

# Department of Planning & Community Development



A public hearing of the Franklin County Planning Commission was held on Tuesday, January 12, 2016, in the Franklin County Board of Supervisors conference room located in the Franklin County Government Center.

## **THOSE PRESENT:**

James Colby – Gills Creek District  
C. W. Doss, Jr. – Blue Ridge District  
Angie McGhee – Boone District  
Earl Webb – Blackwater District  
Edmund “Doc” Law – Rocky Mount District  
Wendy Ralph – Union Hall District  
Sherrie Mitchell – Snow Creek District

**THOSE ABSENT:** N/A

## **OTHERS PRESENT:**

B. James Jefferson, County Attorney  
Steven Sandy, Director of Planning & Community Development  
Lisa Cooper - Principal Planner  
Lori Crouch - Clerk

\*\*\*\*\*

The meeting was called to order by Chairman Earl Webb at 6:00 PM in Board of Supervisors conference room. The first order of business was roll call. The next order of business was the approval of the minutes from the November 10, 2015 Planning Commission public hearing. Chairman Webb requested of the Planning Commission if there were any comments or corrections to the minutes as written. Mrs. Wendy Ralph responded that in the vote taken for the minutes of October 13, she had abstained due to her absence of the October meeting. The record will be so noted. With no further comments or corrections, Mrs. Angie McGhee, representative of the Boone District, made a motion to approve the minutes as written. The motion was seconded by Mrs. Wendy Ralph, representative of the Union Hall District. Chairman Webb noted we have a motion and a second for the approval of the minutes as written with corrections, all in favor say aye. Those opposed say nay; motion carried.

## **(RESOLUTION 01-16-01):**

**BE IT THEREFORE** resolved as intended to promote the health, safety and general welfare of the public and to implement the adopted Comprehensive Plan for the orderly and controlled development of the county by the Franklin County Planning Commission to approve the November 10, 2015 minutes as written with corrections and presented.

MOTION: McGhee

SECONDED: Ralph

Voting on the motion was as follows:

AYES: Doss, Webb, McGhee, Law, Colby, Mitchell, Ralph

NAYES:

ABSENT:

ABSTAIN:

At this time Chairman Webb requested to recuse himself from the public hearing and vote due to professional association with the applicant. Mr. Jim Colby, Vice Chairman, will preside over the public hearing at this time. Vice Chairman Colby introduced the petition of David Sine, Petitioner and Alvin Sine & Marcella Sine, Owners, requesting to amend proffered conditions #1 and #6, approved as part of a zoning amendment on November 27, 2007, relating to conformance to concept plan and allowable signage. The property is currently zoned Business District, General (B-2) consisting of +/- 1.58 acres, located at 20734 Virgil

Goode Highway, in the Boone District in Franklin County, and further identified as Tax Map/Parcel # 0360018501A (Case# REZO-12-15-14994). Vice Chairman Colby requested staff to present their report.

Mr. Sandy thanked the Planning Commission. The request for rezone that is before the Planning Commission is a request to amend proffered conditions #1 and #6 on property currently zoned Business District, General (B-2) with proffered conditions. The zoning would continue as Business District, General (B-2), but the petitioner would like to change the current proffers. This parcel falls within the Highway Corridor zone. The original concept plan has been revised to comply with concerns that were discussed during the site visit on January 6, 2016. The new concept plan dated January 8, 2016 has addressed those concerns. The area to the north and south of the building would be designated for outdoor display areas, as well as the previously marked area to the front of the building along Highway 220. Vice Chairman Colby asked Mr. Sandy for clarification on the revised concept plan, whether or not the area being discussed would be on the current action or would it be on the next action items of the agenda. Mr. Sandy stated that it is for both, because the concept plan is for both the rezone petition and the special use petition. Mr. Sandy stated under the #1 condition of Substantial Conformity the new concept plan would take the place of the concept plan from 2007. The main reason for this was for the expansion of a showroom on the front of the building, the previous concept plan did not show the expansion. There are three (3) changes from the original concept plan, those are as follows: A show room to be built on to the front of the current building at a future date, yet to be determined; the removal of proffer #6, which limits the signage to 32 sq ft. This proffer was carried over from original petition in 2000 this carried forward to the amended proffers request in 2007. Within the Business District, General (B-2) the sign allowance is 100 sq ft for a free standing sign, in Agricultural District (A-1), is it set at 32 sq ft; the amendment of proffer #1 regarding the concept plan to be in compliance with the concept plan dated January 8, 2016.

Mr. Sandy stated that Staff's recommendation is substantial conformity of the concept plan dated January 8, 2016. The petitioner is in compliance with all but the outdoor display area, which is the next petition to be considered.

