Christiansburg Planning Commission
Minutes of April 22, 2013

Present: Ann H. Carter
Harry Collins
M.H. Dorsett, AICP
David Franusich
Steve Huppert
Craig Moore, Chairperson
Joe Powers, Vice-Chairperson
Jennifer D. Sowers
Nichole Hair, Secretary Non-Voting

Absent: Ashley Parsons
Jonathan Hedrick

Staff/Visitors: Kali Casper, staff
Missy Martin, staff
Wayne Nelson, staff
Roy Nester, staff
Todd Walters, staff
Cindy Wells Disney, Montgomery County Planning Commission Liaison
Jason Smith, employee of David Reno

Chairperson Moore called the meeting to order at 7:03 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. No public comments were made. Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for April 8, 2013.

Chairperson Moore introduced the discussion. Commissioner Dorsett made a motion to approve the April 8, 2013 Planning Commission meeting minutes. Commissioner Collins seconded the motion which passed 8-0, with Commissioner Franusich abstaining.

Planning Commission Public Hearing on a Conditional Use Permit request by David L. Reno (agent for property owner Shan Carroll) for a towing service at 820 Park Street, N.E. (tax parcel 498-((6))-1-13) in the I-2 General Industrial District.

Chairperson Moore opened the discussion. Ms. Hair stated that Mr. Reno could not attend the meeting due to a conflict. Commissioner Dorsett asked where the building is located. Ms. Hair detailed the location on Park Street. Chairperson Moore stated the location was behind the stock yard.

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Planning Commission Public Hearing on a Conditional Use Permit request by David L. Reno (agent for property owner Shan Carroll) for a towing service at 820 Park Street, N.E. (tax parcel 498-((6))-1-13) in the I-2 General Industrial District – (continued).

Commissioner Powers asked what type of operation the applicant will be running and will Mr. Reno be storing vehicles on site. Ms. Hair replied a towing service and yes vehicles will be stored on site. Ms. Hair also stated a towing service exists on the property now and they may be sharing a lot. Commissioner Powers asked was the lot with the existing towing service on the right. Ms. Hair replied yes. Commissioner Powers asked if the existing towing service has a Conditional Use Permit. Ms. Hair responded they do have a Zoning Permit. Commissioner Carter asked if the existing towing service is in business. Ms. Hair replied yes.

Commissioner Collins asked what the existing towing service is zoned. Ms. Hair responded I-2. Commissioner Franusich asked if I-2 allowed for a towing service. Ms. Hair replied no, not by right. Commissioner Powers asked which use the towing service fit under in I-2 and he did not find a related use. Ms. Hair replied the Zoning Administrator instructed the applicant to apply for a Conditional Use Permit and she will ask what determined that decision.

Commissioner Collins asked what is on the lot now and is it a vacant lot. Ms. Hair responded this is not a vacant lot and had an existing structure. Ms. Hair added she was aware of the existing towing service but not the other businesses on the property. Commissioner Collins asked if Mr. Reno will be storing all the vehicles inside the building. Ms. Hair replied to the right of the building is a screened tow lot but she is unaware of what other plans he may have. Commissioner Powers stated he would like to see a copy of the permit that has been approved on the other existing lot. Ms. Hair replied the conditions for Mr. Reno were pulled from the existing permit for the adjoining lot. Commissioner Moore verified the conditions are based on the adjoining property. Ms. Hair answered yes.

Commissioner Collins asked if the CUP request is approved, does the entire parcel change or just the applicant's lot. Ms. Hair replied the CUP can be conditioned to be used only by the applicant. Commissioner Powers stated the Commission can only approve a portion of the building. Commissioner Powers stated because of the address he assumed the building was divided into suites.

Commissioner Powers asked if the Mr. Reno will be obtaining a DMV permit for vehicle removing. Ms. Hair said he should to be compliant with the state and so Mr. Reno may be added to the Town's towing list. Commissioners Powers verified that Mr. Reno will be pulling wrecked vehicles also. Ms. Hair responded yes, that was her understanding. Commissioner Dorsett asked why the applicant was relocating next to a competitor. Commissioner Sowers commented on the convenient location, adding the location was out of the public eye and the existing use is easy for approval.

