



# MINUTES

## WYTHEVILLE PLANNING COMMISSION

THURSDAY, SEPTEMBER 08, 2022 AT 6:00 PM

COUNCIL CHAMBERS - 150 EAST MONROE STREET  
WYTHEVILLE, VA 24382

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### 1. RE: ATTENDANCE

#### **MEMBERS PRESENT:**

Mr. Brad Litton  
Mr. John Jones  
Vice-Mayor Cathy Pattison  
Vice-Chairman Bradley Tate  
Mr. David Schmidt  
Ms. Lisa Anderson

#### **MEMBERS ABSENT:**

Chairman George Wittwer

#### **OTHERS PRESENT:**

Assistant Town Manager Elaine R. Holeton  
Chief Deputy Clerk Brandi N. Jones  
Planning Director John Woods  
Mayor Beth A. Taylor  
Leslie Woodzell  
Denise Clay

### RE: CALL TO ORDER

In the absence of Chairman Wittwer, Vice-Chairman Tate called the meeting to order.

### 2. RE: ESTABLISHMENT OF QUORUM

Vice-Chairman Tate established that a quorum of Planning Commission members was present.

### 3. RE: CONSENT AGENDA

- A. Vice-Chairman Tate presented the consent agenda consisting of the minutes of the regular meeting of August 8, 2022. 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.

Motion made by Mr. Jones, Seconded by Mr. Schmidt.

Voting Yea: Mr. Litton, Mr. Jones, Vice-Chairman Tate, Mr. Schmidt, Ms. Anderson.

Voting Abstaining: Vice-Mayor Pattison. Vice-Mayor Pattison advised that she abstained from voting because she was absent from the August 8, 2022, meeting.

A. **RE: PUBLIC HEARING - KENNETH AND JENNIFER PEEPLES SPECIAL EXCEPTION PERMIT REQUEST**

Vice-Chairman Tate advised that the meeting constituted a public hearing (due notice having been given) to consider the request of Kenneth and Jennifer Peeples for a Special Exception Permit to use property located on the north side of North Fourth Street, between Tremough Drive and Fairfield Lane, Tax Parcel 24A-1-49, as pasture for four (4) horses, in an R-3 Residential Zoning District. He noted that at this time, he would open the public hearing. Planning Director John Woods provided a Staff Report to the Planning Commissioners. He noted that after the Planning Commission package was sent to the Commissioners, Town staff received an email from a neighbor, Ms. Denise Clay, who stated in her email that she was not opposed to the Peeples' request. He remarked that Town staff has provided a copy of the email to each of the Planning Commissioners for their review. Planning Director Woods stated that if Vice-Chairman Tate wishes to do so, he may read Ms. Clay's comments so that they can be entered into the record. Vice-Chairman Tate declined to do so, however, a copy of Ms. Clay's email is attached with the minutes. He advised that there are three citizens attending the meeting who stated on the sign-in sheet that they did not wish to address the Planning Commission. Vice-Chairman Tate remarked that unless the citizens have changed their minds and wished to address the Planning Commission during the public hearing, he would declare the public hearing closed and proceed with the agenda.

5. **RE: RECOMMENDATIONS TO TOWN COUNCIL - KENNETH AND JENNIFER PEEPLES SPECIAL EXCEPTION PERMIT REQUEST**

A. Vice-Chairman Tate advised that the next agenda item is the recommendation to the Town Council to consider the request of Kenneth and Jennifer Peeples for a Special Exception Permit to use property located on the north side of North Fourth Street, between Tremough Drive and Fairfield Lane, Tax Parcel 24A-1-49, as pasture for four (4) horses, in an R-3 Residential Zoning District. He inquired if there was any discussion regarding the Peeples' request. Mr. Jones inquired if the Planning Commission can recommend the Special Exception Permit as it was recommended for the Clines. Planning Director Woods inquired if Mr. Jones was referring to the conditions. Mr. Jones stated that is correct. Planning Director Woods advised that the Planning Commission is permitted to make the same recommendation. Mr. Schmidt inquired if the property is transferrable since it is listed as an LLC. He inquired if the request is for the individuals or for the LLC. Mr. Jones stated that the Special Exception Permit is for individuals who own the property. Mr. Schmidt inquired if the Peeples were allowed to sell the property and transfer it to other individuals. Mr. Jones advised that the Special Exception Permit is non-transferable. Mr. Schmidt remarked that he wanted to make sure and that is why he asked that question. Vice-Chairman Tate inquired if there was a motion for a recommendation to the Town Council to approve the Peeples' Special Exception Permit request with the following conditions: (1) The number of horses on this property shall be limited to four (4)

