



AGENDA
Wytheville Planning Commission
Monday, December 13, 2021
6:00 p.m.
Council Chambers
150 East Monroe Street
Wytheville, Virginia 24382

1. **CALL TO ORDER** — Chairman John W. Jones, Jr.
2. **ESTABLISHMENT OF QUORUM** — Chairman John W. Jones, Jr.
3. **CONSENT AGENDA**
 - A. Minutes of the regular meeting of November 10, 2021
4. **CITIZENS' PERIOD**
5. **OTHER BUSINESS**
 - A. Continued discussion regarding housing development in the Town of Wytheville
6. **RECESS**
7. **RECONVENE (7:00 p.m.)**
8. **PUBLIC HEARING – REZONING REQUEST**
 - A. A joint public hearing with the Wytheville Town Council to consider the request of James E. Crockett, III, to rezone property located on the south side of West Ridge Road, and adjacent to West Lee Highway, from A-1 Agricultural to R-3 Residential
9. **RECOMMENDATION TO TOWN COUNCIL**
 - A. Request of James E. Crockett, III, to rezone property located on the south side of West Ridge Road, and adjacent to West Lee Highway, from A-1 Agricultural to R-3 Residential
10. **ADJOURNMENT**

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE PLANNING COMMISSION
HELD IN THE COUNCIL CHAMBERS ON THURSDAY, NOVEMBER 10, 2021, AT 6:00 P.M.**

Members present: John W. Jones, Jr., George F. Wittwer, Cathy D. Pattison, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate

Members absent: Kevin L. Varney

Others present: Mayor Beth A. Taylor, Councilman Mark Bloomfield, Town Clerk Sharon G. Corvin, Planning Director John Woods, Town Attorney Michelle Workman Clayton, Robert Simmerman

RE: CALL TO ORDER, QUORUM

Chairman Jones called the meeting to order and established that a quorum was present.

RE: CONSENT AGENDA

Chairman Jones presented the consent agenda consisting of the minutes of the regular meeting of October 14, 2021. He inquired of the Commission if there were any additions or corrections to the consent agenda or if there was a motion to approve the consent agenda, as presented. A motion was made by Vice-Mayor Pattison and seconded by Mr. Tate to approve the minutes of the regular meeting of October 14, 2021, as presented. Chairman Jones inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: John W. Jones, Jr., Cathy D. Pattison, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate. Against: None. Absent: George W. Wittwer was not present during the voting of the consent agenda.

RE: CITIZENS' PERIOD

Chairman Jones advised that the next agenda item is Citizens' Period. He noted that there were no citizens attending the meeting who stated that they wished to address the Commission during Citizens' Period, therefore, he would proceed with the agenda.

RE: REZONING REQUEST

Chairman Jones advised that the next agenda item is to consider the request of James E. Crockett, III to rezone property located on the south side of West Ridge Road, and adjacent to West Lee Highway, from A-1 Agricultural to R-3 Residential. He noted that the rezoning request is for the two parcels commonly known as 1995 West Ridge Road. He explained that a special joint meeting with the Planning Commission and Town Council has been requested for Monday, December 13, 2021. Chairman Jones inquired if Planning Director Woods had more information to add regarding the rezoning request. Planning Director Woods presented a PowerPoint presentation that included information on proposed rezoning. He discussed the water and sewer access of the property. Planning Director Woods stated that the proposed rezoning would not interfere with the Comprehensive Plan because the future zoning is residential. He noted that the proposed plan is to develop the site as a Planned Unit Development (PUD) to preserve the area with the slopes, ponds, etc. to be able to use the cluster development aspects to get the kind of project that Mr. Crockett is looking to develop. Mr. Litton inquired of Planning Director Woods as to where the buildings will be located onsite. He noted that the Crockett's sketch did not show the location. Planning Director Woods commented that the Crocketts are working on another drawing

