

Note from Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

SMYTH COUNTY PLANNING COMMISSION

Thursday, May 25, 2023

The Smyth County Planning Commission met in their regular meeting on Thursday, May 25, 2023, at 6:30 P.M. in the Smyth County Office Building.

Commissioners Present: Hazel Wagoner, Chairperson, Atkins District; Graham Davidson Jr., Vice-Chairman, Chilhowie District; Lea Meadows, Park District; Tony Dean, Royal Oak District; Paul Shepherd, Rye Valley District; and Robert Campbell, North Fork District

Commissioners Absent: David Spence, Saltville District

Staff Present: Clegg Williams and Becca Creasy

At approximately 6:30 p.m. Mrs. Wagoner called the meeting to order.

Adoption of Agenda: Mrs. Wagoner opened the floor for motions to approve the agenda as presented. Mr. Dean made a motion to approve the agenda which was seconded by Mr. Davidson, with the following vote recorded.

Vote: 6 yeas	Campbell, Davidson, Dean, Meadows, Shepherd, and Wagoner
1 absent	David Spence, Saltville District

Appointment: Mr. Williams introduced Lea Meadows who is fulfilling the unexpired term for the Park District. The other Commissioner's introduced themselves and welcomed Ms. Meadows.

Minutes: Mr. Shepherd made a motion to approve the minutes of the Thursday, March 23, 2023, meeting. Mr. Campbell seconded the motion, and the following vote was recorded.

Vote: 6 yeas	Campbell, Davidson, Dean, Meadows, Shepherd, and Wagoner
1 absent	David Spence, Saltville District

5/25/2023 6:33 PM BZA Advisory Opinion: Mr. Williams reviewed Section 7-1.6(j) of the Zoning Ordinance that allows the Planning Commission to submit an *advisory opinion* on any matter before the BZA if they wish to do so. He then provided a timeline of events since Robert de Camara's special use permit for an airport had been approved by the Board of Supervisors stating de Camara was approved for a 60' x 2400' airstrip; however, only built 40' x 1400'. He explained the airstrip is currently shorter than the proposed site plan and had it exceeded the proposed site plan he would have had a different opinion. Ms. Wagoner asked for confirmation that the airstrip is shorter than proposed to which Mr. Williams confirmed.

5/25/2023 6:37 PM Mr. Davidson stated he felt the Planning Commission and Board of Supervisors had followed the process and "done their job" and felt they should let the Board of Zoning Appeals do the same and he did not wish to provide an *advisory opinion*. Ms. Wagoner asked Mr. Davidson if that was a motion to which he confirmed it was.

Ms. Veda Odle requested to speak. Ms. Wagoner allowed her three minutes. Ms. Odle stated she felt Mr. de Camara was flying his plane just 30 feet above her house and felt a 1400 foot runway was unsafe.

5/25/2023 6:40 PM After Ms. Odle's time was finished, Ms. Wagoner explained there would not be any decisions made by the Planning Commission at the meeting. With a motion on the table,

Ms. Wagoner asked if anyone wished to second Mr. Davidson's motion. Mr. Shepherd seconded the motion, and the following vote was recorded.

Vote: 6 yeas	Campbell, Davidson, Dean, Meadows, Shepherd, and Wagoner
1 absent	David Spence, Saltville District

Citizens' Time: No citizens present requested to address the Commission.

Other Business: None.

Questions/Comments for the Commissioners: None.

Recess: At approximately 6:42 p.m. Mrs. Wagoner recessed the Planning Commission's meeting until their 7:00 p.m. public hearing.

JOINT PUBLIC HEARING WITH BOARD OF SUPERVISORS

Board Members Present: Charlie Atkins, Chairman, Atkins District; Lori Deel, Vice-Chairperson, Rye Valley District; Roscoe Call, Saltville District (electronically); Phil Stevenson, North Fork District; and Courtney Widener, Royal Oak District

Board Members Absent: Kris Ratliff, Park District and Michael Sturgill, Chilhowie District

Commissioners Present: Hazel Wagoner, Chairperson, Atkins District; Graham Davidson Jr., Vice-Chairman, Chilhowie District; Tony Dean, Royal Oak District; Paul Shepherd, Rye Valley District; Lea Meadows, Park District and Robert Campbell, North Fork District

Commissioners Absent: David Spence, Saltville District

Staff Present: Shawn Utt, County Administrator; Clegg Williams, Assistant County Administrator - Development; Becca Creasy and Auna Louthian, Administrative Assistants

Others: Stephanie Porter Nichols of Smyth County News

5/25/2023 7:06 PM Charles Atkins, Chairman of the Board of Supervisors, and Hazel Wagoner, Chair of the Planning Commission, called the joint public hearing to order. Due to a lack of citizens, reading the legal ad (attached) and rules of procedures during public hearings was forgone.

