

**Christiansburg Planning Commission
Minutes of December 12, 2011**

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

Absent: none

Staff/Visitors: Nichole Hair, staff
Kali Casper, staff
Carol Lindstrom
Nate Glatkowski, Crimper's Climbing Gym
John Johnson, Crimper's Climbing Gym
Mrs. John Johnson
Harry Collins
one other

Chairperson Moore called the meeting to order at 7:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia to discuss the following items:

Public Comment.

Chairperson Moore opened the floor for public comment. Ms. Carol Lindstrom inquired about the pneumatic gun ordinance. Chairperson Moore stated the Planning Commission has not been charged with that task at this point. Mr. Wingfield stated the Town Attorney and he are working on a draft of the ordinance but have been busy with the recodification. Mr. Glatkowski wanted to indicate he and Mr. Johnson are present to answer questions regarding the Conditional Use Permit request.

Approval of meeting minutes for November 28, 2011.

Chairperson Moore introduced the discussion.

Commissioner Dorsett made a motion to approve the meeting minutes for November 28, 2011. Commissioner Vanhoozier seconded the motion which passed 8-0.

A Conditional Use Permit request by Crimper's Climbing Gym (agent for property owner Epperly Elite Training Center, LLC) for a private recreational facility at 100 Central Avenue (tax parcel 467 – ((18)) – 1) in the B-3 General Business District. The public hearing was held December 6, 2011.

Chairperson Moore introduced the discussion and inquired if the Town had received any comments. Mr. Wingfield indicated the Town had not received any additional comments.

Chairperson Moore read the drafted conditions:

1. The previously approved Conditional Use Permit for a private school on this property shall be considered void.
2. Hours of operation shall be limited to between _____ a.m. and _____ p.m.
3. There shall be no excessive noise between 11:00 p.m. and 7:00 a.m.
4. This permit is subject to inspections and approval of the facilities and equipment by the Fire Marshall, Building Official, and Rescue Squad Captain. The Town of Christiansburg requires that the applicants use and maintain the facilities and equipment in accordance with equipment manufacturer's guidelines.
5. This permit shall be valid for the applicants only and is nontransferable.
6. This operation shall make provisions for adequate emergency access including ensuring street access is not obstructed.
7. This permit shall be subject to review by the Planning Commission in one year.

Commissioner Dorsett questioned the hours of operation. Commissioner Vanhoozier stated during the Town Council meeting the applicants requested 5 a.m. to 12 a.m. and added that he did not see a problem with this. Mr. Wingfield stated that the property is in a commercial area. Commissioner Carter suggested changing the condition regarding the noise to match the hours of operation. Commissioner Caldwell felt the regulations for noise should remain. Commissioner Caldwell added there should not be any excessive noise overnight. Commissioner Carter requested explanation of condition 6. Mr. Wingfield stated he had drafted this condition based on the last meeting where the Planning Commission mentioned requiring an assembly permit for large events. Mr. Wingfield stated he spoke with Police Chief Sisson and suggested this wording to replace the need of an assembly permit for events. Commissioner Vanhoozier stated the street is wide to accommodate traffic. Mr. Wingfield stated condition 4 is worded the way it is for liability issues. Mr. Wingfield added the Town can require records of the inspections and not have the Town inspecting items such as ropes.

Commissioner Dorsett made a motion to recommend approval to Town Council with the drafted conditions. Commissioner Sowers seconded the motion. Chairperson Moore indicated this includes the hours of operation for 5 a.m. to 12 a.m. The motion passed 8-0.

Increase of fees for separate public hearings. The public hearing was held December 6, 2011.

Chairperson Moore introduced the discussion and read the proposed fees:

Properties of less than 5 acres – \$500.00

Properties of 5 – 20 acres – \$750.00

Properties greater than 20 acres – \$1,000.00

Plus an additional \$6.00 per letter for requests with 50 or more adjoining owners.

Commissioner Vanhoozier made a motion to adopt the fees. Commissioner Dorsett seconded the motion which passed 8-0.

Review of a Conditional Use Permit request by Byron Young (agent for property owner William A. Price) for property located at 155 Howery Street (tax parcel 503 – ((7)) – 7) for a major home occupation (Eden Lawns and Landscaping) in the R-1 Single-Family Residential District. The Public Hearing was held and approval given on July 15, 2008.

