

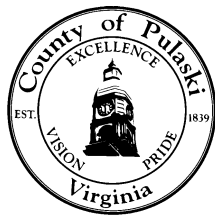
At a regular meeting of the Pulaski County Planning Commission held on **Tuesday, August 8, 2006** at 7:00 p.m. in the Board of Supervisors Meeting Room of the County Administration Building, 143 Third Street, NW, in the Town of Pulaski, the following members were present: Andrew Hall, Chairman; Dr. Doug Warren, Vice-Chairman; Richard Guthrie; William Kegley; Frank Conner; Larry Hancock; and Basil Scott. Staff members present were: David Tickner, Community Development Director, Dari Jenkins, Zoning Administrator; Shawn Utt, Community Development Director; Peter Huber, County Administrator; and Melody P. Taylor, Secretary.

1. Call to Order:

Chairman Hall called the meeting to order and welcomed those present.

1-a. Presentation of Resolution – David Tickner

By consensus, the Planning Commission adopted the following resolution:



## *Resolution of Appreciation*

*David R. Tickner*

WHEREAS, David Tickner has served the citizens of Pulaski County as Community Development Director from May 21<sup>st</sup>, 2001 to July 28<sup>th</sup>, 2006; and

WHEREAS, during that time of service to Pulaski County, David Tickner performed his duties as Staff to the Pulaski County Planning Commission in a fair and judicious manner; and

WHEREAS, David Tickner gave to Pulaski County his time, skills and total commitment of his ability and training; and

WHEREAS, David Tickner did consistently consider the rights of the individual, as well as the rights of the general citizenry of Pulaski County; and

WHEREAS, David Tickner, developed a positive working relationship with the Planning Commission and county staff; and

WHEREAS, through his work as Community Development Director, he has represented the County on numerous boards and commissions, including the New River Valley Airport Commission, New River Valley Economic Development Alliance's Prospect Team, the County's Clean Community Council and Pulaski Encouraging Progress; and

WHEREAS, his diligent work in Economic Development for the County has resulted in the location of many new businesses and the expansion of the two Enterprise Zones; and

WHEREAS, the respect David Tickner gave to the citizenry during his service was equally returned by the Planning Commission, staff and citizens; and

WHEREAS, with his new endeavors, he will be afforded the opportunity to spend much more time "on the slopes";

NOW, THEREFORE BE IT RESOLVED, that the Pulaski County Planning Commission does hereby commend and express its appreciation for the service of David Tickner to the county and its citizens.

BE IT RESOLVED that the text of this resolution be spread upon the minutes of Pulaski County Planning Commission this 8th day of August, 2006 in permanent testimony of its appreciation to the service of David Tickner.

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 Andrew Hall, Chairman  
 Pulaski County Planning Commission

Mr. Huber thanked Mr. Tickner for his help in amending the Zoning Ordinance, particularly with Special Use Permits (SUP). Mr. Huber introduced Shawn Utt as the new Community Development Director.

2. Public Hearing(s):

2-a. A rezoning request by **North Radford Septic Tank Service Incorporated** to Industrial (I1) on property identified as tax map no. 029-001-0000-0042, 42B and 42C (9.1 acres total), currently zoned Commercial (CM1); and tax map no. 029-001-0000-049B, 49C and 49D (3.42 acres total) currently zoned Residential (R3), located in the 7800 block of Peppers Ferry Boulevard (Rte. 114), directly across Rte. 114 from Mason Street, Cloyd District. The properties zoned Commercial (CM1) are designated as Industrial and the properties zoned Residential (R3) are designated as Residential on the Future Land Use Map of the 2000 Comprehensive Plan. Uses proposed are a concrete production facility, contractor's storage yards and other industrial uses as permitted by right in the Industrial (I1) Zoning District with a minimum lot size of 1 acre.

