

Department of Planning & Community Development



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

THOSE PRESENT:

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

THOSE ABSENT:

James Colby – Gills Creek District
Angie McGhee – Boone District

OTHERS PRESENT:

B. James Jefferson, County Attorney
Steven Sandy, Director of Planning & Community Development
Lisa Cooper - Principal Planner
Terrence Harrington - Senior Planner
Tina Franklin - Clerk

The public hearing was called to order by Chairman Earl Webb at 6:06 PM in Board of Supervisors conference room. The first order of business was roll call, five (5) members were present and accounted for, there were two (2) members absent. The next order of business was the approval of the minutes from the March 8, 2016 Planning Commission work sessions. Chairman Webb asked if there were any comments or corrections to the minutes as written. With no comments or corrections, Mrs. Wendy Ralph, representative of the Union Hall District, made a motion to approve the minutes as written. The motion was seconded by Mr. Edmond Law, representative of the Rocky Mount 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 04-16-01):

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 March 8, 2016 minutes as written.

MOTION: Ralph

SECONDED: Law

Voting on the motion was as follows:

AYES: Doss, Webb, Law, Mitchell, Ralph

NAYES:

ABSENT: McGhee, Colby

ABSTAIN:

Chairman Webb asked for a motion on the minutes from the March 24, 2016 Planning Commission work sessions. Chairman Webb asked if there were any comments or corrections to the minutes as written. With no comments or corrections, Mrs. Sherrie Mitchell, representative of the Snow Creek 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 04-16-02):

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 March 24, 2016 minutes as written.

MOTION: Mitchell
SECONDED: Ralph

Voting on the motion was as follows:

AYES: Doss, Webb, Law, Mitchell, Ralph
NAYES:
ABSENT: McGhee, Colby
ABSTAIN:

Chairman Webb introduced the next item on the agenda as being the petition for rezone of Louis E. Conway, Jr., Kathleen Conway and Mike Ferguson, owners and Louis E. Conway, Jr. and Kathleen Conway, petitioners, requesting to rezone 1.238 acres from B-1, Business District, Limited with proffered conditions to A-1, Agricultural District, and to rezone 0.972 acres from B-1, Business District, Limited with proffered conditions to B-1, Business District, Limited with possible proffered conditions for a total of 2.21 acres, located 6866 Booker T. Washington Highway and 6832 Booker T. Washington Highway, respectively, in the Union Hall District of Franklin County, and further identified as the following Franklin County Tax Map/Parcels # 0280012801 and 0280012700. Case #REZO-3-16-15243.

Mr. Terry Harrington, Senior Planner, gave some background information on the parcels. Staff recommends approval for rezone for Lot #1 from B-1, Business District, Limited with proffered conditions to B-1, Business District, Limited with no proffered conditions. Lot #2 from B-1, Business District, Limited with proffered conditions to A-1, Agricultural District. Mr. Harrington asked if the Planning Commission had any questions at this time.

Mrs. Wendy Ralph asked if the applicant had proffered any conditions. Mr. Harrington stated that the applicants intent is to be used for a single family dwelling and design studio.

With no further questions at this time, Mr. Louis "Chip" Conway was introduced as the applicant. Mr. Conway stated in 2004 he wanted to have a Professional office park, at which time he rezoned the property to B-1, Business District, limited with proffered conditions for the office park. However, after some time he debated and decided he would subdivide the land into two(2) lots, one lot has a home on it that has been used as an office. Mr. Conway stated that he had tried to sell the vacant lot. But after some time he feels it would be a nice location for a house. With no other comments, Mr. Conway thanked the Planning Commission.

Chairman Webb stated that he felt this was a good use for the property.

Mrs. Ralph stated she was concerned with the zoning which allows a multitude of things, the problem with a blanket A-1 zoning with no proffers attached.

Mrs. Mitchell stated that cannot be held against the property owners.

Mr. Sandy asked Mr. Harrington, if staff had received any proffered conditions from the applicant at this time. Mr. Conway stated he had rezoned the property from A-1 to B-1 in 2004. He stated he would have

no problems with proffering a single family dwelling and studio office. However, Mr. Conway stated he would like some flexibility to see one day what could be possible. But is willing to proffer conditions.