that will be presented to Town staff before the December meeting. He continued to discuss the site plans with the Commission members. Mr. Litton inquired of Planning Director Woods if the access to the development would be located on the West Ridge Road side of the property where the Bone Center is currently located or if it would be located on the West Lee Highway side of the property. Planning Director Woods stated that he would anticipate that the developers would use the current access of the Bone Center plus additional access either from Petunia Road or West Lee Highway. Chairman Jones inquired if there were any other questions or comments regarding the proposed rezoning. There being none, Chairman Jones inquired if there was a motion to schedule a joint public hearing with the Wytheville Town Council on Monday, December 13, 2021, at 7:00 p.m. to consider the rezoning request. A motion was made by Mr. Litton and seconded by Mr. Ervin to schedule a joint public hearing with the Wytheville Town Council on Monday, December 13, 2021, at 7:00 p.m. to consider the request of James E. Crockett, III to rezone property located on the south side of West Ridge Road, and adjacent to West Lee Highway, from A-1 Agricultural to R-3 Residential. Chairman Jones inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: John W. Jones, Jr., Cathy D. Pattison, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate. Against: None. Absent: George W. Wittwer was not present during the voting of the scheduling of the joint public hearing for the rezoning request.

RE: SOLAR ENERGY FACILITY REGULATIONS

Chairman Jones advised that the next agenda item is the continued discussion regarding Solar Energy Facility Regulations. He noted that at the October meeting, Planning Director Woods presented a revised draft ordinance for solar energy facilities with recommendations for streamlining the ordinance. He remarked that the Commission requested that staff revise the draft to reduce the regulatory burden of the ordinance and to address which zoning districts would include solar energy facilities as a permitted use, and if a conditional use permit would be required. Chairman Jones stated that the revised draft ordinance reflects those revisions. Planning Director Woods advised that he would review the draft ordinance with the Planning Commissioners, and he would highlight the changes that the Commissioners can see in the draft ordinance. Planning Director Woods inquired if this draft addressed the majority of concerns the Commissioners had at the October meeting. Mr. Tate remarked that he thought Planning Director Woods did a good job on the draft ordinance. Discussion ensued regarding the changes to the draft ordinance including residential permits going through the Building Official's Office, provisions for a business to apply for a rooftop application, etc. Planning Director Woods stated that he would verify that the ordinance is not precluding a larger panel on an existing building or in a parking lot, and, also, to consider any regulation the Town might want to impose on the location and the siting of individual systems for private use. He inquired if there were any other comments or questions regarding the regulations. Chairman Jones stated that at the January meeting, Planning Director Woods can present the draft ordinance to the Planning Commission once more to review. He inquired if there were any other questions or comments. There being none, he proceeded with the agenda.

RE: SIGN ORDINANCE REVISIONS

Chairman Jones advised that the next agenda item is the proposed revisions to the Sign Ordinance. He noted that a Supreme Court ruling in 2015 limited regulation of signs and struck down certain regulatory provisions that regulate signage based on the type of content included on those signs. Chairman Jones remarked that an extensive revision of the existing ordinance is required to assure compliance with the Supreme Court's ruling. He explained that the draft sign ordinance addresses potential content-based regulations in the Town's current ordinance.

Chairman Jones commented that the draft is developed from a model ordinance developed by the association of Local Government Attorneys of Virginia (LGA) and reflects aspects of similar ordinances in the Virginia communities of Christiansburg, Harrisonburg and Middleburg. He stated that the ordinance has been adapted to the needs of the Town of Wytheville to reflect our location near interstate highways and the unique qualities of the historic resources within the town. Planning Director Woods advised that he would like to give the Planning Commissioners the highlights of this proposed ordinance and see how the Commission wishes to proceed. He continued to explain the definitions of the signs in the proposed ordinance. Planning Director Woods stated that the Commissioners can review this ordinance and look at it again in January. He inquired if anyone had any questions or comments regarding the proposed ordinance. Discussion ensued regarding the height limit of signs in the zoning districts. Chairman Jones stated that the Planning Commissioners would need to review the proposed ordinance and be ready to discuss it at the January 2022, meeting. There being no further questions or comments regarding the proposed sign ordinance, Chairman Jones proceeded with the agenda.

