



# MINUTES

## WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, JUNE 08, 2023 AT 6:00 PM  
COUNCIL CHAMBERS - 150 EAST MONROE STREET  
WYTHEVILLE, VA 24382

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### 1. RE: ATTENDANCE

#### **MEMBERS PRESENT:**

Chairman John Jones, Jr., Vice-Chairman Brad Litton, Vice-Mayor Cathy Pattison, Mr. David Schmidt, Mr. George Wittwer, Mr. Keith Jones

#### **ABSENT:**

Ms. Lisa Anderson

#### **OTHERS PRESENT:**

Assistant Town Manager Elaine HOLETON, Chief Deputy Clerk Brandi Jones, Planning Director John Woods, Matthew Clarke, Sandra Clarke, Heather Kapranos, Nick Kapranos, Denise Clay, Scott McCroskey

### RE: CALL TO ORDER

Chairman Jones called the meeting to order.

### 2. RE: ESTABLISHMENT OF QUORUM

Chairman Jones established that a quorum of Planning Commission members was present.

### 3. RE: CONSENT AGENDA

- A. Chairman Jones presented the consent agenda consisting of the minutes of the regular meeting of April 13, 2023. He inquired if there was a motion to approve the consent agenda as presented.

Motion made by Mr. Wittwer, Seconded by Mr. K. Jones.

Voting Yea: Chairman Jones, Jr., Vice-Chairman Litton, Vice-Mayor Pattison, Mr. Schmidt, Mr. Wittwer, Mr. K. Jones.

### 4. RE: CITIZENS' PERIOD

Chairman Jones advised that the next agenda item is Citizens' Period. He stated that there are three citizens listed on the sign-in sheet who wished to address the Planning Commission during Citizens' Period. Chairman Jones inquired if Ms. Heather Kapranos would please come to the podium and state her name and address for the recording of the minutes.

Ms. Heather Kapranos was recognized and stated that she resides at 770 Holston Road in Wytheville. She commented that she was attending the meeting to see if there had been any changes regarding what was initially proposed for Asbury Lane. She noted that she may want to speak later in the meeting if she had questions. Chairman Jones thanked Ms. Kapranos for her comments.

Ms. Denise Clay was recognized and stated that she resides at 545 Tremough Drive in Wytheville. Ms. Clay continued to voice her concerns regarding the decreasing of minimum square footage of houses in the proposed Unified Development Ordinance (UDO). Ms. Clay thanked the Planning Commission for allowing her to speak. Chairman Jones inquired if anyone had any questions for Ms. Clay. Mr. Schmidt stated that the UDO is only a preliminary draft ordinance. He noted that he, also, is not for decreasing the size of the houses, however, that is his opinion, and he is not aware of how the other Commissioners feel about it. Mr. Schmidt remarked that a final decision has not been made on this section

of the UDO and that it is simply a working draft document. Ms. Clay thanked Mr. Schmidt for his comments. Chairman Jones thanked Ms. Clay for her comments.

Mr. Scott McCroskey was recognized and stated that he resides at 425 Wytheview Drive in Wytheville. He noted that he had a couple of concerns that he would like to address with the Planning Commission regarding the proposed Asbury Lane Subdivision. Mr. McCroskey commented that, originally, the proposal had somewhere between 10 to 13 lots, and now it has been proposed to have 21 lots. He inquired if this number changed from the first time the plat was presented to the Planning Commission. Mr. McCroskey stated that he thought the abutting property owners were meeting again with the Town, and that the residents were to be notified of the meeting. He remarked that he was not notified of the Planning Commission meeting held this evening, and that it just so happened to be that he was able to attend the meeting by circumstance. Chairman Jones explained that the public hearing held by the Planning Commission in March was held for a rezoning request, which required the abutting property owners to be notified of the proposed property being rezoned. He advised that the rezoning request was recommended for approval to the Town Council by the Planning Commission, and the rezoning of the property was approved by the Town Council, as well. Chairman Jones advised that the Subdivision Variance Request that is on the agenda later in the meeting did not require notification of the abutting property owners. Mr. McCroskey continued to discuss his concerns regarding the proposed subdivision on Asbury Lane. He thanked the Planning Commission for allowing him to speak. Chairman Jones thanked Mr. McCroskey for his comments.

