would need to be amended. Mr. Wingfield indicated separate public hearings will require separate legal ads and separate letters since it is desired to have the Planning Commission recommendation prior to the Council public hearing. Commissioner Powers stated he would like to discuss costs if there are no questions regarding the process. Mr. Wingfield wanted to inform the Planning Commission the costs would increase for the applicant.

Discussion regarding the potential for separate public hearings. – (continued)

Commissioner Carter inquired what Town Council will need to do for the process to go forward. Mr. Wingfield stated a formal vote was not made and suggests presenting it to the Town Council. Commissioner Powers suggested changing the Planning Commission By-laws in October or November unless Town Council directs the Planning Commission otherwise. Chairperson Moore stated the Code of Virginia allows for the notices to be published concurrently. Mr. Wingfield stated there is no way to run the ads concurrently with the timeline presented. Chairperson Moore inquired if the Planning Commission would be making a recommendation before the Town Council public hearing. Commissioner Carter stated the Planning Commission can always table the recommendation if they do not feel comfortable in making a recommendation. Commissioner Vanhoozier stated he feels holding the recommendation takes a little bit out of the Planning Commission recommendation. Commissioner Vanhoozier stated he has concern the Planning Commission will not have all the information before the Town Council public hearing. Commissioner Vanhoozier added the process would add 2-3 weeks if waiting to make a recommendation after the Town Council public hearing. John Neel addressed the Planning Commission stated the problem with having the Planning Commission public hearing and Town Council public hearing a week apart is it does not give the applicant time to adjust their application. Mr. Neel stated if an applicant is trying to change anything after the Planning Commission public hearing, then that may need to be reheard by the Planning Commission before Town Council takes action. Mr. Wingfield stated the deadline for proffers need to be written and submitted before the Town Council public hearing. Chairperson Moore stated if an issue comes up that would need further review, the Town Council can send it back to the Planning Commission.

Commissioner Powers stated he feels more people are likely to come to the first meeting and not necessarily just the Town Council public hearing. Commissioner Carter stated there is a need to educate the citizens.

Chairperson Moore stated staff is tasked with an amendment to the By-Laws. Mr. Wingfield stated he will draft an amendment regarding the meeting times.

Commissioner Powers stated he now wanted to discuss costs. Commissioner Powers stated Christiansburg sends everything out certified mail with a return receipt. Commissioner Powers stated the Town can use first class mail for rezoning of more than 25 parcels. Mr. Wingfield stated the cost of postage is included in the \$500 flat fee for public hearings and that fee will need to be adjusted. Commissioner Powers inquired if the Town wants the return receipt back. Mr. Wingfield stated he would like to review the Town Code regarding how mailings are handled. Chairperson Moore stated the return receipt does offer assurance of the process that notices are being received.

Discussion regarding the potential for separate public hearings. – (continued)

Chairperson Moore stated Mr. Wingfield will draft up information for changing the By-Laws and meeting schedule. Chairperson Moore inquired what else needs to be done for Town Council and should the Planning Commission provide more cost information. Mr. Wingfield stated the Town Council will receive more information. Commissioner Vanhoozier wished to clarify the Planning Commission is looking at presenting to the Town Council that separate public meetings will be held, the Planning Commission will have a recommendation for the Town Council before their meeting, and there will be a process of how applications move forward. Commissioner Powers stated there will be costs for separate ads, but the Planning Commission will not be paid for attending Town Council meetings. Mr. Wingfield clarified that is if Town Council does not want the Planning Commission at the public hearing. Commissioner Powers stated staff can be in attendance for presenting to Town Council. Commissioner Vanhoozier questioned if there is a split vote, how would that information be presented explaining why there is such a vote. Commissioner Power stated the Chairman can attend the meeting to give recommendation with the pros and cons discussed as to why the vote was split.

Chairperson Moore reminded the Planning Commission any information coming from the Town Council public hearing would not be heard, but there will be meeting minutes and staff present to disseminate information. Chairperson Moore stated he will be at the next Town Council meeting to present the potential for separate public hearings. Commissioner Carter stated all Planning Commission members should be at the next Town Council meeting for a joint public hearing. Commissioner Vanhoozier clarified the Planning Commission will be going ahead with this and took a vote a couple weeks ago, so no vote is needed. Chairperson Moore stated a vote will be needed in the future for the By-Law amendment.

Appointment of Vice-Chairperson

Chairperson Moore indicated Kevin Conner has stepped down as Vice-Chairperson and would like to vote someone to fill the remaining term.

Commissioner Caldwell nominated Joe Powers as Vice-Chairperson. Commissioner Akers seconded the nomination. Nominations were closed by Chairperson Moore. The motion carried 5-0-2 with Commissioners Vanhoozier and Powers abstaining from voting.

Consolidated Annual Performance Evaluation Report

Chairperson Moore indicated the Planning Commission has been presented with a resolution of support for the Consolidated Annual Performance Evaluation Report. Mr. Wingfield stated the Town is receiving Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds for sidewalk improvement and development along Roanoke Street. Mr. Wingfield stated the CAPER is required to report on the progress.

Consolidated Annual Performance Evaluation Report – (continued)

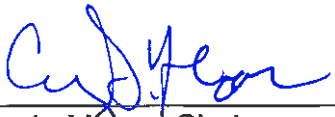
Commissioner Vanhoozier made a motion to approve the resolution of support for the CAPER. Commissioner Carter seconded the motion which passed 7-0.

Other Business

Mr. Wingfield stated copies of the ordinance in reference to idling vehicles have been provided and he wanted to sure the Planning Commission is in agreement with the wording and the Planning Commission concurred.

Mr. Wingfield indicated an e-mail has been sent out to the Planning Commission members in reference to the annual New River Valley Planning District Commission dinner. Mr. Wingfield indicated the Town will cover the cost of the Planning Commissioners but any guests would need to be paid by the Commissioners.

There being no more business Chairperson Moore adjourned the meeting at 8:04 p.m.



Craig Moore, Chairperson



Randy S. Wingfield, Secretary Non-Voting