horses at any time.; (2) The Special Exception Permit shall be issued only to Mr. Kenneth G. Peeples and Ms. Jennifer D. Peeples and shall not be nontransferable.; (3) The horses shall never have access to the creek on the property and grazing shall only be permitted on the land as indicated on the plat.; (4) The Special Exception Permit shall be reviewed annually.; and, (5) Failure to comply with these conditions shall be grounds for rescinding this Special Exception Permit.

Motion made by Mr. Jones, Seconded by Mr. Litton.

The motion was approved with the following voting results, by roll call vote: Voting Yea: Mr. Litton, Mr. Jones, Vice-Mayor Pattison, Vice-Chairman Tate, Mr. Schmidt, Ms. Anderson.

**6. RE: CITIZENS' PERIOD**

Vice-Chairman Tate advised that the next agenda item is Citizens' Period. He inquired if anyone wished to address the Commission during Citizens' Period. There being none, he proceeded with the agenda.

**7. RE: OTHER BUSINESS**

- A. Vice-Chairman Tate advised that the next agenda item is the discussion regarding the proposed land use table and zoning district purpose statements for the draft Unified Development Ordinance (UDO). Planning Director Woods reviewed the draft Unified Development Ordinance with the Planning Commissioners. He inquired if the Commission members would tell him if there are items in the draft ordinance that they wished to be changed. He continued to review the proposed land uses and the zoning district purpose statements. Planning Director Woods inquired if there were any questions or comments. Mr. Litton inquired where the chart or the key to the proposed ordinance is located and what each symbol means. Planning Director Woods stated that the open block represents the conditional uses and the asterisk represents the Special Exception Permits. He remarked that if there are not any more questions, he would proceed. Planning Director Woods continued to review the proposed zoning district uses with the Planning Commission. During the R-3MH Zoning District discussion, Mr. Schmidt suggested that Town staff combine the R-3 and R-3MH Zoning Districts and place mobile homes in the R-3 Residential Zoning District. Mr. Litton inquired if that would be considered spot zoning. Planning Director Woods stated that it would be regulated consistently instead of opposed to trying to adapt R-1 Residential, R-3 Residential, B-1 Business and all of the other zoning districts to accommodate the use for mobile home parks. Discussion ensued regarding the development of mobile home parks. Vice-Chairman Tate requested Planning Director Woods to email the draft UDO to the Planning Commission members that is being presented at this meeting. Planning Director Woods stated that he would do so. He continued to review the proposed draft UDO with the Planning Commission members. He reviewed the new proposed zoning districts which includes the BR-1 Business Residential, BR-2 Business Residential, MA-1 Medical Arts, B-1 Business Mixed Use, B-2 Business Mixed Use, MR-1 Artisan Residential, Rural Business Overlay, Civic Overlay, Open Space and Conservation Overlay and the Flood Plain Overlay. Vice-Chairman Tate inquired of Planning Director Woods if Cline's Body Shop, which is located on Old Stage Road, would be

included in the Rural Business Overlay. Planning Director Woods stated that this is a good point, and he would make a note to include it on the next draft. Planning Director Woods discussed the B-2 DT Business Downtown, M-1 Industrial, M-1M Industrial and M-2 Industrial Zoning Districts and the Entrance Corridor Overlay in the proposed draft UDO. Mr. Litton inquired if Planning Director Woods could explain to the Commissioners what each symbol represents on the Land Use Chart they received for the draft UDO. Planning Director Woods advised that the solid block represents a by-right use, the open block represents a condition use and the asterisk represents a Special Exception Permit. Vice-Chairman Tate thanked Planning Director Woods for his work on the draft UDO.

**8. RE: ADJOURNMENT**

There being no further business to be discussed, a motion was duly made, seconded and carried to adjourn the meeting (7:08 p.m.).

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M. Bradley Tate, Vice-Chairman

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Brandi N. Jones, Chief Deputy Clerk