RE: SCHEDULE A PUBLIC HEARING REGARDING ARTICLE XVII – PROVISIONS FOR APPEAL

Chairman Jones advised that the next agenda item was to set a public hearing to consider revisions to the Town of Wytheville Zoning Ordinance, Article XVII – Provisions for Appeal, regarding the Board of Zoning Appeals and requests for variances. He continued to explain the need for the public hearing. Chairman Jones noted that Town Attorney Clayton would present a short PowerPoint presentation about the Zoning Ordinance and options available to update and improve the Town's land use law. Town Attorney Clayton presented the changes to the variance and rezoning changes. She inquired if there were any questions. Chairman Jones inquired if the draft is ready for a public hearing. Town Attorney Clayton stated that the public hearing could be held in January so that Town staff and the Commission can review it further. Chairman Jones inquired if there is a motion to set a public hearing to consider revisions to the Town of Wytheville Zoning Ordinance, Article XVII – Provisions for Appeal, regarding the Board of Zoning Appeals and requests for variances for the January 13, 2022, at 6:00 p.m. in the Council Chambers. A motion was made by Vice-Mayor Pattison and seconded by Vice-Chairman Wittwer to set a public hearing to consider revisions to the Town of Wytheville Zoning Ordinance, Article XVII – Provisions for Appeal, regarding the Board of Zoning Appeals and requests for variances for the January 13, 2022, at 6:00 p.m. in the Council Chambers. Chairman Jones inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: John W. Jones, Jr., George F. Wittwer, Cathy D. Pattison, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate. Against: None.

Town Attorney Clayton continued to present the history of the Town's Zoning Ordinance to the Planning Commission. She noted that it was outdated and would like to know how the Commission feels about updating the entire Zoning Ordinance. Discussion ensued regarding the timeframe about how long it would take to redo the Zoning Ordinance, etc. Chairman Jones inquired if there were any other comments or questions. There being none, he proceeded with the agenda.

RE: HOUSING DEVELOPMENT

Chairman Jones advised that the next agenda item is the continued discussion regarding housing development in the Town of Wytheville. Discussion ensued regarding developers in the area building, etc. Chairman Jones noted that he is aware that the Town Council has already formed a committee for housing development.

Mayor Taylor stated that a startup Committee consisting of herself, Councilman Bloomfield and Town Manager Freeman has met regarding housing development in town. She noted that this Committee is in the early stages, and the Committee is working on getting an incentive list together for builders, etc. Mr. Litton inquired if there is any CARES money that can be contributed for these types of incentives. Mayor Taylor advised that she did not have the answer for Mr. Litton, and she is not sure what the ARPA money can be used for in the future. Chairman Jones inquired if there were any other comments regarding housing development. There being none, he proceeded with the agenda.

RE: RESCHEDULE DECEMBER MEETING

Chairman Jones advised that the next agenda item is to consider rescheduling the December 9, 2021, Planning Commission meeting to December 13, 2021, at 6:00 p.m. He inquired if there is a motion to reschedule the December 9, 2021, meeting to December 13, 2021, at 6:00 p.m. to discuss any business and then to hold a joint public hearing at 7:00 p.m. with the Wytheville Town Council in order to facilitate consideration of the request of Mr. James E. Crockett, III, to rezone property located on the south side of West Ridge Road, and adjacent to West Lee Highway, from A-1 Agricultural to R-3 Residential. A motion was made by Mr. Ervin and seconded by Mr. Litton to reschedule the December 9, 2021, meeting to December 13, 2021, at 6:00 p.m. to discuss any business and then to hold a joint public hearing at 7:00 p.m. with the Wytheville Town Council in order to facilitate consideration of the request of Mr. James E. Crockett, III, to rezone property located on the south side of West Ridge Road, and adjacent to West Lee Highway, from A-1 Agricultural to R-3 Residential. Chairman Jones inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: John W. Jones, Jr., George F. Wittwer, Cathy D. Pattison, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate. Against: None.

RE: ADJOURNMENT

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (7:05 p.m.).

John W. Jones, Jr., Chairman

Sharon G. Corvin, CMC, Town Clerk