5/25/2023 7:02 PM Clegg Williams explained the special use permit application for an Event Center from Kermit and Teresa McCall on their property located at 592 South Fork Road in Marion, Virginia. He stated letters were mailed by first-class to the adjoining property owners and he had not received any comments or questions about their application. They propose to provide an outdoor venue for weddings, family reunions, church events, etc. He stated he spoke to VDOT and understands the McCall's have received the information they need prior to issuing a commercial entrance permit. Staff recommends a condition they receive VDOT approval should their application be ultimately approved.

5/23/2023 7:04 PM Kermit and Teresa McCall introduced themselves and explained their intent to establish an outdoor event center to host weddings, reunions and church events, etc. Mr

McCall expressed his gratitude to staff for their assistance through this process. They explained this would generate additional income so they can retire. They stated they both have a professional history and are able to operate a business. They would like their venue to be Christian based and affordable. They then discussed their meeting with VDOT and the requirements they have to meet to be issued a commercial entrance permit. They stated their disagreement with VDOT's decision because there are other events in their neighborhood that generate more traffic but do not have a commercial entrance like the one VDOT is requiring them to install. Mr. McCall stated he measured approximately 405 feet of sight distance up South Fork Road and essentially unlimited sight distance down South Fork Road. They stated they only want to host around twelve events per year, an average of two a month. They indicated there will not be any cooking and renters will be required to have events catered if they choose to do so. They are going to work with VDOT to uncover every avenue to make their event center happen if they are approved.

5/23/2023 7:14 PM Commissioner Campbell asked what VDOT's requirement are. Mr. Williams explained there is a list that VDOT provided to the McCall's. They presented a copy of the list for review.

5/23/2023 7:15 PM Board member Lori Deel stated her opinions about VDOT's requirements being unfair when others are not required to meet the same requirements. She offered her assistance to the McCall's stating she will help however she can.

5/23/2023 7:16 PM Board Member Courtney Widener asked about other businesses, like a barber shop, being required to have a commercial entrance. Mr. McCall said VDOT informed them if you are a commercial business you have to have a commercial entrance. Mr. Widener expressed his willingness to assist the McCall's with VDOT.

5/23/2023 7:17 PM Lori Deel asked who they met with at VDOT. Mrs. McCall stated Pam Heath and Rachael Brown visited the property. Mrs. Deel asked if there was any way the McCall's could apply for an agricultural exemption. Mr. Williams explained VDOT has different entrances and that there isn't one specific commercial entrance; for example, three homes using one entrance is required to meet commercial entrance requirements.

5/23/2023 7:21 PM Mr. McCall stated he learned more from Mr. Williams in ten minutes than he did with VDOT in 50 minutes. They estimate they will be able to generate about \$10,000 annually and simply can't afford to invest \$20,000 to start their business.

5/23/2023 7:23 PM Board member Roscoe Call asked what time they intend to allow events to take place. Mr. McCall said before dark because they do not intend to install lights. Mr. Call asked about alcohol. Mr. McCall stated it would be an alcohol-free facility and there would not be loud music.

5/23/2023 7:26 PM Chairman Atkins stated there were no citizens signed up to speak on their request. He further expressed his opinion that the Board needs to find a way to make it work with VDOT.

5/25/2023 7:26 PM Considering no citizens wished to speak and no other comments Mr. Atkins and Mrs. Wagoner closed the joint public hearing, and Mr. Atkins adjourned the Board's meeting.

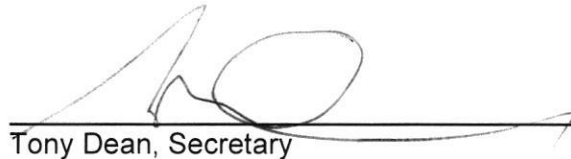
5/25/2023 7:28 PM Chairperson Hazel Wagoner reconvened the Planning Commission's meeting to make recommendations on the proposed special use permit request.

5/25/2023 7:28 PM Kermit and Teresa McCall - recommendation on proposed Special Use Permit for Event Center After reviewing the file and taking into consideration all comments heard tonight, Mr. Dean felt the application meets the standards set out in Article 6-2.3 and made a motion to recommend approval of the special use permit for an *Event Center* upon approval from VDOT as allowed in Article 6-2.4, which was seconded by Mr. Davidson and the following vote was recorded.

Vote: 6 yeas
1 absent

Campbell, Davidson, Dean, Meadows, Shepherd, and Wagoner
Spence

5/25/2023 7:29 PM Mrs. Wagoner adjourned the meeting.



Tony Dean, Secretary