To: Planning Commission	Prepared by: Dari Jenkins
Case Numbers: 2006-67-08	Date: July 28, 2006
Tax Map Numbers: 029-001-0000-0042, 42B, 42C, 49B, 49C, 49D	
Owner: North Radford Septic Tank Service, Inc.	
<b>General Information</b>	
Applicant(s)	Tyrone G. Long
Status of Applicant(s)	President, North Radford Septic Tank Service, Inc.
Purpose	Rezoning to Industrial (I-1) is requested to bring existing nonconforming uses into compliance.
Existing Zoning	Commercial (CM-1) and Residential (R-3)
Location	7814 Peppers Ferry Blvd.

Size	Commercial – 9.10 acres Residential – 3.42 acres
Existing Land Use	Industrial – pre-cast concrete products
Surrounding land use and zoning	North – large agricultural parcels; zoned Industrial (I-1) and a large church, zoned Commercial (CM-1) East – Single-family residential units; zoned Residential (R) West – two single-family dwellings and seven duplex units; zoned Commercial (CM-1) South – large agricultural parcel; zoned Residential (R-3)
Comprehensive Plan	The Future Land Use Map indicates the majority of this property for Industrial growth; however, a small portion is projected for residential growth.
Zoning History	The properties have remained Commercial (CM1) and Residential (R3) as indicated on the aerial photo since the inception of zoning.
Applicable Regulations	Article 20 sets forth procedures for amendment and rezoning. Article 7 specifies uses permitted by right and by Special Use Permit in the Industrial (I-1) District.
<b>Special Information</b>	
Public Utilities	Public water and a private septic system are available to this property.
Public Services (Sanitation, Sheriff's, fire)	
Engineering (E and S)	No land disturbing activities are planned at this time.
Transportation (VDOT)	No additional entrances are requested at this time.
Other agencies: A.E.P.	
Other Agencies: D.E.Q.	
Other Agencies: Health Department	
Land Physical Characteristics	This property is mostly cleared except for some fairly dense trees along the outer boundary lines. The property slopes toward the south.
<b>Enclosures:</b>	Aerial Photograph with zoning Site photographs Future Land Use Map Article 7, Industrial District (I-1)

Ms. Jenkins presented staff comments. The property requested for rezoning to Industrial (I-1) lies south of Peppers Ferry Blvd. (Rt. 114), as shown on the enclosed aerial photograph. The applicant purchased this property in 1976 and has used the property industrially for thirty (30) years for the production and sale of pre-cast concrete products. The property is located in an increasingly strong growth area of the county with excellent access to Montgomery County and the City of Radford.

Mr. Long indicates that he desires rezoning to the Industrial (I-1) District to bring the existing nonconforming uses in to compliance with the Zoning Ordinance. If the rezoning is approved, the sale potential for the property as it is currently being used should be more favorable. There is a significantly large Industrial (I-1) District located to the north of Pepper's Ferry Blvd. (Rt. 114), eliminating the "spot zoning" potential of this parcel if the Commission and the Board of Supervisors favor approving this request.

The property is designated for industrial and residential use on the Future Land Use Map of the Comprehensive Plan. The property lies within the Northeast Pulaski County Planning area and Land Use Action Plan items include:

- Seek in-fill development in the community of Fairlawn.
- Continue encouraging development of the area as a full-service community.

Component Goal Objectives of the Comprehensive Plan include:

- Encourage new and expanded commercial and industrial activities to increase and diversify the county's economic base.
- Encourage the retention and expansion of existing firms.

Since the Future Land Use Map projects most of this area for industrial use, the proposed request appears to be consistent with the Comprehensive Plan. If the requested industrial rezoning is approved by the Board of Supervisors, any redevelopment of the property will require submittal of a site plan for approval by the Planning Commission.