Assistant Town Manager HOLETON stated that she would like to clarify that the square footage of the homes is not being discussed about this particular development. She explained that what Ms. Clay was referencing is the overall work on the Unified Development Ordinance, which is townwide, and it has been ongoing for over one year. She remarked that she wanted to make sure that those two things are separate topics. Assistant Town Manager HOLETON stated that regarding the conceptual plat that was submitted at the rezoning public hearing, which Mr. McCroskey attended, and Chairman Jones was correct regarding his comment that in the State of Virginia for any rezoning application, there is a requirement that all of the adjacent landowners are notified and also that the public notice is advertised in the newspaper. She explained that this is why the abutting property owners were notified for the rezoning. Assistant Town Manager HOLETON commented that for the subdivision plat review and so that everyone is aware, this is the first meeting that the Planning Commission will be reviewing the conceptual subdivision plat. She noted that there will be multiple meetings to review the subdivision plat, therefore, there will not be a decision made on the subdivision plat at this meeting. Assistant Town Manager HOLETON explained that at this meeting, the Planning Commission will be reviewing three variance requests. She remarked that what she would suggest as adjacent landowners, if they are interested in following this particular development, then she would encourage them to attend the Planning Commission meetings for the next two to three months. Assistant Town Manager HOLETON advised the citizens to call the Planning and Zoning Staff to see if the topic is going to be on the meeting agenda. She stated that the Wytheville Planning Commission meets the second Thursday of each month at 6:00 p.m. in the Council Chambers, and the Wytheville Town Council meetings the second and fourth Monday of each month at 5:00 p.m. in the Council Chambers. Assistant Town Manager HOLETON noted that the conceptual plan for the rezoning of the property on Asbury Lane will be reviewed next with the Planning Commission and Staff. She noted that Town Staff is here to help answer questions. Chairman Jones thanked Assistant Town Manager HOLETON for her comments.

## **5. RE: OTHER BUSINESS**

### **A. RE: CONCEPTUAL PLAN OF THE ASBURY LANE SUBDIVISION PRESENTATION**

Chairman Jones advised that the next agenda item is the presentation of the Conceptual Plan of the Asbury Lane Subdivision by Assistant Town Manager HOLETON. Assistant Town Manager HOLETON explained that the Planning Commission packages included a copy of the Conceptual Plan of the Asbury Lane Subdivision. She commented that Town Staff wanted the Planning Commission to be familiar with the project since it will officially come before the Planning Commission again for the Preliminary Plat Review. She explained that this will not come before the Planning

Commission until a couple of things have been sorted out. Assistant Town Manager Holeton explained that, currently, the developer is working with the Virginia Department of Transportation (VDOT) on some requirements for the roadway, and he is also working with an onsite soil evaluator for the onsite septic systems. She noted that this site is not eligible for public sewer. Assistant Town Manager Holeton continued to explain the process of the onsite soil evaluator's work. She noted that the septic work will be reviewed and approved by the Virginia Department of Health before the Planning Commission will review the Preliminary Plat. Assistant Town Manager Holeton stated that, essentially, the process is that the Planning Commission will review the Preliminary Plat when it is ready, and then it will go to the Town Council for final approval. She reviewed the depiction of the Conceptual Plan with the Planning Commission. Planning Director Woods advised that all the lots on the Conceptual Plan exceed the requirement for an R-1 Residential Zoning District. He expressed that the lots are bigger than the zoning district requires. Discussion continued regarding the septic systems for the proposed subdivision. Assistant Town Manager Holeton stated that in order for the developer to move forward in good faith on this development, he needs to know whether or not the Town is going to approve the variances. Chairman Jones inquired if there were any other questions for Assistant Town Manager Holeton.

Mr. Keith Jones inquired as to why public utilities are not available for this development. Assistant Town Manager Holeton explained that it has to do with the elevation of the property. Planning Director Woods continued to explain why the neighborhood has never had public sewer. He noted that it is lower than the nearest elevation of a sewer line, therefore, it would require a pump station to make it work, which would be approximately a \$2M to \$2.5M project for the number of units the pump station would serve, and the Town would never recoup the cost. Mr. Keith Jones inquired if there was any idea of how many units the development planned to include. Planning Director Woods stated that there will not be more units than they are able to subdivide. He commented that the Town has received the preliminary plat which, likewise, could change. Discussion continued regarding the plans for the Asbury Lane Subdivision. Mr. Schmidt inquired of Assistant Town Manager Holeton regarding the procedure once the Planning Commission makes their recommendation to the Town Council regarding the variance requests and once the lots are made into parcels, perked, tested, etc. He inquired if there is some type of stormwater detention facility that needs to be built with those lots in order for them to be approved or not. Assistant Town Manager Holeton advised that the stormwater is currently under discussion, therefore, that is another detail that needs to be determined. She continued to explain that the presence of existing development on the site makes this a unique subdivision application. Assistant Town Manager Holeton reiterated that the Planning Commission will make a recommendation at this meeting to the Town Council to consider the subdivision variance requests for the property located on Asbury Lane.