Mrs. Ralph stated that the Planning Commission did not have a proffer statement from the applicant in front of them at this time.

Mr. Jim Jefferson, County Attorney, stated the Planning Commission can recommend approval with proffers.

Chairman Webb closed the public hearing at this time. Chairman Webb asked if there were any further questions or concerns at this time. With none, Chairman Webb asked if there was a motion. Mrs. Wendy Ralph, Union Hall District, made a motion to approve the request for a rezone of Lot #1 from B-1, Business District, Limited with proffers to B-1, Business District, Limited with no proffers and for Lot #2 from B-1, Business District, Limited with proffered conditions to A-1, Agricultural District with proffered conditions. Mrs. Sherrie Mitchell, Snow Creek District, seconded the motion.

(RESOLUTION 04-16-03):

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 rezone for Lot #1 from B-1, Business District, Limited with proffered conditions to B-1, Business District, Limited with no proffered conditions and Lot #2 from B-1, Business District, Limited with proffered conditions to A-1, Agricultural District with proffered conditions as follows:

1. **Limitation of Use.** The property shall only be used as a single family dwelling and office/design studio to be used by the owners/occupants of the single family dwelling on Lot #2.

MOTION: Ralph
SECONDED: Mitchell

Voting on the motion was as follows:

AYES: Doss, Webb, Law, Mitchell, Ralph
NAYES:
ABSENT: McGhee, Colby
ABSTAIN:

Chairman Webb introduced the next item on the agenda as the petition of Runk & Pratt of SML, LLC, R&P SML Facility LLC and Willard Construction of Smith Mountain Lake, LLC, petitioners/owners, requesting a rezoning from PCD, Planned Community Development to PCD, Planned Community Development with concept plan and proffered conditions for the purpose of modifying the approved concept plan to add up to 36 units of patio homes, expand existing Assisted Living facility by 40 beds, and added Medical Wellness Center for a total of +/- 28.135 acre parcels, located in the Gills Creek District of Franklin County, and further identified as the following Franklin County Tax Map/Parcels #0300005207, 0300005209, 0300005210, 0300005211, 0300005211A, and 0300005213. Case # REZO-3-16-15244.

Mr. Harrington spoke with the Planning Commission at this time, giving them background and information regarding the petition for rezone. With no questions at this time from the Planning Commission, Mr. Brian Runk was introduced.

Mr. Runk stated that there are currently 65 rooms and several houses on the parcels. If any of the owners in the assisted living homes need assistance the staff that is appropriate will go to help. We are requesting up to 100 rooms and 36 new patio homes.

Chairman Webb asked where the additional rooms would be added, back of the building. Mr. Runk stated that was correct the addition would go on the back of the assisted living facility. Chairman Webb asked Mr. Runk if this would be a separate building. Mr. Runk stated that it would be attached to the wing in the back of the building.

Mrs. Ralph commented that there has been a lot of interest in the Wellness Center. Mr. Runk stated that they had purchased the Tire Center property and had considered putting in a Wellness Center with an indoor pool geared to the 50+ age range. Mrs. Ralph asked if this would be a limit to the clients. Mr. Runk stated that it would be open to the public as well.

At this time, Mr. Ron Willard spoke to the Planning Commission.

Mr. Willard stated he is the owner of the Westlake Towne Center. This will create the opportunity to keep the 50+ citizens in the Franklin County area. If you do not have the needs and provide for the older people to live on their own with assistance then they will re-locate somewhere else.

Chairman Webb asked if there were any that would like to speak to this petition.

Mr. Richard Kenyon, resides at the Patio homes with his wife. They moved to this area to retire from the medical field from Florida. Mr. Kenyon stated he walks everywhere in the area and is in full support of the project. He added they own their own home and it is affordable.

Chairman Webb commented that the conceptual plan is in keeping with the original with small variations.

Chairman Webb closed the public hearing at this time. Chairman Webb asked if there were any further questions or concerns at this time. With none, Chairman Webb asked if there was a motion. Mrs. Wendy Ralph, Union Hall District, made a motion to approve the request for rezoning from PCD, Planned Community Development to PCD, Planned Community Development with concept plan and proffered conditions for the purpose of modifying the approved concept plan to add up to 36 units of patio homes, expand existing Assisted Living facility by 40 beds, and added Medical Wellness Center. Mr. C.W. Doss, Blue Ridge District, seconded the motion.

