

**MINUTES OF THE MEETING OF THE TOWN OF VINTON PLANNING COMMISSION
HELD ON THURSDAY, MARCH 2, 2006, AT 6 P.M., IN THE COUNCIL CHAMBERS AT THE
VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET.**

COMMISSION MEMBERS PRESENT: Bruce Mayer, Chairman
Joan Drewery, Vice Chairperson
Dave Jones
Dawn Michelsen
Bob Patterson

COUNCIL MEMBERS PRESENT: Bradley Grose, Mayor

STAFF PRESENT: Kevin Boggess, Town Manager
Anita McMillan, Planning and Zoning Director
Karla Turman, Associate Planner
Julie S. Tucei, Planning and Zoning Secretary

OTHERS PRESENT: Tommy Wood, Citizen, Vinton (at 6:45 p.m.)
Silas Witt, Citizen, Vinton (at 6:50 p.m.)
Rickie Casey, Petitioner, Vinton (at 6:55 p.m.)

WORK SESSION AGENDA

- I. Call to Order**
- II. Sign Ordinance Amendment**
- III. Definitions Amendment**
- IV. Other Business**
- V. Adjournment**

PUBLIC HEARING AGENDA

- I. Call to Order**
- II. Approval of Minutes: August 11, 2005 and October 4, 2005**
- III. Public Hearing Petition**
 - 1. Petition of Rickie Dale Casey, 1009 S. Pollard Street, Vinton, for a rezoning of his adjoining parcel, located off 3rd Street, Vinton, Tax Map Number 60.19-1-14, from R-2 Residential District to M-2 General Industrial District. The rezoning would allow the property to continue to be used for a contractor/construction equipment storage yard.**
- IV. Sign Ordinance Amendment**
- V. Definitions Amendment**
- VI. Other Business**
- VII. Adjournment**

The work session of the Planning Commission was called to order at 6:03 p.m. by Chairman Mayer. Roll was called and all members were present.

The first item on the agenda was the sign ordinance amendment. The Commission complimented Ms. Turman on the format she had used to show the proposed changes. Ms. McMillan mentioned that Ms. Turman would lead the discussion on the sign ordinance amendment. However, she recommended that the Commissioners first discuss the proposed VDOT directional signage that had been requested by the Off-

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Track Betting Center (O.T.B.). She said that Mr. Boggess and Mayor Grose were in attendance to discuss that issue. Chairman Mayer welcomed Mayor Grose and Mr. Boggess to the meeting. Next, he asked Ms. McMillan to read the staff report regarding the VDOT signage. Ms. McMillan stated that VDOT had approved a sign program for interstate exits and for directional signs. She mentioned that Vinton did not have to participate in the program because localities of 5,000 or more people and which also maintain their own streets do not have to accept the signs. Chairman Mayer wanted to know who would maintain the signs. Ms. McMillan stated that VDOT would charge fees to those who want to be on the signs. VDOT would construct and maintain the signs. Chairman Mayer asked if the Town would share in the revenue from the fees. Mr. Boggess stated that the Town would not receive any revenue from VDOT's signs. Mr. Boggess explained how the program works. He said that signs would be placed at the exits off Interstate 5-81 at Orange and Elm Avenues. He said that "trailblazer" signs would be placed at every turn thereafter. Mr. Boggess said the Town would see signs placed next to McDonald's and Speedee on Hardy Road and also at the corner of Bypass Road and Washington Avenue. Mr. Boggess stated that the Town is under no obligation to approve these signs because our ordinance does not allow them. However, he said that the O.T.B. has asked the Town to amend the ordinance to allow the signs. Mr. Boggess said that the Town Council had discussed this issue and that they had a difference of opinion on the signage. He mentioned that allowing these signs for the O.T.B. might allow the Town to have signs installed for the Vinton War Memorial. Ms. Drewery wanted to know if the Explore Park would qualify for the sign program. Mr. Boggess said they probably would qualify for it. He said that Town Council is looking for feedback from the Commission on the VDOT sign program. Mr. Jones asked where the O.T.B. would fit under the VDOT regulations. Chairman Mayer said they would be placed under racetrack. Mr. Boggess mentioned that they may be stretching the definition of racetrack. Chairman Mayer stated that people do seem to have a difficult time finding Vinton. Ms. McMillan said that from staff's perspective, the Town must be very careful with this issue. She mentioned that there may be some businesses that are not located within Town limits that could qualify for a VDOT sign. Chairman Mayer said he thought it was a good idea to help people find Vinton. He asked to hear from Mayor Grose on the issue. Mayor Grose stated that, as a business owner, he understands the importance of signs. However, he said that he also feels that they must protect the appearance of the Town. The Mayor said that he thinks the Town has too many signs now. He stated that he counted seventeen signs in a short stretch of Virginia Avenue. He mentioned that if you let one business have a directional sign, it would be hard to tell others they could not have one. He said that the sign ordinance is always a tough issue to deal with. Mayor Grose said he thought this would open the door to a lot of signs, and also that the Town could one day be sued over this issue. Ms. McMillan mentioned that Roanoke County does not have the option to choose whether or not to allow the VDOT signs like the Town does. She stated that Ms. Turman had emailed other localities about this issue and had receive one reply so far that was against the signs. Ms. Drewery wanted to know who would do the upkeep on the signs. She was told that VDOT would be responsible for the signs. Chairman Mayer asked what kind of revenue the O.T.B. made in 2005. Mr. Boggess stated that the O.T.B. only brought in about 1/3 of the revenue that was originally projected. He said they might do \$70 thousand to \$80 thousand this year, and at that rate they would be one of the Town's largest tax producers. He mentioned that the O.T.B. is now closed on Mondays and Tuesdays, which is sometimes a bad sign when a business shuts down a couple of days a week. Chairman Mayer said he felt that the newer O.T.B. that had opened in Martinsville had hurt the Vinton one. Mayor Grose stated that he did not think that the interstate signs would bring in that much more revenue. Ms. Drewery asked if the Town wanted the War Memorial to have a VDOT sign. Mayor Grose said they did not want one for the War Memorial. Chairman Mayer said he did not

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think one would be necessary for it. Ms. Michelsen mentioned that she likes the directional signs when she travels to other places. Chairman Mayer said that the \$1400 fee for a trailblazer sign is a lot of money for a business to come up with. Ms. McMillan said she could see businesses coming in to the office saying they are leasing a space for a directional sign from another business. She felt that it would not be fair to other businesses who do not qualify for the VDOT sign program. She stated that the businesses know or should know the area where they locate, and they should not come back later saying their business is in need of directional signs because they cannot be seen from the main thoroughfare. Ms. Drewery mentioned that the Woods are from Vinton and want to keep their businesses in Vinton, such as their Woodland Place. Mayor Grose asked, if the VDOT signs were approved, how would the Town stop the Woods' businesses and his own business from having directional signs. He said it would not be fair for those who would not meet the VDOT criteria. A sandwich board sign located at Deborah's Café in downtown Vinton was brought up. Ms. McMillan stated that sandwich board signs are permitted at the same location as the business. As time was getting short, Ms. McMillan said they would need to continue this discussion to a later work session. Mr. Boggess said that Town Council wants to review the issue, and he asked when the Planning Commission might discuss it again. Ms. McMillan said it would likely be late March to mid April. The Commissioners and staff discussed it and decided to hold the next meeting on April 11, 2006. Ms. Drewery requested to be provided with information from other localities on the VDOT sign issue. Chairman Mayer briefly summarized the VDOT sign issue for Mr. Tommy Wood who arrived late at approximately 6:45 p.m. Mr. Wood said he knew he was violating the sign regulations with the directional sign he had for Woodland Place. He said he would like to see the Commissioners consider having a sign that two to three businesses could use to point the way to their locations. He pointed out that there was not much property left for development on the main roads in Vinton. He stated that he would go along with whatever is decided. He mentioned the Bloodmobile signs, garage sale signs, and real estate signs as examples of directional signs that are currently being used. He asked for their consideration on the issue.

The work session was adjourned at 6:58 p.m. so that the public hearing could be called to order. A roll call was taken at that time for the public hearing and all members were present. Chairman Mayer said they would delay the approval of minutes until later in the meeting.

He called for the first public hearing petition from Rickie Dale Casey to be heard. The petition of Rickie Dale Casey, at 1009 South Pollard Street, Vinton, was for a rezoning of his adjoining parcel, located off Third Street, Vinton, tax map number 60.19-1-14, from R-2 Residential District to M-2 General Industrial District. The rezoning would allow the property to continue to be used for a contractor/construction equipment storage yard. Chairman Mayer mentioned that he had been told that there are some questions about the deed and boundaries of the property owned by Mr. Casey; and therefore, this petition would be continued until April 11, 2006. Chairman Mayer did ask for a brief staff report regarding this request. Ms. McMillan said that the M-2 rezoning request was to allow the property to continue to be used as a contractor's storage yard and workshop. She stated that Mr. Casey has proposed to construct a thirty by fifty workshop, along with a fence to screen the property from view. She mentioned that Mr. Casey lives at 1009 S. Pollard Street. She stated that the M-2 General Industrial District allows a wide range of uses. She said that Mr. Casey bought the property in May of 2000. Ms. McMillan mentioned that Mr. Casey had been taken to court by Ms. Turman due to his property being in violation of the Town's Zoning Ordinance. That court case is pending the outcome of the rezoning request. Ms. McMillan stated that staff

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strongly encourages proffered conditions of fencing or evergreens on the property to screen the view of the property from Third Street. Mr. Casey spoke about his request. He stated that he had been under the impression that the gravel driveway was a part of his lot, but in looking at the aerial map in the Planning Department, it looked as if that may not be the case. Chairman Mayer asked Mr. Casey and the adjoining property owner, Mr. Witt, who sold the property to Mr. Casey to come forward. He asked that they look at the maps and show the Commissioners the way they thought the property was laid out after the sale. Once they were finished looking at the maps, Chairman Mayer again mentioned that the case would be continued to April 11, 2006. Mr. Casey was reminded that he would need to submit a survey of his property by the end of March. Chairman Mayer made a motion to adjourn this public hearing until April 11, 2006. The motion was seconded by Ms. Drewery. Mr. Jones mentioned that they really needed to push for the proffer for the evergreen screening. Ms. McMillan also suggested another proffer that the storage be just for Mr. Casey's use only. With that being said, the Commissioners took a brief recess.

At 7:35 p.m., the work session was called back to order by Chairman Mayer. All members were present. The first item of business was the approval of minutes from August 11, 2005 and October 4, 2005. There were no changes or additions for the two sets of minutes. Ms. Drewery made a motion to approve both sets of minutes as they were submitted. Mr. Patterson seconded the motion. A roll call vote was taken and all members voted in favor of the motion, and the two sets of minutes were approved as submitted.

The Commissioners briefly talked again about the VDOT sign program, and Chairman Mayer asked the others to give it some more thought. He also requested that staff research how other localities handle having directional signs on private property.

The next item the Commission discussed was the sign ordinance amendment. The Commissioners had been provided with a copy of the sign ordinance showing the proposed changes. Ms. Turman went over the proposed changes page by page beginning with electronic changeable signs. Staff stated that Mr. Wood's sign contractor wanted the Town to consider allowing the signs to change more frequently than every 30 seconds. Ms. McMillan recommended that they consider lowering it to every 10 to 15 seconds. She stated that she did not have a problem allowing time and temperature signs only to change every 5 seconds. Ms. Turman mentioned that staff proposed adding a provision for rotating barbershop poles. Currently, there is no regulation for barber poles. She mentioned that several items had been proposed which relate to gas stations. She mentioned fuel pump accessory signs, fuel pump toppers, and moveable merchandise signs. Ms. Turman said that staff had suggested clarifying how to measure sight distances for signs on corner lots. Limiting the amount of signs that cover windows around cashier areas were another recommended change in the sign ordinance. Ms. Turman stated that this is being proposed so that police will be able to monitor stores to prevent robberies and to enhance safety for store clerks. Ms. Turman said that staff was also proposing to add a provision to allow sandwich board signs in the M-1 and M-2 Districts. She stated that another proposed change was stating that wall signs would not be allowed to project more than 6 inches from the face of the building, and the under-clearance for projecting signs and awnings would have to be at least 7 feet. She said those changes were being proposed to match the building code regulations. Ms. Turman stated that staff also proposed adding that building permits may be required for signs in the section of the sign ordinance that refers to zoning permits being required for signs.

The next item on the agenda was the amendment to the sign ordinance definitions. Ms. Turman said that

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they had proposed adding a definition for convenience stores, and had added convenience stores to the existing definition of gas station. Ms. Turman also mentioned that staff is proposing that the definitions for signs be included in the sign ordinance instead of being included in Article X. Definitions. She said that a proposed definition had been added to define the word, "owner". Chairman Mayer suggested that it be reworded to take out the phrase, "by entirety". Ms. Turman stated that staff had suggested a definition for the word, "property". She pointed out that staff had proposed adding "convenience stores" in the definition for retail store or shop. Ms. Turman mentioned that if it was decided to allow the VDOT signs, they would need to be added to the sign ordinance and definitions. The Commissioners said staff had done a good job on the amendments.

In other business, the Commissioners reminded staff to look into directional signs on private property and to come up with some proposed size limits for them. Mr. Jones inquired about the status of the proposed senior apartment complex. Ms. McMillan stated that the developers have had a disagreement about the property appraisal and have not been able to close on the property with its current owner.

With there being no further business, the meeting was adjourned at 8:17 p.m. by Chairman Mayer.

Respectfully Submitted,

Anita McMillan
Planning Commission Secretary