**B. RE: SUBDIVISION VARIANCE REQUEST FOR ASBURY LANE**

Chairman Jones advised that the next agenda item is to consider a Subdivision Variance Request for the property located on Asbury Lane and to make a recommendation to the Wytheville Town Council for the approval or denial of the Subdivision Variance Request.

Assistant Town Manager Holeton stated that she always likes to use any opportunity as a learning opportunity for the Planning Commission because there is not a lot of subdivision review, and she noted that some of the review is going to inform the Commissioners of the rewrite of the Zoning Ordinance. She noted that she wanted the Planning Commissioners to be aware of the enabling statute for giving exceptions to the subdivision ordinance language. Assistant Town Manager Holeton continued to explain the Code of Virginia mandatory and optional provisions of a Subdivision Ordinance. She stated that her Staff Report covers any unnecessary hardships and topographical and other conditions peculiar to the site, and why Town Staff is recommending that the Planning Commission approve the variance requests to the Subdivision Ordinance. Assistant Town Manager Holeton noted that there are three variance requests that the Planning Commission will be reviewing at this meeting. She advised that the first variance request has to do with the paved surface width.

Assistant Town Manager Holeton described the request to the Planning Commission. She advised that Town Staff recommends that this variance request be approved. Assistant Town Manager Holeton advised that the second variance request has to do with curb and gutter, and she described the request to the Planning Commission. Assistant Town Manager Holeton advised that Town Staff recommends the request be approved. She stated that the third variance request has to do with street right of way width and described the request to the Planning Commission. Assistant Town Manager Holeton advised that Town Staff also recommends that this request be approved. She stated that the Planning Commission will now consider this request, discuss it and make a motion to make a recommendation to the Town Council to approve or deny this request.

Mr. Wittwer inquired of Town Staff if curb and gutter is required when a stormwater system is required. Planning Director Woods stated that, typically, curb and gutter increases flooding downstream, therefore, it is better to minimize curb and gutter. He continued to explain why curb and gutter minimization is better for stormwater management. Mr. Wittwer stated that with curb and gutter, the subdivision would have a concentrated river, and it would cause more harm than good. Planning Director Woods remarked that one of the main factors that increases flooding downstream is curb and gutter because the water gets to a particular location quicker. Discussion continued regarding flooding in low lying areas around the town due to curb and gutter installation. Vice-Chairman Litton inquired of Town Staff as to why it is a requirement to install curb and gutter. Planning Director Woods advised that this is one of the sections in the new Zoning Ordinance that Town Staff may recommend revising. Chairman Jones inquired if there were any other questions or comments. Mr. Keith Jones inquired of Town Staff regarding the variance on the width of the road from 30 feet to 18 feet, which is about a 40 percent decrease. He inquired why the current ordinance requires a road width of 30 feet, and how a road width of 18 feet will suffice. Planning Director Woods stated that, originally, when this subdivision was developed, the codes were from the 1960's and 1970's and designed to keep the car and convenience for the car in mind. He noted that this still has to be accommodated, but a 30 foot right of way allowed for two-way traffic and room to park on each side, therefore, 18 feet is adequate for two-way traffic on a cul-de-sac such as this. He commented that research has shown that there is a lot less speeding, it is safer for pedestrians if you keep the street narrower and it is a more people friendly environment. He advised that this is not something that the general public is used to seeing because they picture the convenience of lots of places to park versus a street where people will slow down. Planning Director Woods remarked that this is a better solution for a subdivision. Mr. Schmidt stated that if the Virginia Department of Transportation (VDOT) is prepared to approve this, then he does not have a problem with it. Assistant Town Manager Holeton commented that the developer will need an answer on the three variances so that he can continue to the next step.

