

TOWN OF ROCKY MOUNT
345 DONALD AVE.
ROCKY MOUNT, VIRGINIA 24151

540.483.7660
FAX : 540.483.8830

E-MAIL: MHANKINS@ROCKYMOUNTVA.ORG
WWW.ROCKYMOUNTVA.ORG



PLANNING COMMISSION
JANET STOCKTON, *Chair*
JOHN SPEIDEL, *Vice Chair*

BUD BLANCHARD JERRY W. GREER, SR.
INA CLEMENTS DERWIN HALL
JOHN TIGGLE

C. JAMES ERVIN, *Town Manager*
MATTHEW C. HANKINS, *Assistant Town Manager*
& *Community Development Director*

PLANNING COMMISSION AGENDA Tuesday, March 5, 2013 • 6 p.m.

Call To Order and Welcome

Janet Stockton, Chair

1. Roll Call of Members Present
2. Approval of Agenda
3. Review and Consideration of Minutes
 - February 5, 2013 - *regular meeting minutes*
4. Public Hearings
 - A. *Peggy Shilling, doing business as Ceramic Tradition, requests a special use permit to operate a kiln in relation to the manufacture and retail sale of ceramics at 451 South Main Street, Tax Map and Parcel Number 20700 72300. The property is zoned Central Business District (CBD).*
 - i. Introduction and staff report
 - ii. Comments from the applicant
 - iii. Hearing of citizens
 - B. *Larry and Glenna Moore request to rezone Tax Map and Parcel Number 20700 22200, located at 85 Claiborne Avenue, from Residential R2, to Residential R3, for the purpose of converting the single-family residence into a 3-unit apartment.*
 - i. Introduction and staff report
 - ii. Comments from the applicant
 - iii. Hearing of citizens
5. Old Business
 - None at this time*
6. New Business
 - Presentation by Jeremy Holmes, Program Director, Roanoke Valley-Alleghany Regional Commission RIDE Solutions program.*
7. Commissioner Concerns & Staff Updates
8. Adjournment

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
DRAFT MINUTES
FEBRUARY 5, 2013
6:00 P.M.**

The Planning Commission of the Town of Rocky Mount, Virginia, met at the Rocky Mount Municipal Building on Tuesday, February 5, 2013 at 6:00 p.m., with Madame Chair Janet Stockton presiding.

The following members of Planning Commission were present when the meeting was called to order: Madame Chair Janet Stockton, Vice Chair John Speidel and Planning Commission Members Bud Blanchard, Ina Clements, Jerry Greer, and John Tiggle. Let the record show that Planning Commission Member Derwin Hall was not present.

The following staff members were present: Assistant Town Manager Matthew C. Hankins, Town Planner Patrick Rust, Town Attorney John Boitnott and Deputy Clerk Stacey B. Sink.

APPROVAL OF AGENDA

Madame Chair Stockton asked if there were any additions or corrections to the presented agenda, and being none, entertained a motion.

- Motion was made by Planning Commission Member Clements to approve the agenda as presented, with motion on the floor being seconded by Vice Chair Speidel. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

APPROVAL OF MINUTES

Prior to the meeting, the Planning Commission received the following minutes for review and consideration of approval:

- November 8, 2012 – Regular Meeting Minutes
- December 4, 2012 – Regular Meeting Minutes
- January 8, 2013 – Regular Meeting Minutes

Madame Chair Stockton asked if there were any additions or corrections to the draft

minutes, and being none, entertained a motion.

- Motion was made by Planning Commission Member Tiggie to approve the draft minutes for November 8, 2012, December 4, 2012, and January 8, 2013 as presented, with motion on the floor being seconded by Vice Chair Speidel. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

PUBLIC HEARING

Let the record show there were no public hearings held at this time.

