

**MINUTES OF THE JOINT MEETING OF THE TOWN OF VINTON PLANNING  
COMMISSION AND TOWN COUNCIL HELD ON TUESDAY, OCTOBER 4, 2005, AT 7 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  
William Obenchain, Vice Mayor  
Robert Altice  
Thomas Rotenberry  
Carolyn Fidler

**STAFF PRESENT:** Kevin Boggess, Town Manager  
Consuella Barbour, Assistant Town Manager  
Darleen Bailey, Town Clerk  
Anita McMillan, Planning and Zoning Director  
Karla Turman, Associate Planner  
Julie S. Tucei, Planning and Zoning Secretary  
Kim Wood, Vinton Dispatcher  
Herbert Cooley, Chief of Police  
Michael Kennedy, Public Works Director  
Elizabeth Dillon, Town Attorney

**OTHERS PRESENT:** John Blankinship, Petitioner, 11115 Stewartsville Rd., Vinton  
William Gibbs, Citizen, Vinton  
Gene Marrano, Vinton Messenger

**AGENDA**

**I. Call to Order**

**II. Public Hearing:**

- 1. Petition of John W. Blankinship, Jr., t/a Big Johns Towing & Recovery, Inc., authorized agent, for a Special Use Permit (SUP) to operate a police impoundment storage lot adjacent to 720 2nd Street, Vinton, VA, 24179, tax map number 60.19-2-16, zoned M-1 Limited Industrial District.**
- 2. Receive comments from the citizens on the Planning Commission's recommendation that the Town Council amend the Vinton Zoning Ordinance, Article V, Division 7, Sign Regulations, to add a provision for historical signs.**
- 3. Petition of Bruce E. Mayer, for rezoning of approximately 0.182 acres of a vacant lot located to the east of 340 East Virginia Avenue, Vinton, VA 24179, from RB Residential Business District to GB General Business District. This portion of the vacant lot is a part of new Lot 22A, tax map number 60.16-10-60.1.**

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**III. Adjournment**

The Town Council turned the floor over to the Planning Commission, and Chairman Mayer called the meeting of the Planning Commission to order at 7:04 p.m. Roll was called and all members were present. Chairman Mayer declared that a quorum was present for the meeting.

At 7:05 p.m., Chairman Mayer opened the first public hearing of the evening. It was a request from John Blankinship, Jr. trading as Big Johns Towing and Recovery, Inc., authorized agent, for a Special Use Permit (SUP) to operate a police impoundment lot adjacent to 720 2<sup>nd</sup> Street. The Tax Map Number for the lot is 60.19-2-16, and the zoning is M-1 Limited Industrial District. Chairman Mayer asked for a summary of the request from Ms. McMillan. She stated that Mr. Blankinship was in attendance at the meeting, and she said he was requesting a special use permit for an impoundment lot on 2<sup>nd</sup> Street. She briefly described the property, and named some of the uses that were allowed in the GB General Business District and the M-1 Limited Industrial District. She stated that Mr. Blankinship had come by the office several months ago to ask what he would need to do to open an impoundment lot. Ms. McMillan said she told him that a special use permit would be required, and would have to be approved by the Planning Commission and Town Council. She mentioned that the surrounding area has several car repair businesses, and is zoned for industrial or heavy industrial uses. She mentioned that the Planning Commission and the Town Council could impose any conditions they felt appropriate. In conclusion to her summary, she stated that Mr. Blankinship had not submitted any proffered conditions. Chairman Mayer asked if there were any questions from the Planning Commission. There were none. Chairman Mayer asked if Mr. Blakinship had any comments. Mr. Blankinship said he had nothing to add. Chairman Mayer asked if anyone else at the meeting would like to speak on this request. No one did. Therefore, Chairman Mayer closed the public hearing at 7:09 p.m. and asked for motion. Mr. Jones made a motion to accept the applicant's request and approve the special use permit as discussed. Mr. Patterson seconded the motion made by Mr. Jones. A roll call vote was taken and all members voted in favor of the motion to approve the special use permit. At 7:10 p.m., Chairman Mayer informed Town Council that the Planning Commission's recommendation was to approve Mr. Blankinship's request for a special use permit for an impoundment lot on 2<sup>nd</sup> Street.