Chairperson Moore introduced the discussion. Mr. Wingfield stated the CUP came up for review during the summer, however Mr. Young had moved his business out of Town. Mr. Wingfield added Mr. Young has provided a letter stating he is no longer operating in Christiansburg and wishes to void his CUP.

Commissioner Powers made a motion to accept Mr. Young's request to void the CUP. Commissioner Vanhoozier seconded the motion which passed 8-0.

Consideration of amendment of Planning Commission By-laws.

Chairperson Moore introduced the discussion. Commissioner Dorsett inquired about the leave of absence for campaigning. Mr. Wingfield stated the Town Attorney stated it was unconstitutional to require a leave of absence for seeking political office and went on to add that the Town Attorney suggested not mentioning it as a reason for requesting a leave of absence as it may imply that it is required or expected (though members could still voluntarily request a leave of absence if running for political office). Commissioner Vanhoozier stated if a member wishes to take a leave of absence for campaigning, a request can be made through the Town Council. Mr. Wingfield stated the attorney recommends the leave of absence policy be taken to Town Council for their concurrence since it would be under Council's authority.

Commissioner Vanhoozier made a motion to accept the by-laws as presented. Commissioner Sowers seconded the motion which passed 8-0.

Commissioner Carter inquired about the interpretation of a quorum. Mr. Wingfield stated a majority of members of the Commission constitutes a quorum and stated the Town Attorney interprets this to be only the voting members of the Commission. Commissioner Caldwell indicated an abstaining vote is still a vote. Ms. Lindstrom requested clarification. Mr. Wingfield stated the majority of voting members of the Commission constitutes a quorum and the Code of Virginia states that any approval or recommendation would require the majority of those present and voting.

Consideration of amendment of Planning Commission By-laws – (continued).

Commissioner Powers made a motion to draft a Town Council resolution accepting the authority to grant leave of absence from the Planning Commission. Commissioner Dorsett seconded the motion which passed 8-0.

Election of Officers – to take office January 1, 2012.

Chairperson Moore introduced the discussion. Commissioner Vanhoozier stated he will be abstaining from the discussion since he is a member of Town Council and the liaison. Commissioner Dorsett suggested keeping the officer slate as the Planning Commission currently stands.

Commissioner Dorsett made a motion to maintain the current Chairperson Moore and Vice-chairperson Powers. Commissioner Caldwell seconded the motion.

Commissioner Caldwell made a motion to close nominations. Commissioner Dorsett seconded the motion which passed 5-0 with Chairperson Moore and Commissioners Powers and Vanhoozier abstaining.

Commissioner Caldwell made a motion to accept the nominations. Commissioner Carter seconded the motion which passed 5-0 with Chairperson Moore and Commissioners Powers and Vanhoozier abstaining.

Commissioner Dorsett made a motion to nominate Mr. Wingfield as the secretary to the Planning Commission. Commissioner Carter seconded the nomination. Commissioner Vanhoozier made a motion to close nominations. Commissioner Caldwell seconded the motion which passed 8-0.

Commissioner Dorsett made a motion to approve Mr. Wingfield as the secretary to the Planning Commission. Commissioner Caldwell seconded the motion which passed 8-0.

Other business.

Commissioner Powers provided an update for the Development Subcommittee. Commissioner Powers stated at the most recent meeting professionals were invited to review the Zoning Ordinance changes. Commissioner Powers stated Steve Semones of Balzer and Associates and John Neel of Gay and Neel attended. Commissioner Powers stated Mr. Semones and Mr. Neel had about 6 or 7 changes that will be looked at in January before coming before the Planning Commission. Commissioner Powers suggested discussing a work plan in January for the Development Subcommittee for the coming year.

Commissioner Dorsett suggested cancelling the next Comprehensive Plan meeting.

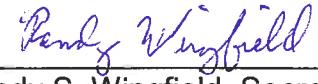
Other business – (continued).

Mr. Wingfield stated the next meeting for the Development Subcommittee is cancelled. Mr. Wingfield stated the next regular meeting of the Planning Commission would be the day after the Christmas holiday. The Planning Commissioner agreed to cancel the next meeting. Mr. Wingfield stated the next meeting would then be January 9, 2012 and there will be public hearings that night.

There being no more business Chairperson Moore adjourned the meeting at 7:24 p.m.



Craig Moore, Chairperson



Randy S. Wingfield, Secretary Non-Voting