OLD BUSINESS

- (1) ***Review and consideration of draft ordinance amending Chapter 22, Article II, Division 2 of the Code of the Town of Rocky Mount, Virginia (2002), in part, and providing for changes to weed and trash abatement in the Town of Rocky Mount.***

Let the record show that at the request of Rocky Mount Town Council, the Planning Commission reviewed the weed and trash ordinance during the December 2012 meeting and made recommendations to staff regarding amendments to the ordinance. Presented tonight for Planning Commission's review is a draft ordinance.

Discussion ensued:

- The proposed draft ordinance contains amendments as recommended by Planning Commission, in addition to additional changes which are proposed in compliance with State Code.
- One proposed change which was not discussed by Planning Commission is changing the required mowing buffer on unimproved lots greater than one acre to 50 feet. The current ordinance requires a five-foot buffer.
- There are not many lots in town to which this change will apply.
- The proposed ordinance was modeled in part after the Roanoke City ordinance.
- The grass height has been lowered from 14 inches down to 10 inches and the amount of time to abate the conditions has been lessened from 14 days to 7 days.
- Again, the 5-foot boundary on unimproved parcels greater than one acre has

been increased to 50 feet. The town attorney noted that this is in line with the Roanoke City ordinance, and he included this change because of Council and Planning Commission's concern regarding tall grass and its ability to harbor rodents and snakes.

- There are two processes to follow: An administrative process in which failure to comply will result in a lien, or a legal process in which the property owner would be cited and summonsed to court. With the legal process, the first offense results in a civil penalty, the second in an enhanced civil penalty, and the third offense (within a 24-month period) would allow for prosecution as a Class 3 misdemeanor.
- Under the proposed ordinance, the remedies are basically the same; however, the manner in which the violations are prosecuted in the General District Court has been brought into compliance with State Code.
- In addition, written notice is only required to the property owner one time between April 1 and November 1 of each year. If a property becomes a nuisance a second time during that time frame, the town will be able to abate the nuisance with sending another notice.

There being no further discussion, Madame Chair Stockton entertained a motion.

- Motion was made by Planning Commission Member Greer to recommend to Town Council the proposed draft ordinance as presented, with motion on the floor being seconded by Planning Commission Member Blanchard. There being no discussion, let the record show that the motion on the floor passed unanimously by those present.

NEW BUSINESS

Let the record show there was no new business submitted for discussion at this time.

COMMISSIONER CONCERNS & STAFF UPDATES

- Staff Update: The 5-year Capital Improvement Plan (CIP) will most likely be presented to Planning Commission for review in April 2013 instead of May, as has been the past history.
- Staff Update: Staff has received an application from a potential new business who wishes to locate in the Central Business District (CBD). Since this business will be manufacturing ceramics with the use of a kiln, and special use permit will be needed. This is expected to come before Planning Commission during the March

2013 meeting.

- Commissioner Concern: Traffic lights blinking on Tanyard Road recently were the result of an accident.
- Commissioner Concern: There are a lot of empty buildings in town, and a rumor that the Hallmark store will be closing if a buyer is not found.
- Commissioner Concern: The performance center was recently put out to bid. To date, the architect has received interest from 15 firms.

ADJOURNMENT

At 6:20 p.m., and with no further business to discuss, Madame Chair Stockton entertained a motion to adjourn, with motion being made by Planning Commission Member Clements, seconded by Planning Commission Member Tiggle, and carried unanimously by those present.

Janet Stockton, Chair

ATTEST:

Stacey B. Sink, Deputy Clerk

/sbs

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BILLIE W. STOCKTON

PATRICK N. RUST
Town Planner
Code Inspector/GIS Technician

MEMORANDUM

To: Planning Commission
 Janet Stockton, Chair

From: Patrick N. Rust, Town Planner

Date: February 25, 2013

Re: Special Use Permit Request of Peggy Shilling, D/B/A Ceramic Tradition
 451 South Main Street, Tax ID 20700 72300

Planning Commission:

Ms. Peggy Shilling, doing business as Ceramic Tradition, has submitted a special use application to operate a kiln in relation to the manufacture and retail sale of ceramics at 451 South Main Street and located at Tax Map & Parcel number 20700 72300.