Chairman Hall opened the public hearing. Mr. Kent Aikin, adjacent property owner mentioned Mr. Long has been a good neighbor but had concerns of future uses. Mr. Dallas Sweet and Ms. Carrie Owens spoke of concerns for future uses of the property. Mr. Greg Bishop noted concerns on the amount of dust, how it will affect the new elementary school, and lighting. Mr. Bishop stated in the summer time you are unable to see the business and asked if there could be a buffer of evergreens. Mr. Dan McKinney spoke of concerns that the industrial zone uses will be less compatible than the existing use. He also suggested possible buffers that could be volunteered by the property owner. Mr. Burley Gill spoke with concerns of buffer zones and limitations. Mr. Tyrone Long spoke in favor of the request and stated he appreciated the concerns of adjacent property owners. He went on to state that the tentative buyer needs more area for his business. Ms. Jenkins stated that the new owner could proffer standards upon themselves and submit them to staff before the Board of Supervisors meeting. Mr. Sweet spoke of his concerns about oil spills and fuel tanks. Mr. Long stated that one requirement is an environmental study. Mr. Long also explained the tank on the property has been removed and the new purchaser does not intend to have any type of tank at this time. Chairman Hall closed the public hearing. Ms. Jenkins stated storage tanks would need to meet the statewide building code, and require a building permit. Ms. Jenkins also noted the tanks would need to have double-walls, a dike and inspected, per DEQ standards.

Dr. Warren stated that the concerns about the future of the property, buffers, setbacks, the intrusion of lighting, dust, noise could be addressed with the site plan review process.

On a motion by Dr. Warren, seconded by Mr. Scott and carried, the Commission recommends approval of the rezoning request to the Board of Supervisors.

Voting Yes: Mr. Conner, Mr. Hancock, Dr. Warren, Mr. Hall, Mr. Scott, Mr. Kegley, Mr. Guthrie

Voting No: None

2-b. An application by **Judy Epperly** for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to amend the following section(s) of the Pulaski County Zoning Ordinance:

2-b.1 Amendment to **Article 1, Definitions Use and Design Standards**, defining an **Assisted Living Facility**:

2-b.2 Amendment to the Zoning Ordinance allowing an Assisted Living Facility as a use either by-right or by Special Use Permit in the Agricultural (A-1), Conservation (C-1), Residential (R-1), Residential (R-2), Residential (R-3) and Rural Residential (RR) Zoning Districts.

Ms. Jenkins presented staff comments.

2-b.1 Article 1, Definitions, Use and Design Standards

The applicant has recognized the need for a facility that specializes in providing individualized care for those who are "living with dying" in the New River Valley. The Pulaski County Zoning Ordinance makes no provision for an "Assisted Living Facility"; therefore, the applicant is requesting an amendment to the ordinance to allow an opportunity to "provide specially skilled care for the dying person in a peaceful, secure, homelike environment." Since the Code of Virginia defines "Assisted Living Facility", staff recommends amendment of the ordinance to include the definition below along with the standards proposed by staff:

**"Assisted Living Facility"** means, as defined in §63.2-100 of the Code of Virginia, any congregate residential setting that provides or coordinates personal and health care services, 24-hour supervision, and assistance (scheduled and unscheduled) for the maintenance or care of **four or more** adults who are aged, infirm or disabled and who are cared for in a primarily residential setting, **except**

- (i) a facility or portion of a facility licensed by the State Board of Health or the Department of Mental Health, Mental Retardation and Substance Abuse Services, but including any portion of such facility not so licensed;
- (ii) (ii) the home or residence of an individual who cares for or maintains only persons related to him by blood or marriage;
- (iii) (iii) a facility or portion of a facility serving infirm or disabled persons between the ages of 18 and 21, or 22 if enrolled in an educational program for the handicapped pursuant to §22.1-214 of the Code of Virginia, when such facility is licensed by the department as a children's residential facility under Chapter 17 (§63.2-1700 et seq.) of Title 63.2 of the Code of Virginia, but including any portion of the facility not so licensed; and
- (iv) (iv) any housing project for persons 62 years of age or older or the disabled that provides no more than basic coordination of care services and is funded by the

*U.S. Department of Housing and Urban Development including, but not limited to, U.S. Department of Housing and Urban Development Sections 8, 202, 221(d)(3), 221(d)(4), 231, 236 or 811 housing, by the U.S. Department of Agriculture, or by the Virginia Housing Development Authority.*