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Commissioner Powers stated the DMV requirement for vehicle removal operator is to be in compliance with the localities zoning. Commissioner Powers stated another requirement on the list says the business must be permitted under the Virginia Pollution Discharge Elimination System and the permit is issued by the State Board of Control for storm water associated with industrial activity. Commissioner Powers would like to request a copy of either the permit or an exemption letter for the property Mr. Reno will be storing vehicles on. Commissioner Powers stated he assumes the state also has requirements regarding towing wrecked vehicles because of leaking fluids because the fluid needs to be controlled.

Commissioner Franusich asked how the property is zoned in the Future Land Use Map. Commissioner Powers replied by looking at the Zoning Map provided for the request, a fair amount of industrial use is in the area. Commissioner Powers stated in the Comprehensive Plan this area will remain industrial. Commissioner Dorsett asked Ms. Casper if the map was left as industrial in the Comprehensive Plan. Ms. Casper replied she would verify the map. Commissioner Powers replied the map was left Industrial or maybe a mixed use in order to buffer the property.

Commissioner Carter asked if the Town has a list of towing businesses. Ms. Hair replied the Police Department keeps one on file.

Commissioner Moore asked if the Commission had any other questions.

Commissioner Franusich stated it would be better if Mr. Reno was attending the meeting. Ms. Hair responded Mr. Reno will be at the Town Council public hearing. Mr. Jason Smith, an employee of Mr. Reno, commented on the location of the business in the existing building. Mr. Smith showed the Commissioners on the map which suite will be used and points out the side yard area that will be fenced to store vehicles. Mr. Smith stated the inside of the building would be used to work on company trucks. Commissioner Powers responded the side yard did not look to by much room for storing vehicles. Commissioner Sowers asked how many cars would be stored in the side lot. Mr. Smith replied approximately 8 to 10 cars and stated the inside of the building is approximately 2,000 square feet. Commissioner Huppert asked if Mr. Reno would be just towing or fixing up vehicles also. Mr. Smith replied they will only be towing and repossessing vehicles.

Commissioner Collins asked Mr. Smith where additional vehicles will be stored if an overflow problem occurs. Mr. Smith replied repossessed vehicles will be stored inside of the building and small side yard will be used for Town towing calls. Commissioner Sowers asked how long the vehicles are kept after repossession or towing. Mr. Smith replied 3 days or a week.

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Chairperson Moore asked if they charged rental rate for storing the vehicles. Mr. Smith replied yes, after 24 or 48 hours, except for repossessed vehicles, which have to be transferred to an auction facility within 48 hours. Chairperson Moore verified Mr. Smith's statement concerning repossessed vehicles being transferred to auctions. Commissioner Powers inquired what the process will be for towed vehicles in which the owners decide to walk away. Mr. Smith replied they must hold the vehicle for 30 days before contacting DMV to receive the title. Commissioner Powers replied the DMV process could possibly take an extended time due to paper work.

Commissioner Collins asked if Mr. Reno will be using the left side of the building and how to enter the property. Mr. Smith detailed the entrances to the property.

Commissioner Powers asked if staff can go out and measure the side yard to show how much space will be available in the fenced area. Ms. Hair replied that a proper survey would need to be completed to have an accurate measurement. Commissioner Powers said the Commission may want to limit the number of vehicles stored outside. Commissioner Sowers replied the space would already be limited because of the fencing. Commissioner Beasley asked for the exact location of the fence. Mr. Smith replied he did not know the exact location because of the layout of the property. Commissioner Beasley asked if Mr. Reno will be using wood or chain link fencing. Mr. Smith replied probably wood fencing.

Chairperson Moore asked if the Commission could get Mr. Reno to fill out where the fence will be located on the map and postpone the meeting until the map is received and a vote is taken. Ms. Hair stated the lot lines are not accurate on the aerial mapping. Chairperson Moore stated he would like the applicant to be present for questions. Commissioner Sowers commented the existing paving company rented a portion of the parking lot so Mr. Reno could only use the remaining portion of the lot.

Commissioner Collins asked if an applicant is not the owner of the property how can they apply for a Conditional Use Permit. Ms. Hair replied the property owner did give Mr. Reno permission and also signed the Conditional Use Permit application.