Mr. Sandy stated that Staff does recommend approval of this petition with the following conditions that have been proffered by the property owner as follows:

1. *Substantial conformity.* The property shall be developed in substantial conformity with the conceptual plan, entitled "Blackwater 4WD & Tractor, LLC Concept Plan", prepared by Price Buildings, Inc. dated 01/08/16.
2. *Limitation of Use.* The use of the Property shall be limited to the uses permitted in the Business B-2 district, except that the following uses will not be permitted on the Property: Apartments with combined business; Assembly halls; Auction barn/auction house; Blacksmiths; Boat clubs; Car and vehicle wash operations; carpet cleaning; Cemeteries, community and commercial; Clubs (private); Clubs (public); Cold storage lockers, facilities; Drive-in restaurants/walk-ins; Flea markets; Gasoline stations; Laundromats; Marinas; Mobile home sales; Railroad facilities.
3. The applicant shall comply with all requirements of the Virginia Department of Health regarding the provision of water and sewage disposal.
4. The applicant shall coordinate with Virginia Department of Transportation to meet requirements for a commercial entrance permit.
5. The applicant shall maintain a twenty (20) foot landscaped buffer adjacent to Route 220. In addition, the applicant shall maintain landscaped buffer to the east and west of the property in conformance with the Franklin County Landscape and Buffering Ordinance adopted July 2002.

Vice Chairman Colby asked to clarify that the new concept plan dated January 8, 2016 came out of the discussion that the Planning Commission had with the petitioner at the site visit on January 6, 2016. Mr. Sandy agreed in speaking with the petitioner the area of display was greater than what was being shown

on the previous concept plan dated December 3, 2015. The petitioner was advised to revise the concept plan showing the greater area for the outdoor display.

Vice Chairman Colby asked the members of the commission if there were any questions for Mr. Sandy. There being none, Vice Chairman Colby invite the petitioner, David Sine, to speak.

Mr. Sine stated As a small business he sees the need for advertising his products and to get his company name out into the public. A concept picture was given to the Commission in their packet to review, which shows the digital sign above the current sign to allow the advertisement of sales and products of Mr. Sine's company. Mr. Sine stated the previous concept plan, he had not put too much thought into display area, but after speaking with Planning commission members. He went back to the construction company and asked them to add a greater area of display on the concept plan. Mr. Sine asked if the Planning Commission members had any questions for him. The Planning Commission had no further questions for Mr. Sine.

There were no other public comments at this time.

With no further questions or comments, Vice chairman Colby moved to regular session.

Mrs. Wendy Ralph asked about the sign; what will govern the sign? Mr. Sandy stated the sign would be subject to the B-2, Business District, General regulations. The allowable size sign would be one hundred (100) sq. ft. in area.

Vice Chairman Colby asked if there was a motion. Mrs. Angie McGhee, Boone District, made a motion to approve the request to amend proffered conditions #1 and #6, relating to conformance to concept plan and allowable signage. Mrs. Wendy Ralph, Union Hall District, seconded the motion.

**(RESOLUTION 01-16-02):**

**BE IT THEREFORE** resolved as intended to promote the health, safety and general welfare of the public and to implement the adopted Comprehensive Plan for the orderly and controlled development of the county by the Franklin County Planning Commission to approve the request for rezone for the purpose of amending proffered conditions #1 and #6, approved on November 27, 2007, relating to conformance of concept plan and allowable signage.

1. Substantial conformity. *The property shall be developed in substantial conformity with the conceptual plan, entitled "Blackwater 4WD & Tractor, LLC Concept Plan", prepared by Price Buildings, Inc. dated 01/08/16.*
2. Limitation of Use. *The use of the Property shall be limited to the uses permitted in the Business B-2 district, except that the following uses will not be permitted on the Property: Apartments with combined business; Assembly halls; Auction barn/auction house; Blacksmiths; Boat clubs; Car and vehicle wash operations; carpet cleaning; Cemeteries, community and commercial; Clubs (private); Clubs (public); Cold storage lockers, facilities; Drive-in restaurants/walk-ins; Flea markets; Gasoline stations; Laundromats; Marinas; Mobile home sales; Railroad facilities.*
3. *The applicant shall comply with all requirements of the Virginia Department of Health regarding the provision of water and sewage disposal.*
4. *The applicant shall coordinate with Virginia Department of Transportation to meet requirements for a commercial entrance permit.*
5. *The applicant shall maintain a twenty (20) foot landscaped buffer adjacent to Route 220. In addition, the applicant shall maintain landscaped buffer to the east and west of the property in conformance with the Franklin County Landscape and Buffering Ordinance adopted July 2002.*

MOTION: McGhee  
SECONDED: Ralph  
Voting on the motion was as follows:  
AYES: Colby, Doss, McGhee, Ralph, Law, Mitchell  
NAYES:  
ABSENT:  
ABSTAIN: Webb

Vice Chairman Colby moved to go back into public hearing on the requested petition of Alvin Sine, Marcella Sine and David Sine for a Special Use Permit. Vice Chairman Colby asked Staff to present their report for this petition of a Special use permit for the purpose of outdoor displays on business property.