At 7:20 p.m., Chairman Mayer opened the next public hearing on the Planning Commission's agenda. It was a public hearing to receive citizens' comments on amending the Vinton Zoning Ordinance to add a provision for historical signs. Chairman Mayer said the Planning Commission had a work session on this issue and had recommended a change to the draft copy. He asked Ms. McMillan to go over it and mention the Planning Commission's recommended change. Ms. McMillan read the proposed definition of a historic sign and the proposed criteria for a historic sign, including the one that was added by the Planning Commission. Chairman Mayer mentioned that the Planning Commission had suggested adding item "e.", that the sign must be restored to its original condition. Chairman Mayer asked if the members of the Planning Commission had any other questions or comments about the proposed amendment. None of the members did. He then asked if any members of the public had any questions or comments. Mr. Boggess said he had a couple of questions. He mentioned that he and Council had discussed that Council would be responsible to designate historic signs; however, the proposed amendment gives that power to the zoning administrator. He, as the zoning administrator, did not have a problem with doing that. He just wanted to make sure that Council agreed with it. He also felt that being able to designate a sign that was installed before January 1, 1960, and that meets only one of the other criteria might not be enough for him to rule

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out certain signs. He recommended that, in order to be designated as historic, they meet at least two or three of the other criteria in addition to the January 1, 1960, requirement. He said he would prefer that it be required that more criteria be met in order to receive the designation, and he asked that the Planning Commission take that into consideration. Mr. Obenchain said that, the way this was written, it would have allowed the Clover Creamery sign to be repainted with fluorescent paint. Mr. Boggess said it might have been possible. Chairman Mayer disagreed. He said it would not have been possible because of item "e." that the Planning Commission had added and due to the sign not being fluorescent to begin with. Chairman Mayer asked if any of the general public had any questions or comments. No one had any further questions or comments. There was some further discussions regarding item "e" and whether or not it should be moved up on the list. Ultimately, it was decided to leave it as it was originally placed. Mr. Jones noted that, in order to be designated as historic, a sign would have to meet all of the lettered criteria—"a.", "b.", "c.", etc., in addition to meeting several of the numbered criteria. With that, Chairman Mayer closed the public hearing at 7:32 p.m. and called for a motion. Mr. Patterson made a motion to recommend approval of the sign ordinance amendment, as amended to say that the sign must meet three of the numbered criteria instead of just one. Ms. Michelsen seconded the motion. A roll call vote was taken and all members voted in favor of the motion. At 7:33 p.m., the matter was turned over to Town Council for their public hearing on it.

For the next item on the Planning Commission agenda, Bruce Mayer, due to being the petitioner, stepped down from his position as Chairman into the citizens' area and relinquished the meeting to Vice Chairperson Drewery. She opened the public hearing at 7:35 p.m., and called for the next petition. It was a request from Bruce Mayer, for a rezoning of approximately 0.182 acres of a vacant lot located to the east of 340 East Virginia Avenue, from RB Residential Business District to GB General Business District. Ms. McMillan handed out a photocopy of a proffer to each of the Planning Commission and Town Council members. It was received just prior to this meeting from the petitioner. Vice Chairperson Drewery asked Ms. McMillan to summarize the request. Ms. McMillan said Mr. Mayer had submitted a request to rezone a portion of a property he owned from RB Residential Business to GB General Business. She stated that a major portion of the lot was already zoned GB General Business and that only a small portion of it was zoned RB Residential Business. She mentioned some of the uses and special uses that are allowed in the GB General Business District. She stated that the resubdivision of Mr. Mayer's lots was approved in July 2005. She said that the property is now split-zoned. She briefly described the surrounding properties and their zoning and future land use designations. She mentioned that a public hearing had been scheduled in August; however, they did not have a quorum at the meeting. Therefore, the request was not heard. She said that a citizen, Ms. Fowler, was at that meeting, and that she had later met with staff regarding the request. She said Ms. Fowler was concerned that people coming to and from this lot would begin using the gravel alley that is located to the rear of the property. She is concerned about the use of the alley because she runs a day care out of her home and would be worried about the children's safety if the alley were to be more heavily used. Mr. Obenchain asked where the alley is located. Ms. McMillan showed him and the other Council members on a map where the alley is located. Mr. Jones said he felt that the hill would be too steep to make use of that alley. There was some discussion as to whether the alley should be closed. However, Ms. McMillan stated that another citizen had come into the office and said he definitely did not want that alley to be closed. Mayor Grose mentioned that Mr. Mayer's proffered condition to not have access from his property to that alley may alleviate Ms. Fowler's concerns. Mr. Mayer asked if he could give them some history on the property. He stated that he had a house that was on the lot torn down

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a couple of years ago. He said that the lot needed more frontage so it can be developed. He mentioned that the house on the other property is for sale as a residence. As far as this lot, he has no plans for it as yet. He stated that the access to the lot would be from Virginia Avenue. Vice Chairperson Drewery asked if any Commission members had any further questions or comments. No one did. She asked if there were any citizens there to speak on the request. There were none. Vice Chairperson Drewery closed the public hearing at 7:46 p.m. and asked for a motion on the request. Mr. Jones made a motion to recommend the rezoning with the proffer from Mr. Mayer. Ms. Michelsen seconded the motion. A roll call vote was taken and all four members voted in favor of the motion. Vice Chairperson Drewery informed the Town Council that the Planning Commission had voted to recommend approval of the request with the submitted proffer added.

With there being no further business, the meeting was adjourned at 7:49 p.m. by Vice Chairperson Drewery.

Respectfully Submitted,

Anita McMillan  
Planning Commission Secretary