

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
MINUTES
SEPTEMBER 6, 2011
6:00 P.M.**

The Planning Commission of the Town of Rocky Mount, Virginia, met at the Rocky Mount Municipal Building on Tuesday, September 6, 2011 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 and Vice Chair John Speidel; and Planning Commission Members Bud Blanchard, Ina Clements, Derwin Hall and John Tiggle. Let the record show that Planning Commission Member Jerry Greer arrived at the meeting at 6:03 p.m.

The following staff members were present: Town Attorney John Boitnott, Assistant Town Manager Matthew C. Hankins, Town Planner Patrick Rust 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, Planning Commission received the following draft minutes for review and consideration of approval:

- August 2, 2011 – Regular Meeting Minutes

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

- Motion was made by Planning Commission Member Tiggle to approve the August 2, 2011 minutes as presented, with motion on the floor being seconded by Planning Commission Member Clements. There being no discussion, let the record show that the motion on the floor passed unanimously.

PUBLIC HEARING

Madame Chair Stockton recessed the meeting to hold the first of two public hearings.

(1) *Frank Fuller Special Exception Request*

After being duly advertised, and in accordance with the Code of Virginia (1950), as amended, and the Town of Rocky Mount Zoning and Development Ordinance, Frank Fuller requested a special exception from the Town of Rocky Mount Zoning Ordinance, Article 3-1-5, *accessory buildings*, specifically, the requirement that an accessory building must be located behind the main structure, for his property at 690 Scuffling Hill Road, Franklin County Tax Map and Parcel Number 2100016400.

Madame Chair Stockton called upon the Assistant Town Manager to deliver his staff report in regards to Mr. Fuller's request. The Assistant Town Manager made the following points:

- Frank Fuller submitted a zoning permit application after construction of a carport was completed at his home on Scuffling Hill Road. The 12-ft by 21-ft unit is a metal pole-and-roof structure over a concrete pad and secured with bolts anchored into the pad.
- Mr. Fuller's application was denied based on Article 3-1-5 of the Zoning Ordinance which governs accessory structures in Residential R1 zoning. The structure must be at least five feet off the property line, which it appears to be, and must be behind the main structure, which it is not.
- He met with Mr. Fuller on several occasions and gave him options, which included: (1) appealing the determination to the Board of Zoning Appeals; or (2) seeking a special exception from this portion of the Zoning Ordinance. He decided to seek a special exception.
- The Franklin County Building Inspector's Office has also been involved in these discussions and is awaiting Planning Commission's action and the

action of Town Council prior to issuing a building permit. That office has investigated the structure and has determined that the carport was designed and installed to meet the expected snow and wind loads for this area.

- Staff has reviewed this a lot and has met with Mr. Fuller on a couple occasions, and Mr. Fuller has been very cooperative and very apologetic. He was under the impression that he did not need to get a building permit or a zoning permit due to the cost of the structure. Staff has no problems with Mr. Fuller at all, but must look at the code, and in looking at the code, staff recommends that the special exception be denied on the following bases: (1) the location chosen by Mr. Fuller and his contractor is a visual break from the setback distance along Scuffling Hill, and as such, is aesthetically out of line with the other properties in the community, noting that this is a values question that Planning Commission must ultimately decide; and (2) the location of the carport could limit the effectiveness of emergency personnel in reaching Mr. Fuller's home, noting that during the site visit, other ingress and egress options were identified.
- If Planning Commission chooses to take a route other than denial, and in order to be able to recommend to Town Council that the special exception be granted, Planning Commission must determine that the proposed use will not adversely affect the health and safety of persons in the neighborhood, be detrimental to the public welfare or injurious to property or improvements in the neighborhood, or conflict with the comprehensive plan.
- As always, Planning Commission can make a recommendation and Town Council has final determination in the matter. If Planning Commission requires more time to review the matter, it does by code have 30 days.
- Additionally, staff encourages anyone who contemplates building on their property to come to the Town first, prior to construction. Coming in after the fact does increase the staff review time and it frequently leads to financial or time losses for the property owner.

Madame Chair Stockton opened the floor to questions from Planning Commission for the Assistant Town Manager:

- Vice Chair Speidel questioned what location would meet the minimum requirements there, with the Assistant Town Manager advising, at least 10 feet behind the back wall of the house and five feet from the property line, anywhere within that envelope.

Madame Chair Stockton invited Mr. Fuller to come forward to speak.

Frank Fuller of 690 Scuffling Hill Road came forward and gave a brief

synopsis of his history in the area. He had noticed several of these carports located on various properties in the town and county, located beside, in front of and behind houses, and he did not have a garage and thought this would make a nice shed for his car. It was his mistake for not checking to see if he needed a permit, but he was of the understanding that for a building costing less than \$1,000 he did not need a permit. Apparently he was wrong. He purchased the building in September. On May 18, Mr. Altice [with the Franklin County Building Inspector's Office] visited his property and measured the building, and a few days later he received a letter stating that his carport was illegal, and that Mr. Fuller had alleged that the building was on the property when he purchased it. Mr. Fuller clarified for the record that he never made such a statement, advising that the building was not there when he purchased the property, as [aerial] maps taken show that there was a road there. He contacted his neighbors: Cash Cooper, James Overton, Phillip Wood, and Jim Haynes. They all agreed that it was a nice building and agreed to construction, noting that Mr. Cooper's house is right next to the building and he had no objections. Mr. Overton, who had use of the road, said he did not need the use of the road any longer as he was putting a new road into his house. So, he proceeded. He then got a letter [from Franklin County] and went to the office to talk about the letter he received, advising again that he never told anyone that the building was there prior to his ownership. Then, he came to the Town and spoke with Mr. Hankins to ask for his money back for the permit he was denied. Mr. Hankins told him that money is not refunded, regardless if it is approved or disapproved. He disagrees with this practice. He asked Mr. Hankins about all of the other carports that are around and illegal just like his. Mr. Hankins advised that unless someone turns in a complaint, staff does not check them. Mr. Fuller does not think this is proper, as it should be part of Mr. Hankins' job to look at buildings and check on them, because partially he is getting paid to do that. He then did not have any alternative except to apply for a special use permit, which he did, and now he is at Planning Commission's mercy to either help him out or disapprove of his application.

Madame Chair Stockton opened the floor to Planning Commission for questions for Mr. Fuller:

- Planning Commission Member Blanchard questioned if the concrete pad was already in place or if was built for the building, with Mr. Fuller advising he had the pad built also before the building was put up.
- Madame Chair Stockton questioned if she understood Mr. Fuller correctly that where he has his building is located now is where the road was located that a person once used to get to his property before, with Mr. Fuller advising

she was correct and there was an easement in the deed. He also advised that he is getting on up in age and it is hard to shovel snow, and where the building is located is convenient to his front door, which is why he had it put there.

- Madame Chair Stockton questioned who told Mr. Fuller that a building must cost \$1,000, with Mr. Fuller advising that it was some well-meaning people who did not know what they were talking about, and he reiterated that he never said the building was there when he bought the property, as Mr. Scott alleged, with the Assistant Town Manager clarifying that Mr. Scott is Jeff Scott of the Franklin County Building Inspector's Office.

There being no additional questions for Mr. Fuller, Madame Chair Stockton opened the floor to any member of the audience who wished to speak in regards to Mr. Fuller's request. Let the record show that no one came forward to speak for or against Mr. Fuller's request.

Madame Chair Stockton opened the floor again to Planning Commission for comments or questions, and being none, called the meeting back into regular session by entertaining a motion.

- Motion was made by Planning Commission Member Greer that Planning Commission recommends to Town Council approval of the proposed special exception for 690 Scuffling Hill Road, Tax Map and Parcel Number 2100016400, with motion on the floor being seconded by Planning Commission Member Hall. There being no further discussion, a roll call vote was taken. Let the record show that the motion on the floor passed unanimously.

Madame Chair Stockton recessed the meeting to hold the second public hearing.

(2) *Stepping Stone Mission of Franklin County, Inc. Special Use Request*

After being duly advertised, and in accordance with the Code of Virginia (1950), as amended, and the Town of Rocky Mount Zoning and Development Ordinance, Stepping Stone Mission of Franklin County, Inc. ("Stepping Stone") requested a special use permit to operate a soup kitchen at 170 Circle Drive, Tax Map and Parcel Numbers 2040026600 and 2040026700. Stepping Stone has a conditional contract to purchase the property, which it plans to acquire in order to build a soup kitchen. The parcels are zoned Residential R2, and soup kitchens are uses not provided for in the Zoning and Development Ordinance.

Madame Chair Stockton called upon the Assistant Town Manager to deliver his staff report in regards to Stepping Stone's request. The Assistant Town Manager made the following points:

- Joanne Patterson, the Director of Stepping Stone, who is here tonight, and operates a soup kitchen on Diamond Avenue under conditional zoning and a special use permit, has for some time been looking for alternative sites nearer the heart of Rocky Mount, with a goal of better reaching those in need of the services provided by the mission. The mission serves approximately 50 to 75 people lunch during its operation.
- Ms. Patterson has identified 170 Circle Drive as a preferred site for building a new location to serve her clients. The site includes two fairly large parcels, totaling approximately 0.85 acres. Until January of this year, the site had a single family home, which was an old cabin that burned. Joe Swain did the final removal of the debris in June. The lot is clear for development and the property is for sale.
- Ms. Patterson has placed a conditional offer on the property and has applied for a special use permit. She has had a site plan concept drafted showing the proposed building, parking, access points, screening, stormwater management, setbacks, and green space. It is all conceptual and the plan is included in Planning Commission's packet for review. There are no calculations, or lighting plan included which would be required for a full site plan. This plan is for conversational use only tonight.
- In the concept plan that is presented and attached, the building would have a footprint of 4,560 square feet, 34 parking spaces, and two access points at Circle Drive within 80 feet. The property would be within walking distance of many clients or potential clients the soup kitchen now serves.
- In the past, the Town required Stepping Stone to obtain a conditional zoning to General Business GB, because "shelters" are a use by special exception, listed in the GB zoning. After research on this matter and in consultation with other localities, he could not clearly define whether the soup kitchen meets the Town's definition of a "shelter." Under the current definition, a shelter requires sleeping accommodation for clients, which is not indicated or contemplated with this application. In his judgment, this means that the use is one not provided for in code, which requires Planning Commission's review and recommendation to Town Council for final approval.
- While staff believes in and has supported Stepping Stone, its volunteers and goals, staff cannot in good faith recommend this location as suitable for the proposed special use. The determinations are based on the falling considerations:

- (1) *Parking* – Would 34 parking spaces be adequate? This would be hard to determine. Since this is a use not provided for, it would have to be determined by the zoning administrator in consultation with the Planning Commission. He believes that the parking would not be adequate in the event that Stepping Stone's clientele expands and takes in more people who are able to drive. In his observations at the existing location, the traffic could overburden the site. The site now seems to handle the traffic relatively well, but he is not sure how it will compare to this site. If it is indeed a burden, traffic could spill over and interfere with the operations of the street and nearby businesses. It could impact closed residences if driveways are blocked. Additionally, the security of the homes and businesses nearby should be a consideration. While the operation of this kitchen has had few complaints or issues, the possibility always exists that clients with desperate needs will do desperate or unlawful things to meet those needs. He is not saying that would be the case here, but he would be unrealistic not to mention it.
- (2) *Traffic hazards* – One proposed entrance appears to directly face the Law Street and Circle Drive intersection, creating a four-way intersection there. There is also Green Meadow Lane very close by, so there could be traffic conflicts. There is a curve on the north end of the property with a house that sits in the curve, so it does create some blind spots for people pulling in and out. Sight distances should be taken into consideration, as well as the safety of pedestrians, as there are no sidewalks in this location.
- (3) *Use compatibility* – The nearby neighborhood includes mixed uses, with high density apartments, low density traditional streets, businesses, and a four-lane general business corridor all within 500 feet of the property. While this development is not entirely incompatible with any of the uses, it is not fully compatible with any of them. When making a determination on this property, Planning Commission should consider whether this use is compatible with those varied commercial and residential uses.
- (4) *Future development* – Will this project have harmful effects on the future of the North Main business corridor? The Town management believes this corridor has significant growth potential over the next decade due to its ease of access, its proximity to 220, and available sites for commercial development along the street. Will this development impact that, either negatively or positively? That is a values question, one that he urges Planning Commission to decide.
- (5) *Adequacy of post-development stormwater retention and drainage facilities* – Staff cannot determine whether the stormwater retention and

drainage facilities will be adequate to properly retain and channel runoff.

Madame Chair Stockton opened the floor to questions from Planning Commission for the Assistant Town Manager. Being none, she invited Ms. Patterson's representative to come to the podium to speak.

Jordan Sharpes, with the law firm of Gilbert & Bird, P.C. came forward representing Stepping Stone and Ms. Patterson. Mr. Sharpes introduced Ms. Patterson and gave a brief synopsis of Ms. Patterson's history in relation to her community service work and in operating the soup kitchen. He advised that Ms. Patterson is here today because she believes she has found a permanent home for the mission. Until now, because they are a charitable organization and because of property markets, they have been unable to afford a property. They have looked at several other opportunities, but this is the one that is both available and affordable. The mission needs a permanent home as it has outgrown its current space. Over the past two years, the mission is serving about 30 to 40 people per day, with a high of about 80. This is a shared space with the American Legion and there is not a lot of storage space. The mission's food is tossed aside or placed wherever it can go. It would be nice to have a new building with adequate storage facilities, and adequate office facilities. There are number of people in the audience in support of the mission. The mission needs a permanent home and there is no good reason why this should not be approved as that permanent home. Given the opportunity to develop this property she plans to run the soup kitchen the same way it has been run so far: seven days a week, one meal per day, between the hours of noon and 1:00 p.m. There is a strict no loitering policy. James Jordan, the post secretary of the American Legion Building is in the audience. He is very familiar with the operation and observes the soup kitchen operating every day along with the neighborhood it operates in. Mr. Jordan would say that he feels like the mission does a good job, and more importantly that there have not been any problems in the current location. There has never been a need to call law enforcement, never an increased need for emergency services. The no loitering rule has been very successful. Mr. Dave Peters, of Southern Heritage Homes, is also in the audience. He drew up the original preliminary plan, and has drawn up a new preliminary plan which includes more parking, which Mr. Sharpes presented to Planning Commission, noting that these plans are preliminary and can be altered to meet any needs, as Ms. Patterson is only looking for initial approval right now so she can get into the property. Without Planning Commission's approval, she cannot move past the preliminary stage. Mr. Henry Weiss, a volunteer with the soup kitchen, is also in the audience. Mr. Sharpes has spoken

with a lot of individuals over the past week, in both the current and proposed neighborhoods. For the current neighborhood, he has learned that this has been a positive thing for the neighborhood. There have been no complaints from neighbors, parking has not been an issue, and they feel like it has made the community a better place. He thinks that the neighbors in the proposed new neighborhood will echo the same sentiments, and he gave accounts of conversations he had with various neighbors in support of the soup kitchen. He then addressed each of the concerns that the Assistant Town Manager raised during his staff report, stating that he does not feel that any of the qualms presented are enough to deny Stepping Stone's request. Some of the issues have been addressed in the new drawing that has been passed around, and he reiterated that this is only a preliminary plan. If there are problems that come up, Stepping Stone can deal with those. The new plan shows 38 parking spaces, which should be adequate. He compared the mission to what he felt were similar establishments in the zoning ordinance, such as restaurants, assembly establishments, and churches, pointing out the various parking requirements for each of those establishments. He thinks walking in the proposed new location will be much more prevalent. Also, on the new drawing, the entrance across from Law Street has been eliminated. In terms of compatibility, he thinks it makes a lot of sense to put the soup kitchen in the new location. This is a mixed use area and that is where a soup kitchen is wanted, where people are working, the working poor, an industrial area, and a low-income residential area. This use is not unlike others uses which are permitted in R2 districts, such as churches, home care centers, clubs, lodges, and hospitals. This is a soup kitchen with a similar function. In regards to the stormwater concerns, he pointed that this is only a preliminary plan, it has not been engineered, though it certainly can be if need be, but that should not be a reason to deny this application.

Madame Chair Stockton opened the floor to Planning Commission for questions for Mr. Sharpes:

- Planning Commission Member Hall asked how much there will be seating for, with Mr. Sharpes advising there will be fold out tables and contemplated in the plan is enough for 160 people. This is not set in stone.
- Madame Chair Stockton questioned what the hours of operation will be and how many workers are there at any given time, with Mr. Sharpes advising that it is currently noon to 1:00 p.m. and Ms. Patterson plans to keep this in place for now, and there are usually four to five workers.
- Madame Chair Stockton stated that this proposal is for a soup kitchen, but at one time there was some discussion of maybe a homeless shelter of some

type. Mr. Sharpes addressed this statement, advising that a homeless shelter is not contemplated with this application and Ms. Patterson understands that if she ever contemplates this, she would need to come back to the Town.

- Vice Chair Speidel advised that he thinks there are two issues. Planning Commission has given its support to Stepping Stone all along, and has been pleased with the results. There is no question about that. But, the questions they must look at now are the new location and any potential expansion of services. If the building is only being used for a lunch presentation, is it possible it could be used for evening programs or something else? Mr. Sharpes advised that this has not come up, and if approved it would be restricted to use as a soup kitchen. Ms. Patterson would come back before the Town if something else came up.
- Vice Chair Speidel asked if there had been any discussion regarding the security of the building during the other [closed] hours. This is a concern he would have. Mr. Sharpes advised that this has not been discussed at this point, but Ms. Patterson is willing to work with whomever she needs to work with.
- Planning Commission Member Hall questioned who will own the property, with Ms. Patterson confirming that Stepping Stone is a 501(c)(3) organization and the building will be owned by the organization.
- Madame Chair Stockton addressed the Assistant Town Manager advising that at one point his office received reports from Stepping Stone and wondering if that had been discontinued, with the Deputy Clerk confirming that the reports are received faithfully every month.
- Planning Commission Member Hall noted that this is primarily a residential area, and lighting will need to be addressed, with Mr. Sharpes advising that Ms. Patterson is committed to doing whatever she needs to do.
- Vice Chair Speidel confirmed that Ms. Patterson is committed to continuing under her current operational guidelines and seven days a week.
- Planning Commission Member Clements advised that she volunteers at the soup kitchen and knows that the space is very limited. She also asked Ms. Patterson how her clients currently reach her, with Ms. Patterson confirming that some walk and others carpool.

Madame Chair Stockton invited Ms. Patterson to the podium to speak.

Joanne Patterson, director of Stepping Stone, came forward stating that she truly needs another building because they are growing out of the building they are in. She appreciates the American Legion for letting them use the building.

Five years ago, the Town took a chance on them opening up the soup kitchen on Diamond Avenue, and she asks that the Town do the same with this building. The Assistant Town Manager asked Ms. Patterson to talk about where her contemplated funding is coming from and if they have a timeframe, with Ms. Patterson advising that she does have a timeframe and most of the work (the building, the materials, and the money) will be done by volunteers. She hopes to go into the building debt free. She advised she does not currently have an estimated cost for the project. She thinks it will be a combination of modular and stick-built. The net square footage of the building will be approximately 4,560 square feet.

Madame Chair Stockton opened the floor for comments from those who signed up to speak in regards to Stepping Stone's request.

Harry Weiss, of 2873 Hawpatch Road in Ferrum, Virginia, came forward stating that he and his wife have volunteered at Stepping Stone the first Tuesday of every month since Ms. Patterson opened the mission. In regards to parking, he pointed out that Wal-Mart only has one entrance and exit, and he believes that the 38 spaces will suffice. Today, he and his wife served 45 people and there were never more than 19 cars in the parking lot. He also pointed out that Ms. Patterson strictly enforces the "no loitering" policy both inside and outside. After five years of working there, he pointed out that he has never seen cars parked on the adjacent street to the building. As for desperate need forcing desperate acts, the people who come to the mission may be desperate individuals, but that does not make them desperados at all. Their need should not conjure up visions of street robberies and break-ins. These people have a legitimate need for food. People talk about peer pressure being a negative thing for children, but in the case of the mission, imagine a peer pressure that promote positive actions so that if anyone were to do something wrong around the soup kitchen, something that might cause it to close down, the people who go there would not like that. Everyone knows that if they do something wrong, the mission is in jeopardy. During his five years of working at the mission he has never felt threatened or intimidated by anyone, and his vehicles have gone unscathed. As to the new location being a traffic hazard, he does not believe it will be more of a hazard than local businesses. The dedication of feeding people in Rocky Mount is more likely curb desperate acts, as people who are deprived are more likely to do something desperate than those who are receiving a service. He hopes that the mission is not being held to a different standard than the other businesses in the community. He does not see how the mission's presence will affect development. In closing, he stands

behind Ms. Patterson's petition. The mission currently provides a service to the people of Rocky Mount that the Town, the County, or the State cannot equal without a tax burden on the citizens. Ms. Patterson does a heck of a job and the people served never fail to come by and say "thank you." They understand that the mission provides an unequalled service in the community.

Dave Peters, from Burnt Chimney, came forward advising that he is in support of the mission. He encouraged Planning Commission to consider what Ms. Patterson has done in the past five years and the record that she has. The service she is providing cannot be provided without a tax burden on everyone and if everyone acted more like Ms. Patterson, this would be a much better place to live in. No matter where she tries to go, there will always be some negative aspects, but she is trying to work through it, and he will work with her to make sure that it meets or exceeds the zoning.

Madame Chair Stockton opened the floor to anyone else in the audience who wanted to address the Planning Commission regarding Stepping Stone's request. Let the record show that no one else came forward to speak.

Madame Chair Stockton called the meeting back into regular session by entertaining a motion.

- Motion was made by Planning Commission Member Tiggle that Planning Commission recommend to Town Council approval of the proposed special use for 170 Circle Drive, Tax Map and Parcel Numbers 2040026600 and 2040026700, with the motion on the floor being seconded by Planning Commission Member Clements. Discussion ensued. The Assistant Town Manager asked for clarification, in that the soup kitchen as it exists now does have certain conditions, and will those conditions also be attached to this operation? He confirmed that under the original meeting of Town Council [March 13, 2006] there was a restriction on time period not to exceed 30 months, and the proffered conditions were that it would be used for a soup kitchen only, would serve only one meal per day from noon until 1:00 p.m., no food would be carried out, and a "no loitering" rule would be strictly enforced. They would use the property until such time as they obtained another suitable property, so since this is intended to be a permanent location, that rule would not apply, and it would have no effect on the current use of the American Legion property, so that also would not apply. Any other use of the property which is not allowed a conditional zoning permit with these proffered conditions will be the subject of a separate application. Therefore, the conditions that would apply are:

(1) used as a soup kitchen only; (2) serve one meal per day from 12 noon until 1:00 p.m., inside the building, with no food carried out, and a “no loitering” rule will be strictly enforced; and (3) any other use of the property which is not allowed under a special exception/use permit with these proffered conditions (not a soup kitchen, as clarified by the Town Attorney) will be the subject of a separate application. Let the record show that Planning Commission Member Tiggie amended his motion to include the applicable conditions stated, with motion on the floor being seconded by Vice Chair Speidel. Discussion continued. Planning Commission Member Hall stated that this is a commercial building and the existing zoning is R2. He supports this project and having a soup kitchen in town, but he does not support it at this location. He pointed out that Mr. Sharpes alluded to a church, but a church is exempt in any zoning district, so that is not a good argument for that. This is a residential area, and to put in a building with seating for 160 people, if it is built and then does not “go” then there is a commercial building in the middle of a residential area. There is nothing but houses there. Vice Chair Speidel asked the Town Attorney if the special use is granted can it be transferred to others, with the Town Attorney confirming only if it is operated as a soup kitchen that meets the approved conditions, and there is no way the building could be used for anything else unless it is petitioned for a change. It could go to another management organization, but not be used for any other purpose. There being no further discussion, a roll call vote was taken. Voting in favor of the motion on the floor were Planning Commission Members Blanchard, Clements, Tiggie, Speidel, and Stockton. Voting in opposition to the motion on the floor was Planning Commission Member Hall. Let the record show that Planning Commission Member Greer abstained from voting. Let the record also reflect that the motion on the floor passed with a vote of five for and one against, with one abstention.

OLD BUSINESS

(1) Pending zoning ordinance revisions

The Assistant Town Manager advised that the Deputy Clerk has been working hard to try to get all of the revised zoning ordinance sections in front of the Commission. Some of them are available tonight, noting the minor and major fixes, and recommendations for changes. If Planning Commission has any questions, he asks that they call him anytime to discuss. Most of the fixes are grammatical or mechanical, but there are some other recommendations such as definitions that must be added. Staff is to the point that the project can hopefully

be wrapped up in a couple of months. He added that this project has been a great amount of work for the Deputy Clerk. She has two paper boxes filled with information, plus adding in the restructuring of the ordinance, has made this an extremely complex project, and it has taken a lot of time to read through these ordinance. He publicly thanked the Deputy Clerk for all the work she has done on the project. He hopes and expects that most of the changes should be in their hands before the joint meeting is held on October 18. More information will be forthcoming regarding the meeting.

(2) *Update on status of neighborhood stabilization project*

The Assistant Town Manager advised the Commission that this is related to the project to tear down housing that is a blight to the neighborhood in which it rests. Initially nine properties were identified, but in working with the property owners there have been fixes made, so the number is now down to five properties. Notices have been sent to all of the property owners. Signs will be going up in their yards this week. Staff is working with the Public Works Director to develop a schedule that will fit his work schedule. In most cases it will take a crew of four to six men roughly two days to do each one. There is a Treasurer's sale tomorrow [Franklin County] and it is possible that one of the properties will come off the list. September 19 will be the first day that structures can be torn down according to the legal notice that the Town is required to give. Staff has already started to develop a second round of properties. Due to the coverage this has received in the Franklin News-Post, a number of people have come forward to inquire about several other properties that should be on the list. Staff anticipates that once people see that the Town is serious about taking down some of the blights in the neighborhoods, there will be some improvements made to some of the properties on the list.

(3) *Development of topics for the October joint meeting with Town Council*

The Assistant Town Manager advised that he does not wish to put Planning Commission on the spot tonight and say that topics must be developed right now. However, as staff goes forward into next month, he would like to put the agenda together so that Planning Commission has a couple of weeks to think about the topics before the meeting. He encouraged Planning Commission to contact him with any topic ideas.

NEW BUSINESS

(1) Resolution of support for industrial revitalization funds application

The Assistant Town Manager advised that this is something that Planning Commission has not seen before and is something that staff is asking for joint action on from Town Council and the Planning Commission. In February, the Town's community representative with the Virginia Department of Housing and Community Development asked all of the community development departments that she works with for some recommendations on some industrial properties that were blighted or would be good candidates to be torn down to make room for other improvements such as transportation and parks. Staff identified three properties that could have some potential for transportation or neighborhood improvements because they fall between industrial and residential neighborhoods. Staff has developed a little corridor that these buildings fall in so that the Town can take advantage of a new \$3 million fund that the state has put together called the Industrial Revitalization Fund. Staff has not talked to property owners in the neighborhood. There are some buildings that could qualify for which the uses or ownership intentions are not known. Therefore, a specific property has not been identified but there are some possibilities out there. Because there are so many applicants for this funding and because there is so little funding available, it is highly unlikely that the Town will receive any of this, but if the Town does not ask, then the Town does not get. Staff has put together an application for the industrial revitalization funds, and the application does have to be in this week. Staff is asking for Planning Commission to approve it this week and for Town Council to approve it next week. All that is needed is approval from one governing body in the Town to submit the application. The Town Planner has put the plan together and has done an excellent job, having gone to some trainings regarding the issue. It is highly likely even if funds are not awarded the first time, there could be future funding. This is presented for consideration and approval and he welcomed any questions from Planning Commission.

Discussion ensued:

- Planning Commission Member Greer questioned if these are loan funds or gift funds, with the Assistant Town Manager confirming that they are match funds, in that the Town will have to match dollar for dollar any funds that are offered.
- Planning Commission Member Greer questioned if a property is torn down [and the Town does the work] is that an in-kind service on the match, with the Assistant Town Manager and the Town Planner advising they are not certain at this time, but will research the answer. The Town Planner added that there are several types of ways to achieve the match, but the best way appears to be acquisition of property to get the match, and then demolition and

- redevelopment.
- The Assistant Town Manager clarified that an allowable use of the industrial revitalization funds would be in the case of a road or intersection with an industrial building setting on the corner. That would be a good place to tear down a building and expand the roadway to improve the intersection.
 - Planning Commission Member Greer questioned what location staff sees as being the number one spot, with the Assistant Town Manager advising that he is reluctant to answer that question specifically. A corridor has been identified, and near the Angle Bridge there are several properties which might qualify, around MW [Plygem on North Main] where some transportation improvements are needed for getting trucks and employees in and out in a more fluid manner. He reiterated that it is entirely likely that the Town will not receive any of the funds, but there are some options.
 - Planning Commission Member Greer questioned where the “new community recreation park” facility came from, with the Assistant Town Manager confirming this could be part of the match, for instance if the Town wanted to put in a park, tennis or basketball courts, or swimming pool, any community recreational facility, this could be part of the match. This is new money and a new process.
 - The Town Planner pointed out that the main point of the corridor is just to set the foundation for this area to provide incentives and room for future redevelopment and growth in an industrial area.
 - The total fund is \$3 million to be split among all the approved applicants. So, if five localities are awarded funds, each would receive \$600,000 and would have to match that much as well.
 - Planning Commission Member Greer stated that he feels as if he does not know enough about it and would like some more information. He wants to know more about it before he votes on it.

There being no further discussion, and given the time restraints that staff is under, Planning Commission Member Tiggle offered the following motion:

- Motion was made by Planning Commission Member Tiggle to authorize staff to apply for the Industrial Revitalization funds offered through the Virginia Department of Housing and Community Development, with motion on the floor being seconded by Vice Chair Speidel. Let the record show that the motion on the floor passed with a vote of five for, one against, and one abstention, with Planning Commission Member Hall voting in opposition and Planning Commission Member Greer abstaining.

COMMISSIONER CONCERNS

Madame Chair Stockton advised that she thinks the [Uptown] benches look awesome. Planning Commission Member Blanchard questioned the status of the trees, with the Assistant Town Manager advising that the dead trees have been removed and the contractor has been instructed to replant between October 1 and October 31, so that the trees will have an opportunity to survive this time.

ADJOURNMENT

At 7:31 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 Greer, seconded by Planning Commission Member hall, and carried unanimously.

Janet Stockton, Chair

ATTEST:

Stacey B. Sink, Deputy Clerk

/sbs

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