Mr. Sandy stated this Special use permit is to allow the use of an outdoor display on business property. The petition for a Special use permit there would be a revision of the Staff Report of Condition #1 of the substantial conformity to agree with the newest concept plan dated January 8, 2016, and Condition #2 to be revised to say "The use of "Outdoor Displays on Business Property" shall be limited to the use in the area and location as shown on the concept plan mentioned in Condition #1. Mr. Sandy stated with those two revision of conditions, staff would recommend approval of the Special use permit for the purpose of outdoor displays with the following conditions:

1. Substantial conformity. *The property shall be developed in substantial conformity with the conceptual plan, entitled "Blackwater 4WD & Tractor, LLC Concept Plan", prepared by Price Buildings, Inc. dated 01/08/2016.*
2. Limitation of Use. *The use of "Outdoor Displays on Business Property" shall be limited to that area and location as shown on concept plan referenced in #1 above.*
3. Zoning Regulations. *The use of "Outdoor Displays Business Property" shall comply with the Special Use Permit conditions herein as will as all zoning regulations found under Business District (B-2) and Route 220 North Mixed Use Overlay.*

Vice Chairman Colby asked if there were any questions for the Staff, at this time. As there were no other questions. Vice Chairman Colby asked Mr. Sine if he had anything further to add to the petition. Mr. Sine stating he had nothing further to add. Vice Chairman Colby asked if there were any public comments at this time, there were no public comments.

Vice Chairman Colby moved to close the public hearing and go into regular session.

Vice Chairman Colby asked if there was a motion for the Special Use permit petition. Mrs. Angie McGhee, Boone District, made a motion to approve the request for a Special use permit for the purpose of Outdoor display. Mr. Edmund Law, Rocky Mount District, seconded the motion.

**(RESOLUTION 01-16-03):**

**BE IT THEREFORE** resolved as intended to promote the health, safety and general welfare of the public and to implement the adopted Comprehensive Plan for the orderly and controlled development of the county by the Franklin County Planning Commission to approve the request for a special use permit for the purpose of outdoor displays on business property.

1. Substantial conformity. *The property shall be developed in substantial conformity with the conceptual plan, entitled "Blackwater 4WD & Tractor, LLC Concept Plan", prepared by Price Buildings, Inc. dated 01/08/2016.*
2. Limitation of Use. *The use of "Outdoor Displays on Business Property" shall be limited to that area and location as shown on concept plan referenced in #1 above.*
3. Zoning Regulations. *The use of "Outdoor Displays Business Property" shall comply with the Special Use Permit conditions herein as will as all zoning regulations found under Business District (B-2) and Route 220 North Mixed Use Overlay.*

MOTION: McGhee  
SECONDED: Law  
Voting on the motion was as follows:  
AYES: Colby, Doss, McGhee, Ralph, Law, Mitchell  
NAYES:  
ABSENT:  
ABSTAIN: Webb

At this time, Vice Chairman Colby turned the remainder of the meeting back to Chairman Webb. Chairman Webb stated the next item on the agenda is for Citizen Comments. There were none at this time.

Chairman Webb stated the next item on the agenda was for discussion on any unfinished business. There was none at this time.

Chairman Webb stated the next item on the agenda was for discussion of any new business. Mr. Sandy stated that since we are beginning a new year, he would like to review the by-laws for the Planning Commission. Mr. Sandy asked the Planning Commission members if they have any suggestions or modifications for the by-laws. A couple questions were proposed; standing and special committees, and the order of business for the meetings. There was some discussion regarding the order of business, worksessions and public comments, those that are spontaneous.

Mr. Sandy continued on with the 2016 Departmental Long Range Draft Plan. There was some discussion on the following:

- E&S/SWM revision of Chapters 7 & 27 and MOU for Rocky Mount and Boones Mill to go before the board in February.
- Village Plans - Westlake Village Plan, report from citizen advisory committee in the next week.
- Comp Plan - Updates were started 1 to 2 years ago. The last major update was in 2007.
- Transportation plan - Six year plan and HB2
- Housing Rehab/Tap
- Zoning ordinance has sat for several months, staff is ready to move forward in updating the entire ordinance.
- Several projects that will be ongoing for 2016
  - Ferrum Bridge Project
  - 220 Business Park
  - Smith Farm
  - Pigg River Dam Removal
  - Boat Dock Revision
  - Mountain Valley Pipeline
  - Road Map Update
  - Planning Dept website
  - Energov Update

Chairman Webb stated he would like to make zoning the first priority, since it is "way over due". The Comp plan would follow right behind.

Mr. Sandy stated he would bring the long range work plan back in February for discussion and to set priorities and dates.

Mr. Sandy informed the Planning commission that Franklin County has been awarded the grant by the Virginia Secretary of Transportation for Urban/Village Development Planning Assistance. Renaissance

Consulting firm will be our contact, they will be able to assist with the Westlake Village Plan, and possibly with the zoning ordinance and Business park zoning.

With no other questions or business, the meeting was adjourned at 7:20pm.

Lori A. Crouch  
Clerk

January 26, 2016  
Date