Ms. Shilling and her husband intend to operate a ceramics manufacture, instruction, painting and finishing business on this property across from Carilion Franklin Community Hospital. It is a combination of retail and manufacturing, and the business has over 10,000 molds to make everything from plates to figurines. This is a unique business not just for Rocky Mount but also for the region. Very few businesses like this exist, and can attract more visitors and shoppers to our town from throughout the region, fitting in well with the Central Business District and the Arts & Culture District.

This property is zoned Central Business District (CDB), in which manufacturing facets are not a use by right but custom manufacturing is a use by special exception. Also, businesses using kilns in the CBD require a special use permit, and this business uses a kiln to melt the ceramic clay.

After review, staff unanimously recommends approval of this special use request based on the following:

1. This art use will enhance the Town's vision of arts and cultural businesses and uses.
2. The manufacturing use of a kiln does not appear likely to affect the surrounding area and adjoining uses.
3. This use is consistent with the future use land map in the current adopted comprehensive plan.

If you require further time to review this matter, you have 30 days by code to contemplate the matter and make your recommendation to Town Council. You may also recommend conditions with your recommendation.

Potential Motions:

Staff Recommendation:

Approval

I move that the Planning Commission recommends Town Council approve the special use request for 451 South Main Street, Tax Map & Parcel Number 20700 72300.

With the following conditions (if needed):

Other Recommendations:

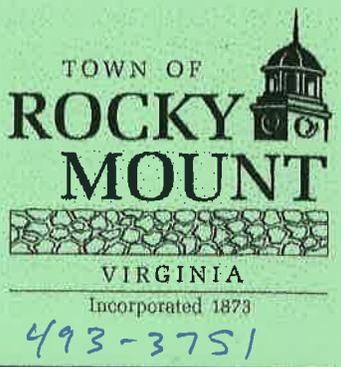
Denial

I move that the Planning Commission recommends Town Council deny the special use request for 451 South Main Street, Tax Map & Parcel Number 20700 72300.

SPECIAL EXCEPTION/USE APPLICATION

APPLICANT INFORMATION

NAME: PEGGY SHILLING DBA CERAMIC TRADITION
ADDRESS: 3322 GREEN LANE ROAD
ROCKY MOUNT, VA 24151
PHONE: (540) 238-8453



NATURE OF SPECIAL EXCEPTION/USE REQUEST (BRIEF DESCRIPTION)

MAKING & PAINTING CERAMIC BISQUE FOR SALE &
INSTRUCTION IN PAINTING & FINISHING CERAMICS

PROPERTY OWNER & PROPERTY INFORMATION

PROPERTY OWNER NAME: RANDY JONES & CATHARINE PIGG (JONES FAMILY TRUST)
(IF DIFFERENT FROM APPLICANT)
MAILING ADDRESS: 3831 FRANKLIN ST. ROCKY MOUNT, VA 24151
EXACT LOCATION OF THE PROPERTY: 451 S. MAIN ST.
TAX MAP & PARCEL NUMBER: 20700 72300
CURRENT ZONING: R-1 R-2 R-3 RA RB POS C-1 C-2 CBD GB
RPUD M-1 M-2
CURRENT LAND USE: VACANT AGRICULTURAL RESIDENTIAL COMMERCIAL INDUSTRIAL
SIZE OF PROPERTY (ACRES/SQ.FT.): 1.414
SIZE OF PROPOSED SPECIAL EXCEPTION (ACRES/SQ.FT.): .04 ACRES
IS ANY PORTION OF LOT IN FLOOD PLAIN OR FLOODWAY? YES NO