Mr. Matthew Clarke was recognized and stated that he resides at 190 Nottingham Drive in Wytheville. He noted that he met with Mr. Stephen Dalton of Southwest Soil who took soil samples, laid out the drain fields and added them to the plat and then submitted everything to the Virginia Department of Health (VDH). He remarked that he hopes to have an answer from the VDH at any moment. Mr. Clarke continued to discuss the septic fields, lot lines, etc. with the Planning Commission. Mr. Schmidt inquired about the septic for Lot 21. Mr. Clarke advised that there is one septic, which is drain field six, that will require an easement for Lot 21. Discussion continued regarding Lot 21. Mr. Clarke thanked the Planning Commission for allowing him to speak. Chairman Jones thanked Mr. Clarke for his comments.

Chairman Jones stated that his feeling is that if VDOT is willing to approve it, and having worked with VDOT while in the construction business, then the developer is ahead if VDOT is willing to approve a project. He noted that sometimes VDOT is a lot stricter on things than the Town is so he agrees with Mr. Schmidt regarding approving the variances. Chairman Jones inquired if there were any other comments or questions. He inquired if there is a motion to make a recommendation to the Town Council to approve or deny the three Subdivision Variance Requests for the property located on Asbury Lane. A motion was made by Mr. K. Jones and seconded by Mr. Wittwer to make a recommendation to the Wytheville Town Council to approve the

three preliminary requests for a variance to the current Town of Wytheville Subdivision Ordinance which include the following: 5-22.3: Paved Surface Width - to accept the existing width of 18 feet of paved surface that is in place; 5-22.4: Curb and Gutter - to approve no installation of curb and gutter; and, 5-21.1: Street Right of Way Width - to approve the right of way width of 40 feet. Chairman Jones inquired if there was any discussion on the motion. There being none, the motion was approved with the following roll call vote: Voting Yea: Chairman Jones, Jr., Vice-Chairman Litton, Vice-Mayor Pattison, Mr. Schmidt, Mr. Wittwer, Mr. K. Jones.

**C. RE: UNIFIED DEVELOPMENT ORDINANCE (UDO) DEVELOPMENT STANDARDS DRAFT PRESENTATION**

Chairman Jones advised that the next agenda item is the presentation of the draft Unified Development Ordinance (UDO) Development Standards by Planning Director John Woods.

Planning Director Woods discussed the draft Unified Development Ordinance, Article 7: Site Development Standards with the Planning Commission. Discussion ensued regarding Section 7.2 Clear Sight Triangle. Assistant Town Manager Holeton stated that it would be her interpretation that this section would be required for new developments or redevelopments. Planning Director Woods discussed Section 7.4 Landscaping and Buffer Yard Requirements. He noted that the Tree Advisory Committee will give the Planning Commission final approval of the buffer yard tree plant materials to include in this section. Discussion ensued regarding Section 7.5 Lighting. Vice-Chairman Litton commented that he has some suggestions for Section 7.5-D General Lighting Standards because of trucking companies. He noted that some language needs to be added to this section. Discussion ensued regarding bright lighting, etc. in areas of town. Assistant Town Manager Holeton reminded the Planning Commission that this is a living document and can be changed at any time.

Discussion was held regarding what is to come in preparation for the adoption of the Unified Development Ordinance, which includes a complete first full draft of Articles 1, 2 and 3; the completion of Article 4; building out the remaining sections in Article 5; building out the remaining sections of Article 8; the complete revision and compilation of definitions for Article 9; revisions for consistency and completeness; editing, wordsmithing and formatting; public comment followed by appropriate revisions based on the public comments; and, adoption of the ordinance.

Mr. Wittwer inquired of Planning Director Woods if any thought had been put into electric vehicles in the new ordinance. Planning Director Woods stated that Assistant Town Engineer Billy Anderson has been working on Town-owned potential sites for adding charging stations. He noted that it is a good idea to add something in the parking section of the UDO. Discussion ensued regarding the future of electric vehicles in town. Chairman Jones inquired if there were any other questions or comments.

**6. RE: ADJOURNMENT**

There being no further business to discuss, a motion was made, seconded and carried to adjourn the meeting (7:31 p.m.).

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John W. Jones, Jr., Chairman

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Brandi N. Jones, Chief Deputy Clerk