*Included in this definition are any two or more places, establishments or institutions owned or operated by a single entity and providing maintenance or care to a combined total of four or more aged, infirm or disabled adults.*

**An assisted living facility must meet the following standards:**

- 1. The structure, or any supplemental additions, shall maintain the appearance of a single-family residence. Each resident room having direct entrance or exit to the outside of the building shall be equipped with panic hardware and an alarm;*
- 2. Location of an Assisted Living Facility within 50 ft. of another dwelling must be screened by landscaping or an opaque fence approved by the Zoning Administrator so that light is reflected away from adjacent properties;*
- 3. No cooking shall be permitted in resident rooms;*
- 4. Health Department approval for kitchen facilities, if applicable, shall be required prior to the issuance of a zoning permit;*
- 5. Delivery trucks shall be permitted between the hours of 7:00 a.m. and 10:00 p.m.;*
- 6. Parking spaces as defined in Article 14 shall be provided based on one space for each employee during the maximum shift, and one space per two residents. Parking shall be provided in accordance with ADA requirements;*
- 7. A dumpster, if desired, requires screening approved by the Zoning Administrator;*
- 8. Medical waste disposal must be in accordance with OSHA regulations;*
- 9. The applicable license to operate an assisted living facility where required by Virginia Department of Health and Rehabilitative Services must be presented to the Zoning Administrator prior to the use being conducted. The use shall be deemed a violation of this Ordinance if there is a failure to maintain a valid license as required.*

Chairman Hall opened the public hearing. Ms. Judy Epperly spoke in favor of the request. Mr. Scott asked if Ms. Epperly planned to build a new facility or use existing facility. Ms. Epperly replied that she will use the existing structure. There being no further comments, Chairman Hall closed the public hearing.

On a motion by Mr. Guthrie, seconded by Mr. Scott and carried, the Commission recommended to the Board approval of the zoning text amendments as presented.

Voting Yes: Mr. Conner, Mr. Hancock, Dr. Warren, Mr. Hall, Mr. Scott, Mr. Kegley, Mr. Guthrie

Voting No: None

2-b.2 Amendment to the Zoning Ordinance allowing an Assisted Living Facility as a use either by-right or by Special Use Permit in the Agricultural (A-1), Conservation (C-1), Residential (R-1), Residential (R-2), Residential (R-3) and Rural Residential (RR) Zoning Districts.

Ms. Jenkins presented staff comments. The proposed definition of "Assisted Living Facility" recommended above includes standards meant to provide a "homelike

environment” for the resident and maintain a single-family residential appearance in order to blend into the neighborhood. With the standards proposed, staff feels the assisted living facility would be an appropriate use permitted by right in the Agricultural (A-1), Conservation (C-1), Residential (R-1), Residential (R-2), Residential (R-3) and Rural Residential (RR) Zoning Districts.

The goals of the individual zoning districts are provided below, along with the proposed zoning text changes. Please note that deletions are shown in ~~striketrough~~, and additions are *shaded and italicized*.

**ARTICLE 2: AGRICULTURAL DISTRICT (A-1)**

Statement of Intent

This district is designed to accommodate farming, forestry, and recreational and limited residential uses. While it is recognized that certain desirable rural areas may logically be expected to develop residentially, it is the intent, however, to discourage the random scattering of residential, commercial or industrial uses in this district.

2-1 Uses Permitted by Right <sup>1</sup>

Within the Agricultural District (A-1), the following uses are permitted by right. An asterisk (\*) indicates additional, modified, or more stringent standards are listed in Article 1, Definitions, Use and Design Standards.

- *Assisted Living Facility*

**ARTICLE 3: CONSERVATION DISTRICT (C-1)**

Statement of Intent

This district covers portions of the County which are occupied by various open spaces such as steep slopes, forests, parks, farms, marshland, lakes, or stream valleys, This district is established for the specific purpose of facilitating existing and future farming operations, conserving water and other natural resources, reducing soil erosion, protecting water sheds, reducing hazards from flood and fire and preserving wildlife areas of the County. This district also includes those areas designated as state forests and state parks. The district should allow for recreational uses compatible with its natural conservation purpose.

3-1 Uses Permitted by Right <sup>2</sup>

Within the Conservation (C-1), the following uses are permitted by right. An asterisk (\*) indicates additional, modified, or more stringent standards are listed in Article 1, Definitions, Use and Design Standards.

- *Assisted Living Facility*

<sup>1</sup> Section 2-1 Revised 03/23/1992 & 11/28/1994; Section Amended 04/25/2005 to omit “Mobile Homes/Manufactured Housing stored or used as accessory building.

<sup>2</sup> Section 3-1 revised 03/23/1992 & 11/28/1994; Section Amended 04/25/2005 to omit “Mobile Homes/Manufactured Housing stored or used as accessory building.

**ARTICLE 5B: RESIDENTIAL DISTRICT (R-1)**

Statement of Intent

This district is composed of certain quiet, low-density rural residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life and to prohibit all activities of a commercial nature. To these ends, development is limited to relatively low concentration and permitted uses are limited basically to single unit dwellings providing homes for the residents plus certain additional uses, such as schools, compatible recreational uses such as parks, and churches that serve the residents of the district.

5B-1 Uses Permitted by Right <sup>3</sup>

Within the Residential District (R-1), the following uses are permitted by right. An asterisk (\*) indicates additional, modified or more stringent standards are listed in Article 1, Definitions, Use and Design Standards.

- *Assisted Living Facility*

**ARTICLE 5C: RESIDENTIAL DISTRICT (R-2)**

Statement of Intent

This district is composed of certain quiet, medium density residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life and to prohibit most activities of a commercial nature. To these ends, development is limited to concentrations of medium density single and multiple dwellings plus certain public and recreational facilities that serve the residents of the district.

5C-1 Uses Permitted by Right

Within the Residential District (R-2), the following uses are permitted by right. An asterisk (\*) indicates additional, modified or more stringent standards are listed in Article 1, Definitions, Use and Design Standards.

- *Assisted Living Facility*

**ARTICLE 5D: RESIDENTIAL DISTRICT (R-3)**

Statement of Intent

This district is composed of certain quiet, medium to high density residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life and to prohibit most activities of a commercial nature. To these ends, development is limited to concentrations of medium to high density,

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<sup>3</sup> Section 5B-1 Revised 8/26/91



permanent, single and multiple dwellings plus certain public and recreational facilities that serve the residents of the district.

5D-1 Uses Permitted by Right

Within the Residential District (R-3), the following uses are permitted by right. An asterisk (\*) indicates additional, modified or more stringent standards are listed in Article 1, Definitions, Use and Design Standards.

- *Assisted Living Facility*

**ARTICLE 5F: RURAL RESIDENTIAL DISTRICT (RR) <sup>4</sup>**

Statement of Intent

This district is designed to provide a transitional area between more intensive agricultural uses and residential developments. The district does allow agricultural uses in a limited capacity, as well as single-family residences and other specific residential uses. While it is recognized that certain desirable rural areas may logically be expected to develop residentially, and other areas be expected to remain as an agricultural use, or in its "natural state", it is the intent of this district to minimize the impacts that agriculture can have on residential developments, and conversely, the impact residential development can have on agriculture.

Lands qualifying for inclusion in the Rural Residential (RR) Zoning District shall be designated only as either Agricultural or Residential in the Community Plan. Lots served by public water and sewer generally do not qualify under this Section. The minimum number of separate property owners needed to establish a district shall be two (2), and the minimum area shall be three (3) contiguous acres.

5F-1 Uses Permitted by Right

Within the Rural Residential District (RR), the following uses are permitted by right. An asterisk (\*) indicates additional, modified or more stringent standards are listed in Article 1, Definitions, Use and Design Standards.

- *Assisted Living Facility*

Chairman Hall opened the public hearing. There being no comments, the public hearing was closed.

On a motion by Mr. Guthrie, seconded by Mr. Scott and carried, the Commission recommended to the Board approval of the zoning text amendment by Special Use Permit (SUP) in all districts as listed above.

Voting Yes: Mr. Conner, Mr. Hancock, Dr. Warren, Mr. Hall, Mr. Scott, Mr. Kegley, Mr. Guthrie

Voting No: None

2-c. A request for Special Use Permit (SUP) by **Beulah House Incorporated** to allow an Assisted Living Facility on property identified as tax map no. 055-001-0000-056A, (1.02 acres), zoned

<sup>4</sup> District Added 08/25/2003

Residential (R-1), located at 4704 Caddell Road (Rt. 638), approximately 400 feet from its intersection with Cougar Trail Road (Rte. 643), Draper District.

<b>To: Planning Commission</b>	<b>Prepared by: Dari Jenkins</b>
<b>Case Numbers:</b>	<b>Date: July 28, 2006</b>
<b>Tax Map Numbers:</b>	<b>055-001-0000-056A</b>
<b>Owner:</b>	<b>Beulah House Incorporated</b>
<b>General Information</b>	
Applicants	Judy Akers Epperly, RN
Status of Applicants	President, Board of Directors for Beulah House Founder & Executive Director, Beulah House Hospice Nurse
Purpose	Requesting approval of SUP if necessary to allow an assisted living facility on the property.
Existing Zoning	Residential (R-1)
Location	4704 Caddell Rd.
Size	1.02 acres
Existing Land Use	Single-family residential
Surrounding land use and zoning	North – Some manufactured homes and medical offices; zoned Commercial (CM-1) East – Single-family dwellings; zoned Residential (R-1) West – large vacant lot and medical offices; zoned Conditional Commercial (CM-1) South – Large vacant lot; zoned Conditional Commercial (CM-1)
Comprehensive Plan	The Future Land Use Map designates this area for agricultural use.
Zoning History	This property has remained Residential (R-1) since the inception of zoning in 1989.
Applicable Regulations	Article 17-3 sets for the procedure for approval of Special Use Permits.
<b>Special Information</b>	
Public Utilities	This property is served by public water and a private septic system.
Public Services (Sanitation, Sheriff's, fire)	

Engineering (E and S)	No land disturbing activities are proposed at this time.
Transportation (VDOT)	An existing residential entrance serves this residence.
Other agencies: A.E.P.	
Other Agencies: D.E.Q.	
Other Agencies: Health Department	Inspection of the kitchen facilities by the Health Dept. is required.
Land Physical Characteristics	The property slopes down toward Caddell Rd. The parcel is mostly clear, except a large stand of trees on the western and southern boundary lines.
<b>Enclosures:</b>	Aerial Photograph with zoning Site Photographs Survey Plat Site Plan Information about Beulah House

Ms. Jenkins presented staff comments. The applicant has purchased a house on 4704 Caddell Rd. with the hope of using it as a "facility that specializes in providing individualized care for those who are 'living with dying' in the New River Valley". The applicant wishes to provide a place which looks and feels like home in which individuals may reside during the last days of a terminal illness.

The survey plat indicates the house is 283 ft. from Caddell Rd. (Rt. 638). The house is situated further back on the hill than other houses located on Caddell Rd., allowing an opportunity to provide a "peaceful, secure, homelike environment" necessary for the comfort of the resident and other family members who may wish to visit.

The property is well maintained; however, some renovations will be necessary to provide for the needs of the residents. The applicant will obtain a building permit for the work and will also be inspected by the State Fire Marshal and Virginia Dept. of Health prior to receiving a certificate of occupancy from the building official.

Additional parking will be necessary, but should be easily accomplished. The standards specified in the definition of "assisted living facility" should provide adequate protection of the adjacent residential neighbors.

Chairman Hall opened the public hearing. There being no comments, the public hearing was closed.

On a motion by Mr. Conner, seconded by Mr. Hancock and carried, the Commission recommended to the Board approval of the Special Use Permit request.

Voting Yes: Mr. Conner, Mr. Hancock, Dr. Warren, Mr. Hall, Mr. Scott, Mr. