

TOWN OF ROCKY MOUNT
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PLANNING COMMISSION
JANET STOCKTON, CHAIR
JOHN SPEIDEL, VICE CHAIR

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

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

PLANNING COMMISSION AGENDA
WEDNESDAY, NOVEMBER 8, 2017
6:00 P.M.

COUNCIL CHAMBERS, ROCKY MOUNT MUNICIPAL BUILDING
345 DONALD AVENUE, ROCKY MOUNT, VIRGINIA

Call to Order and Welcome

- I. Roll Call of Members Present
- II. Approval of Agenda
- III. Review and Consideration of Minutes
 - a. September 5, 2017 - Regular Meeting Minutes
 - b. October 3, 2017 - Regular Meeting Minutes
- IV. New Business - Yard Sales
- V. Old Business - None at this time.
- VI. Commissioner Concerns
- VII. Staff Updates
- VIII. Adjournment

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
REGULAR MEETING MINUTES
September 5, 2017
6:00 p.m.**

The Planning Commission of the Town of Rocky Mount, Virginia met in the Council Chambers of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, Virginia, at 6:00 p.m. on September 5, 2017, for its regular monthly meeting with Madame Chair Janet Stockton presiding.

Commission Members Present:

- Chair Janet Stockton
- Vice Chairman John Speidel
- Member Ina Clements
- Member Bud Blanchard
- Member Jerry W. Greer, Sr.
- Member John Tiggle

Staff Members Present:

- Assistant Town Manager Matt Hankins
- Planner/Acting Planning Commission Clerk Jessica Heckman
- Town Attorney John Boitnott

APPROVAL OF AGENDA

Additions or Corrections: None

Motion: To approve agenda as presented

Motion By: Member Ina Clements

Second: Member John Speidel

Action: Approved by a unanimous vote of members present

REVIEW AND CONSIDERATION OF MINUTES

Let the record show that prior to the meeting, Planning Commission received the following draft minutes for review and consideration of approval: August 1, 2017 - Regular Meeting Minutes.

Additions or Corrections: None

Motion: To approve the minutes as presented

Motion By: Member John Tiggle

Second: Member Ina Clements

Action: Approved by unanimous vote of members present

Public Hearing

Mountain Valley Pipeline, LLC is requesting a Special Use Permit to allow a temporary contractor storage yard on property located at 170 Parkers Drive, Rocky Mount, Virginia, 24151, Franklin County Tax Map and Parcel Numbers 2000001000 and 2000000900. The yard will be designed to handle pipe, as well as other heavy equipment/machinery. The property is zoned Commercial Office Limited (C1). A site was held at the property at 5:15 p.m. prior to the meeting.

Assistant Town Manager, Matt Hankins provided a brief prologue reminding the commission and public that the issue at hand is a land use matter and comments should be limited to the merits of the application and not to merits of the pipeline.

Town Planner, Jessica Heckman gave a summary of the staff report and recommended denial of the special use based on anticipated negative impact on traffic, town roads and neighboring properties.

Robert Pichardo, Senior Staff attorney for EQT Corporation, spoke on behalf of Mountain Valley Pipeline and addressed issues raised in the staff report. After the applicant presentation, Mr. Pichardo answered questions from Planning Commission.

Matt Hankins asked if trucks would cross 220 traffic to Cornell, Mr. Pichardo answered yes, trucks would have to cross 220 at that location.

Bud Blanchard asked what percentage of trucks will be tractor trailers, an applicant spokesperson answered approximately five to ten percent. Bud Blanchard asked for clarification on times trucks and employee vehicles would be traveling Bernard. Mr. Pichardo answered that trucks would have curfews, however regular vehicles would travel the road throughout the day.

John Speidel asked how trucks would access 220 South, would they use the ramp or cross 220. Mr. Pichardo stated they would have to explore different options. Mr. Speidel expressed the major concern the commission has is traffic flow and how they could safely enter and exit the property.

Janet Stockton and Ina Clements expressed concerns as to whether the pipeline would have someone on site monitoring traffic, and employees to ensure they follow curfews and safe traffic routes.

John Speidel brought up concerns about protection of neighboring residential areas and what measures would be taken to protect the neighboring residences. Mr. Pichardo stated safety fences will be added, but they did not feel they would add any noise pollution. Mr. Speidel also asked about any hazardous materials that would be used. Mr. Pichardo answered fuel and lubricant would be stored on site to service equipment. He stated they would have a safety plan in place for spills.

Bud Blanchard questioned whether there would be explosives stored on site. The applicants answered that it would be up to the contractor selected as to what they store on this site.

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Ina Blanchard asked if employees would be hired locally or brought in, Mr. Pichardo answered that would be up to the contractor.

Mr. Speidel asked how far apart the other laydown yards are. Mr. Pichardo stated one is roughly 18 miles north and the second is 26 miles south.

Janet Stockton, called for comments from the public.

Walt McDearman, 167 Beech Tree Lane, Callaway, Virginia, spoke against the request.

Aldan Dudley, 5909 Winnbrook Drive, Roanoke, Virginia spoke against the request.

Carolyn Reilly, 404 Old Mill Creek Lane, Rocky Mount, Virginia spoke against the request.

Jenny Chapman, 81 Glendale Rd, Bent Mountain, Virginia, spoke against the request.

Guy Buford, 985 Iron Bridge Rd, Rocky Mount, Virginia, spoke against the request.

Rob Leonard, 4638 Dillon's Mill Road, Callaway, Virginia, spoke against the request.

Eric Anspaugh, 429 Creighton Drive, Rocky Mount, Virginia, spoke against the request.

Warren Boyd, 20 Mountain View Drive, Rocky Mount, Virginia, spoke against the request.

Ruth Cook, 345 Glennwood Drive, Rocky Mount, Virginia, spoke against the request.

Ian Reilly, 404 Old Mill Creek Ln, Rocky Mount, Virginia, spoke against the request.

Bonnie Law, Boones Mill, Virginia, spoke against the request.

Ann Rogers, 6347 Back Creek Road, Boones Mill, Virginia spoke against the request.

Roberta Bondurant, 11577 Bottom Creek Road, Bent Mountain Virginia, spoke against the request.

Madame Chair Stockton asked for any further discussion by the commission.

Bud Blanchard questioned the number of trucks required to bring pipe into Franklin County. He suggested by his calculations, 1628 trucks would be traveling on 220 into Rocky Mount.

Hearing no further comments, Madame Chair Stockton asked for a motion.

Motion: To deny the special exception request for tax map parcels 2000001000 and 2000000900.

Motion By: Member Bud Blanchard

Second: Member Jerry Greer

Action: Approved by unanimous vote of members present

Roll Call Vote:

Bud Blanchard: Yes

Ina Clements: Yes

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Jerry Greer: Yes

John Tiggle: Yes

John Speidel: Yes

Janet Stockton: Yes

The application was denied, Janet informed applicants and public Town Council will hold a second public hearing on the application on Monday, September 11, 2017 at 7:00 p.m.

Commissioner Concerns

Janet Stockton asked if B-Sides would be opening soon. Matt Hankins updated the commission on the status of the new restaurant and the projected opening date.

Jerry Tiggle inquired about the traffic light at AEP. Matt Hankins informed commission the new Grid Smart traffic camera has been installed at that intersection.

Staff Updates:

Matt Hankins updated the Commission on recent staff changes.

With no further discussion, a motion was made to adjourn.

ADJOURNMENT

Motion to Adjourn By: Member Ina Clements

Second: Member Bud Blanchard

Action: Approved by a unanimous vote of members present

Time of Adjournment: 7:20 p.m.

Janet Stockton, Chairman

ATTEST:

Jessica H. Heckman, Clerk

JHH/

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
REGULAR MEETING MINUTES
October 3, 2017
6:00 p.m.**

The Planning Commission of the Town of Rocky Mount, Virginia met in the Council Chambers of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, Virginia, at 6:00 p.m. on October 3, 2017, for its regular monthly meeting with Madame Chair Janet Stockton presiding.

Commission Members Present:

- Chair Janet Stockton
- Vice Chairman John Speidel
- Member Derwin Hall
- Member Ina Clements
- Member Bud Blanchard
- Member Jerry W. Greer, Sr.
- Member John Tiggle

Staff Members Present:

- Assistant Town Manager Matt Hankins
- Town Attorney John Boitnott
- Town Planner Jessica Heckman
- Planning Commission Clerk Cherie Compton

APPROVAL OF AGENDA

Additions or Corrections: None

Motion: To approve agenda as presented

Motion By: Member Ina Clements

Second: Member Jerry Greer, Sr.

Action: Approved by a unanimous vote of members present

APPOINTMENT OF CLERK

Motion: To appoint Cherie Compton as Clerk

Motion By: Member John Speidel

Second: Member Jerry Greer, Sr.

Action: Approved by unanimous vote of members present

REVIEW AND CONSIDERATION OF MINUTES

Let the record show that prior to the meeting, Planning Commission received the following draft minutes for review and consideration of approval:

September 5, 2017 - Regular Meeting Minutes.

Additions or Corrections: Revise minutes to include all concerns noted during meeting.

Motion: To table the approval of the minutes until revisions are made.

Motion By: Member Jerry Greer, Sr.

Second: Member Derwin Hall

Action: Approved by unanimous vote of members present

Public Hearing

Franklin County Public schools proposes to rezone adjoining property at Perdue Lane from R2 (Residential District) to POS (Public Open Space). This land is currently vacant and is earmarked for potential future school expansion. The land will continue to be held for that purpose.

Town Planner Jessica Heckman presented the staff report. She further noted if the rezoning is approved, the County of Franklin will transfer ownership to Franklin County Public Schools and will be used in the future as part of the high school campus. Due to its current zoning classification, the school would be limited in future expansions that involved recreational facilities. A rezoning to Public Open Space will allow future expansion of the school campus that could include public and school recreational, educational and parking facilities. The rezoning is supported by staff and the Town's Comprehensive Plan.

Mr. Speidel asked if schools and parks are allowed in R2. Town Planner Jessica Heckman informed the Commission parks and schools are allowed in R2, Matt Hankins confirmed.

Daryl Spencer and Greg Cuddy spoke about the proposed project for the Franklin County Schools and why they are asking to rezone the parcel.

Brenda Muse spoke on behalf of herself and other Perdue Lane residents. Mrs. Muse spoke in favor of the future expansion but with some concerns: delays they already experience coming and going to their homes during peak hours of the day, noise from school events, littering, kids skipping school, potential light pollution, the widening of Perdue Lane, fencing to protect neighboring properties, sidewalks for safety, and only the one entrance/exit to Perdue Lane with the increase in traffic for proposed plan.

Hearing no further questions Janet Stockton recessed from public hearing to entertain a motion.

Motion: To Rezone Tax Map and Parcel Number 2080001201 from Residential (R2) to Public Open Space (POS)

Motion By: Vice Chair John Speidel

Second: Member Derwin Hall

Action: Approved by unanimous vote of members present

New Business- None at this time

Old Business- None at this time

Commissioner Concerns

Commissioner Tiggle asked about the construction between Lowes and Walmart. Matt Hankins informed them that it was a new Verizon Corporate store coming to Rocky Mount and hoped to open by 1st of the year.

Ina Clements asked about progress on Family Physicians. Matt Hankins stated that they are on track if weather holds should be done in the next month.

Derwin Hall asked about the status Angle Bridge Intersection. Matt reminded the Commission that the intersection was part of the six year plan. He further noted the Angle Bridge inspection was complete and the project is moving forward.

Derwin Hall and John Speidel asked about the traffic problem at the Dollar Tree in Rocky Mount about a left turn. An open discussion ensued.

Ina Clements asked about Ronnie Wray's property. No update at this time.

John Speidel asked about antennas on Grassy Hill, Matt informed the Commission there is still one to go up and two to come down.

Town Planner Jessica Heckman informed the Commission that Rocky Mount Plaza was considering an update to their signage to include more tenants.

Staff Updates:

Matt Hankins updated the Commission on the review of site plans for Piedmont Community Services expansion.

With no further discussion, a motion was made to adjourn.

ADJOURNMENT

Motion to Adjourn By: Member Ina Clements

Second: Member John Tiggle

Action: Approved by a unanimous vote of members present

Time of Adjournment: 6:49 p.m.

Janet Stockton, Chairman

ATTEST:

Cherie Q. Compton, Clerk

CQC/

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TOWN COUNCIL
STEVEN C. ANGLE, *MAYOR*
GREGORY B. WALKER, *VICE MAYOR*

BOBBY M. CUNDIFF BOBBY L. MOYER
MARK NEWBILL JON W. SNEAD
BILLIE W. STOCKTON
JESSICA H. HECKMAN
Town Planner

STAFF REPORT

To: Janet Stockton, Chair, and Planning Commissioners
From: Jessica Heckman, Town Planner
Date: October 19, 2017
Re: Yard Sale Limitations in the Town of Rocky Mount

SUMMARY

Community Development staff has received code complaints this year regarding properties in town with continuous yard/garage sales. Staff investigated the complaints, and there appears to be some validity to several of the concerns, with some properties appearing to hold weekly (or even more frequent) sales in residential neighborhoods.

Town Code is vague about how these types of complaints should be addressed, if at all. Currently, the Zoning Administrator would have to monitor frequency over time, make a subjective decision about how frequent is "too frequent", then issue a letter informing the property owner that they may be in violation of the zoning ordinance by operating a retail business in a residential neighborhood. Without guiding policies, there is some degree of arbitrariness to this determination.

ISSUES TO CONSIDER

- Regular garage sales can result in increased traffic in residential neighborhoods, where traffic related to sales is usually not contemplated
- Tables used during the sales may remain in yards and unsold items are often stored on porches or outside areas, creating visual clutter and unsightly properties
- The Town's zoning ordinance would not typically permit retail uses in residential neighborhoods as "home occupations" (which require that no sales and no additional traffic be associated with the commercial use)
- Though the absence of clear garage/yard sale rules requires some subjective judgment on the part of the Zoning Administrator, a specific ordinance with limitations on the number of sales per year may be difficult for a small staff to track, monitor and enforce

EXAMPLES

Several surrounding localities have addressed yard sale frequency in their respective codes. Others refrain completely from regulating them. Here are a few examples from those nearby localities that DO regulate yard sales:

Roanoke County – Regulated as an accessory residential use; no more than *two (2) days in a two-month period*

Roanoke City – *regulated as a type of temporary use, in residential districts only; limited to 2 consecutive calendar days, limited to the daylight hours, limited to a total of two sales, with an interval of at least 3 months between sales*

Town of Bedford – *regulated as a permitted use in residential districts provided that they occur only during the daylight hours, that they do not continue for more than two consecutive days and that they are limited to three times a year per dwelling.*

Town of Vinton – *if holding more than two sales per 12-month period, the sales must occur upon residential property and shall offer for sale only used household or personal goods owned by the seller or his immediate family; otherwise they may be considered and taxed as itinerant vendors*

Staff Recommendation

In light of numerous complaints of “permanent yard sales”, staff has conferred with the Town Attorney and Town Manager and recommends adding a section on temporary uses to the Town’s supplementary regulations in Article 6, to allow staff to manage yard sale complaints consistently and less subjective. Staff recommends limiting yard sales to two (2) consecutive calendar days, limited to the daylight hours, with a maximum of two (2) sales per year with an interval of at least three (3) months between sales.