ADDITIONAL INFORMATION/ATTACHMENTS

- SIZE AND SHAPE OF LAND
- SIZE AND SHAPE OF BUILDING/STRUCTURE IN RESPECT TO PROPERTY LINES
- PARKING SPACE(S) SHOWN IN RESPECT TO PROPERTY LINES/BUILDINGS/STRUCTURES
- RIGHT-OF-WAY OF STREETS OR HIGHWAYS ADJOINING LAND
- ADJACENT AND ADJOINING PROPERTY OWNERS

APPLICANT CERTIFICATION

BY SIGNING BELOW, I/WE HEREBY APPLY FOR A REZONING REQUEST FOR THE PURPOSES OF THE SPECIAL EXCEPTION/USE AS DESCRIBED ON THIS APPLICATION AND I/WE CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE TO THE BEST OF MY/OUR KNOWLEDGE.

Peggy Shilling
APPLICANT SIGNATURE

02-04-2013
DATE

OWNER CERTIFICATION

BY SIGNING BELOW, I CERTIFY THAT I AM AWARE OF THIS SPECIAL EXCEPTION/USE APPLICATION AND I CONSENT TO THE REZONING REQUEST AS DESCRIBED ON THIS APPLICATION.

Parable Jones
OWNER SIGNATURE

2/11/13
DATE

FOR COMMUNITY DEVELOPMENT OFFICE USE ONLY

FEE AMOUNT: \$500 ^{F2-WAIVER} DATE RECEIVED: 2/12/13

CASH CHECK (CHECK NO. _____)

DATE TO BE HEARD BY PLANNING COMMISSION: MARCH 5, 2013

DATE TO BE HEARD BY TOWN COUNCIL: MARCH 11, 2013

APPLICATION No.: _____

I HEREBY APPROVE THIS APPLICATION AS PRESENTED, NOTING THAT ALL REQUIRED INFORMATION IS ATTACHED ACCORDING TO THE SPECIFICATIONS OF THIS APPLICATION FOR REZONING.

M. A. C. [Signature]
ZONING ADMINISTRATOR SIGNATURE

2/11/2013
DATE

Shilling
2070072300

ADJACENT AND ADJOINING PROPERTY OWNERS

Adjacent and adjoining property owners are mailed a notice of this request. Please provide owner's names and complete mailing address for all property owners that adjoin or are adjacent to (including across streets and at angles) the site. Names and addresses are available in the Real Estate Office located at the Franklin County Courthouse, or on-line at www.franklincountyva.gov.

Property
Owner

Name: Grady H. Jones (Family Limited Partnership)

Address: 3831 Franklin Street RM VA 24151

Tax Map and Parcel Number: 2070073400

Name: Franklin Memorial Hospital % Carilion Health Sys.

Address: P.O. Box 12385 - ATTN Tax Dept. Roanoke VA

Tax Map and Parcel Number: 2070072100, 2070054200 24025
2070054100

Name: Franklin County Historical Society, Inc.

Address: P.O. Box 905, Rocky Mount, VA 24151

Tax Map and Parcel Number: 2070053900

Name: Elizabeth Lewis Edmundson

Address: 475 S. Main St. RM VA 24151

Tax Map and Parcel Number: 2070072400

Name: First Baptist Church

Address: P.O. Box 671, RM, VA 24151

Tax Map and Parcel Number: 2070072700, 2070072900

Name: William McKinley Berger and Naomi H. Berger

Address: 160 Sweet Hollow Lane Fernum VA 24088

Tax Map and Parcel Number: 2070072800

Name: Clifton B. Knox, Maira S. Knox

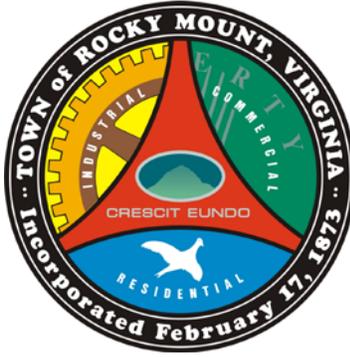
Address: 233 Silverleaf Lane, Boones Mill VA 24065

