

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON MARCH 13, 2013 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

CALL TO ORDER:

Mr. Rice, Chair, called the meeting to order.

DETERMINATION OF A QUORUM:

Ms. Disney established the presence of a quorum.

Present: Bryan Rice, Chair
Cindy W. Disney, Secretary
Robert Miller, Member
Bryan Katz, Member
John Tuttle, Member
Chris Tuck, Board of Supervisors Liaison
Dari Jenkins, Planning & Zoning Administrator
Brea Hopkins, Development Planner

Absent: Steven Sandy, Planning Director
Joel Donahue, Vice-Chair

APPROVAL OF AGENDA:

On a motion by Mr. Miller, and seconded by Mr. Katz, and unanimously carried the agenda was approved.

APPROVAL OF CONSENT AGENDA:

On a motion Mr. Miller, and seconded by Ms. Disney, and unanimously carried the consent agenda was approved.

PUBLIC ADDRESS:

Mr. Rice opened the public address; however, there being no speakers the public address was closed.

PUBLIC HEARING:

Request by **Douglas W. Sink** for a Special Use Permit on 0.5 acres in an Agriculture (A-1) zoning district to allow a specialty shop less than 2,000 square feet in area. The property is located at 4218 Oldtown Rd and is identified as Tax Parcel No. 083C2-A-13 (Acct # 005003) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further identified as Medium Density Residential in the Shawsville Village Plan.

Mr. Rice introduced the request.

Ms. Jenkins stated the applicant is requesting a special use permit for a specialty shop. She reviewed maps and location of the property. The Comprehensive Plan designates the area as Village Expansion and the request appears to comply with the designation. The property is approximately half (1/2) acre. It is bordered to the north and east by single family residential structures and on the south and west by Shawsville Middle School. VDOT has stated the proposed entrance shown on the concept sketch is acceptable for a low volume commercial entrance. The property is served by public water and a private septic system permit has been obtained from the Virginia Department of Health. The schools have stated the proposed use should not be an impact their operations; however, they have requested that alcohol, tobacco, obscene materials, etc. not be sold on site. The structure was originally an old service station and was constructed by the applicant's family member. The current owners purchased the property in 2007 and cleaned the site to open a specialty shop for quilts, crafts, antiques, etc. A site sketch has been submitted. There is an enclosure on the front of the building which will be converted back to a porch/drive thru area. She reviewed photographs of the building.

Mr. Miller asked if there was a special use permit for the previous commercial operations.

Ms. Jenkins stated no permits for the property could be found and it was most likely a nonconforming use.

Mr. Rice opened the public hearing.

Mr. Sink, owner, stated he understood why the school board had concerns over the types of items that would be offered for sell. He noted that there was no interest in selling items bad for the community or

the people; however, he was concerned that the conditions were too restrictive on the types of items that could be offered.

There being no additional speakers, Mr. Rice closed the public hearing.

Mr. Katz suggested condition regarding specialty shop items be removed.

Ms. Jenkins stated the condition was included based upon County Attorney recommendations.

Mr. Miller noted he supported the request. The property used to be a blighted site and has been revitalized to be an asset to the community.

A motion was made by Mr. Katz, seconded by Mr. Miller to recommend approval of the Request by Douglas W. Sink for a Special Use Permit on 0.5 acres in an Agriculture (A-1) zoning district to allow a specialty shop less than 2,000 square feet in area with the following conditions:

1. This Special Use Permit (SUP) authorizes use of the property for a specialty shop less than 2,000 sq. ft. and shall be in substantial conformance with the Concept Plan prepared by Highland Surveys P. C., dated February 1, 2013, included within the application materials. The property shall only offer for sale crafts, sewing supplies, antiques and souvenirs. Any other use not considered substantially the same will require further approval by the Board of Supervisors.
2. A site plan shall be submitted for review and approval by the Zoning Administrator.
3. All required zoning permits, building permits and/or change of use and occupancy approvals, or any other required permits shall be obtained prior to use of the property as a specialty shop less than 2,000 sq. ft. All other federal, state or local regulations shall be met.
4. This Special Use Permit authorizes hours of operation for this use between 8:00 a.m. and 8:00 p.m.
5. Off-street parking shall be located outside the limits of VDOT right-of-way and meet the requirements of Section 10-44 of Montgomery County Code.
6. No outdoor display or storage shall be allowed.
7. No trash, litter or debris shall accumulate or be stored on the property.
8. Any lighting installed on the property shall be dusk to dawn, shielded fixtures to avoid glare onto adjacent properties and night sky, and shall comply with Montgomery County Zoning Ordinance 10-46(9) Performance Standards.

Ayes: Disney, Katz, Miller, Rice, Tuttle

Nays: None

Abstain: None

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OLD BUSINESS:

None presented.

NEW BUSINESS:

None presented.

LIAISON REPORTS:

Board of Supervisors: Mr. Tuck reported the Governor had signed legislation to allow liquor by drink for two (2) I-81 interchanges at Exit 109 and Exit 128. The Prices Fork Elementary School is for sale. The Residential Chicken ordinance did pass with a two (2) acre minimum and fifty (50) ft. setbacks. The Board voted to advertise a 2 cent tax rate increase.

Agriculture & Forestal District: No report.

Blacksburg Planning Commission: No report.

Christiansburg Planning Commission: Ms. Disney stated a CUP was approved on Radford Rd. to construct two (2) single family units. The town has purchased sixty (60) acres for a park.

Economic Development Committee: Mr. Tuttle stated there was much discussion regarding collaboration between Roanoke and New River Valley.

Public Service Authority: Mr. Tuck stated the Town of Christiansburg had scheduled meeting for the joinder study. Mr. Price continues to argue he was vested to have water service to property on Oilwell

Road and upgrades need to be made. The PSA has offered to provide labor if Mr. Price would pay for materials to upgrade that line.

Parks & Recreation: No report.

Radford Planning Commission: No report.

School Board: No report.

Tourism Council: No report.

Planning Director's Report: Mrs. Hopkins reported in Mr. Sandy's absence. The second round of Citizen Information meetings for the Route 11/460 and Route 8 studies have been scheduled for April 9th & 10th. The Board is seeking applications for the three (3) vacant positions on the commission. On May 15th the NRV Planning District Commission will be hosting its annual Planning Commissioner's Dinner and Training event. PlanVirginia is hosting the annual Legal Seminar on May 30th in Staunton. Please let Steve or Brea know if you would like to attend.

There being no further business the meeting was adjourned at 7:45 pm.

Chairman

Secretary

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