Commissioner Dorsett asked where the stormwater drainage is going on this property. Commissioner Dorsett commented with a parking lot there will be increased amounts of zinc and other heavy metals that can leak out from damaged cars. Commissioner Dorsett expressed concerns with how harmful fluids will be handled. Commissioner Powers responded that is why the State makes it a requirement but they could have an exemption but the Commission may decide to place requirements on the Conditional Use Permit. Commissioner Carter asked how the existing towing company handles stormwater drainage and we need to be fair on requirements.

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Chairperson Moore asked for any other questions. No additional questions were presented. Chairperson Moore stated a decision will be postponed to the next meeting and the Commission can either vote or table the discussion for Town Council. Chairperson Moore reminded the Commission of the conditions used from the existing towing service on the property and to be aware of what they would ask this customer compared to others. Chairperson Moore recognized the concerns with stormwater and other issues. Commissioner Powers commented the applicant does have an advantage with the inside space and a leaking vehicle can be stored inside. Chairperson Moore closed this item.

Presentation by Town of Christiansburg Engineering Department regarding TMDLs.

Chairperson Moore asked the Commissioners to go into work session for the TMDLs presentation. Commissioner Dorsett made a motion to go into work session. Commissioners Sowers seconded the motion which passed 9-0.

Commissioner Huppert exited the meeting at 7:45 p.m.

Work Session – Comprehensive Plan

Chairperson Moore opened the discussion and stated that the Commission would remain in work session.

The work session on the Community and Economic Development chapter of the Comprehensive Plan was held.

Commissioner Carter moved that the Planning Commission close the work session. Commissioner Dorsett seconded the motion which passed 8-0.

Other Business

Chairperson Moore indicated the Other Business portion of the meeting is limited to updates and other information relevant to the Planning Commission, but not for new business or discussion of items. Chairperson Moore requested Planning Commissioners wishing to discuss business during the meetings contact Planning Department staff to be added to the agenda.

Commissioner Dorsett asked Chairperson Moore if announcements can be made during other business. Chairperson Moore replied yes. Commissioner Dorsett would like to remind the Commissioners that on May 11, 2013 at Depot Days from 10 to 4 the New River Valley Planning District Commission will be present taking a survey for the Sustainability Project.

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Other Business - (continued)

Commissioner Powers reminded the Commissioners of the Development Subcommittee meeting for Wednesday, April 24, 2013 at 9:30 am. Commissioner Powers would like to discuss the CUPs and how many are inspected. Commissioner Beasley asked where the meeting will be located. Ms. Hair replied in the Town conference room.

Commissioner Dorsett asked what the next subject for the Comprehensive Plan will be. Ms. Casper responded the Planning chapter. Commissioner Dorsett would like to remind the Commissioners the Comprehensive Plan Subcommittee will be meeting on Wednesday, May 1, 2013 at 4:30 pm.

Commissioner Moore asked if the upcoming Depot Days event on May 11, 2013 can be put on the Town website calendar since this is a nonprofit organization. Ms. Hair replied she will verify with staff the policy for posting to the Town website. Commissioner Moore asked if there could be a community calendar added to the Town website for all nonprofit organization events. Ms. Hair said she will ask the staff.

Commissioner Franusich announced the NRV Bicycle Association and the Bike Kitchen will be holding the “Fix Fest” at the Town office parking lot on May 11, 2013 form 9 to noon. Commissioner Franusich stated all bikes are fixed for free.

Ms. Hair reminded the Commissioners of the New River Valley Planning District Committee annual spring training being held on May 15, 2013. Ms. Hair will need to know by Monday, May 6, 2013 who will be attending so she can give those names to the PDC by Tuesday, May 7, 2013. Ms. Hair also stated she will have transportation available for the attending Commissioners and staff. Commissioner Dorsett asked what the subject will be discussed. Ms. Hair replied the presentation will be on continuation of the Livability Initiative outreach.

There being no more business Chairperson Moore adjourned the meeting at 8:57 p.m.

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Craig Moore, Chairperson Nichole Hair, Secretary Non-Voting

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