(RESOLUTION 04-16-04):

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 modifying the approved concept plan to add up to 36 units of patio homes, expand existing Assisted Living facility by up to 100 beds and added Medical Wellness Center with the following:

1. **Limitation of Use.** The Conceptual Plan for Westlake Towne Center dated March 3, 2016 (sheets 1 thru 3), including all notes contained on Sheet 3 pertaining to permitted uses within each development tract area and all notes requesting deviations to development standards, and of the requested changes to the Westlake PCD Conceptual plan and the requested development standard deviations.

MOTION: Ralph

SECONDED: Doss

Voting on the motion was as follows:

AYES: Doss, Webb, Law, Mitchell, Ralph

NAYES:

ABSENT: McGhee, Colby

ABSTAIN:

With no further questions or discussion, the meeting was adjourned at 6:35pm.

Chairman Webb called for a 10 minute break before the work session would convene.

Chairman Webb called the work session of the Planning Commission into session at 6:47pm.

At this time, Mr. Jeremy Goldstein, Renaissance Planning, thanked the Planning Commission and presented an update on the Southway project. Mr. Goldstein stated the Comprehensive Plan needs to be changed. Zonings need to be changed and adopted in order to aid or help in the House Bill 2 (HB2) for the transportation grant.

Southway project is the emphasis which falls into the 220 North Corridor Plan which needs to be amended to address Southway. Plan is not to lose any information but add to the plan to accommodate the Southway Park. The two overlay districts will be excluded.

Chairman Webb stated once we consider this new zoning category then the County will come in and rezone the property for the Commerce park. Mr. Sandy stated that was correct. Mr. Goldstein commented there would be major changes, the new boundaries would extend South of Brick church road to the Commerce Park. Mr. Goldstein spoke to the Planning Commission regarding approach and analysis. The map was updated to show all the parcels. I-73 would fit into the context shown on the map.

Mrs. Mitchell asked if the designated growth areas would encompass only the park. Mr. Goldstein stated the yellow lines are the park.

Mr. Goldstein continued with the Zoning portion. Current overlay districts would not apply to the Commerce Park. Mr. Webb asked if Renaissance would make a recommendation on traffic. Mr. Goldstein stated that is not part of the zoning portion. Mrs. Mitchell asked will traffic issues be a discussion. Mr. Sandy stated they will be discussing the traffic issues hopefully next month (May, 2016) transportation improvements.

Mr. Sandy stated we have looked at this to apply to project or parcels of 200 acres or more intending to be more of a regional use; be more of a campus style. Intention for the areas would have their own restrictions which could go above and beyond the Zoning Ordinance. We will look at the use listing at our next meeting. Mr. Sandy stated we could categorize the listing and make more user friendly. There are several duplications that the Planning Commission will want to go through and clean up. We will also want to look at other potential uses we could add at this time.

Chairman Webb stated Burnt Chimney with Homestead Creamery starting a cheese factory, would this zoning acreage fit into the zoning. Mr. Sandy stated that was correct, it would fit in the minimum acreage for the Park and will accommodate several uses. Southway Park will most likely have some parcels having road frontage along 220.

At our next work session Thursday, April 28th, we will discuss Westlake. That does not preclude discussing this project.

Mr. Sandy stated in other matters. The Planning Commission had received a copy of the Homebuilders Association letter regarding retaining walls and accessory structures. The County Ordinance states twelve feet (12') from property line. Do we need to allow retaining walls and other items to be exempt or

excluded from the required setbacks. Mr. Sandy stated the Board of Supervisors would like the Planning Commission to prepare a draft recommendation for a revision to the ordinance.

Mrs. Ralph asked if this recommendation would allow for consideration on how these are handled in other localities.

Mr. Harrington asked if the Planning Commission would like to consider for the next month (May) meeting or the following month (June) for the advertisement. Mr. Sandy stated Staff would like to hold both public hearings in June.

Chairman Webb asked if there is a need to limit the height of the retaining wall. Mr. Sandy stated there is a need for requirements, including railing on the top of the wall in some instances.

With no further business the work session was adjourned at 7:27pm

Lori A. Crouch

Clerk

April 28, 2016

Date

DRAFT