Tax Map and Parcel Number: 2070073000

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PATRICK N. RUST
Town Planner
Code Inspector/GIS Technician

MEMORANDUM

To: Planning Commission
 Janet Stockton, Chair

From: Patrick N. Rust, Town Planner

Date: February, 25, 2013

Re: Rezoning Request of Mr. and Mrs. Larry Moore
 85 Claiborne Ave, Tax ID 20700 22200

Planning Commission:

Larry & Glenna Moore have recently purchased the property at 85 Claiborne, Tax Map & Parcel Number 20700 22200 and have applied to re-zone the property from Residential R2 (medium density residential) to Residential R3 (high density residential). The purpose is to convert the single family residence into a three unit apartment.

As you are aware, Claiborne Avenue has a large number of non-conforming structures that have developed over the past 30 years or so as multi-family apartments. The de facto use of many properties on the street is R3, predating the Town's zoning ordinance.

In Residential R2, residential properties are limited to single-family dwellings and two-family dwellings. In the Residential R3, multiple-family dwellings are a use by right.

Staff has reviewed this case and considered a number of implications for your review. Staff does not have a consensus recommendation for you in this case, and have good arguments for and against approval. Our internal consideration and debate has focused on several important issues that you, as a Planning Commission, need to resolve based on your understanding and long experience.

1. Why are parts of Claiborne Avenue zoned R2 with others zoned R3? Was R2 implemented to try to limit the number of families able to live on the street, and if so, is that a policy you wish to continue?
2. The surrounding residential properties are generally zoned Residential-R2 and Central Business District. There are no Residential-R3 zoned properties that share property lines to 85 Claiborne Ave. Nearby uses, however, are

consistent with the requirements of R3 zoning, even if they are not classified as such.

3. The requested use is consistent with the current adopted comprehensive plan, which calls for this and surrounding parcels to be mixed use.
4. Rezoning this property to a standalone Residential R3 is single parcel zoning, and doing so is not good planning practice, and could be challenged as preferential. Staff suggests that if you recommend authorizing this rezoning, you should direct staff to consider whether it is appropriate to rezone multiple nonconforming parcels in the area to a zoning which correctly reflects the uses.
5. In the event you rezone this parcel, the applicants must demonstrate ample parking for the residential units. Code requires space to park two automobiles for each dwelling unit either in a private garage or on the lot.

If you require further time to review this matter, you have 30 days by code to contemplate and make your recommendation to Town Council. You may also recommend conditions with your recommendation.

Potential Motions:

Approval

I move that the Planning Commission recommends Town Council approve the rezoning request for 85 Claiborne Ave, Tax Map & Parcel Number 20700 22200.

With the following conditions (if needed):

Other Recommendations:

Denial

I move that the Planning Commission recommends Town Council deny the rezoning request for 85 Claiborne Ave, Tax Map & Parcel Number 20700 22200.

TOWN OF ROCKY MOUNT
APPLICATION FOR REZONING REQUEST

I/we _____, as Owner of the below described property, hereby apply for a Rezoning Request as hereinafter described:

1. Applicant's Name: Larry & Glenna Moore Phone: 540.483.9469
Address: 85 Claiborne Ave, Rocky Mount State: VA Zip: 24151
2. Property Owner's Name: Larry & Glenna Moore Phone: 540.493.1596 (cell)
Address: 45 Scenic River Dr., Rocky Mount State: VA Zip: 24151
3. Exact location of the property: 85 Claiborne Ave
4. Tax Map and Parcel Number: 2070022200
5. Size of Property: .22 Acres
Size of proposed rezoning request: .22 Acres
6. Existing Land Use: Vacant Agriculture Residential Commercial Industrial Other _____
Existing Zoning: R-1 R-2 R-3 R-A R-B GB CBD C-1 M-1 M-2 Flood Plain? Y/N
7. Requested Land Use: Vacant Agriculture Residential Commercial Industrial Other
Requested Zoning: R-1 R-2 R-3 R-A R-B GB CBD C-1 M-1 M-2 Flood Plain? Y/N
8. Check Completed Items:
 Size and Shape of Land
 Size and Shape of building in respect to property lines
 Parking Space(s) shown in respect to property lines and buildings
 Right-of-way of streets or highways adjoining land

Signature of Applicant(s): Glenna H. Moore for Larry & Glenna Moore
Address: 45 Scenic River Dr., Rocky Mount, VA 24151
Date: 2/11/13 Telephone Number: 540.483.9469

Owner's Consent (If different from applicant): _____

Signature of Applicant(s): _____

Address: _____

Date: _____ Telephone Number: _____

I hereby approve this application as presented, noting that all required information is attached according to the specifications of this application for rezoning.

Zoning Administrator: Patrick N. [Signature] Date: 02/11/2013

Moore
2070022200

ADJACENT AND ADJOINING PROPERTY OWNERS

Adjacent and adjoining property owners are mailed a notice of this request. Please provide owner's names and complete mailing address for all property owners that adjoin or are adjacent to (including across streets and at angles) the site. Names and addresses are available in the Real Estate Office located at the Franklin County Courthouse, or on-line at www.franklincountyva.gov.

Name: Dillman Enterprises Inc. (Steven R. Dillon, Registered Agent)
Address: 2305 Thuman Hill Road Hardy VA 24101
Tax Map and Parcel Number: 2070022300

Name: Ryan Lewis Stubbs
Address: 90 High Street, Rocky Mount VA 24151
Tax Map and Parcel Number: 2070023900, 2070024000

Name: Roger Casey Stangel
Address: P.O. Box 125 Ferrum VA 24088
Tax Map and Parcel Number: 2070103000

Name: Lynn R. and Jane N. Matherly
Address: P.O. Box 855, Rocky Mount, VA 24151
Tax Map and Parcel Number: 2070103100

Name: County of Franklin
Address: 1255 Franklin St. Suite 112 R.M 24151
Tax Map and Parcel Number: 2070060000

Name: David Oakes
Address: 100 Claiborne Avenue, RM VA 24151
Tax Map and Parcel Number: 2070021900

Name: David Michael Kent + Priscilla H. Kent
Address: 18 Landing Lane, Bluffton SC 29909
Tax Map and Parcel Number: no longer applicable

Property Owner

Moore's purchased the property.



Franklin County, VA

Disclaimer: The information contained on this page is NOT to be construed or used as a "legal description". Map information is believed to be accurate but accuracy is not guaranteed.

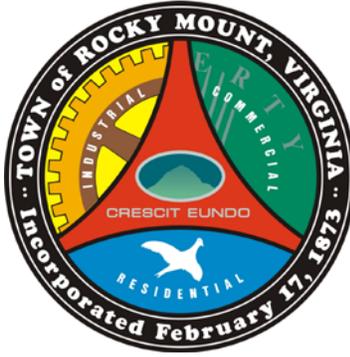
MOORE - Rezoning Request - 20700 22200

<http://www.webgis.net> Anderson & Associates, Inc. <http://www.andassoc.com>

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STACEY B. SINK, CMC
Deputy Clerk
Planning Technician

MEMORANDUM

TO: Janet Stockton, Chair
Planning Commission Members

FROM: Stacey Sink, Deputy Clerk

DATE: January 28, 2013

RE: Agenda Item - presentation regarding RVARC RIDE Solutions program

At Planning Commission's regular meeting on Tuesday, March 5, Jeremy Holmes, Program Director for the Roanoke Valley-Alleghany Regional Commission RIDE Solutions Program will present some information about a project RVARC has started with Rocky Mount and Franklin County to look at ridesharing opportunities in the area. The RVARC study will look at market demand, potential park and ride sites, commute sheds, and other information related to helping people cut their commute costs by starting carpools. RVARC also has plans to do a community-wide driver survey and an employer survey.

This presentation will be informational only. No action is required.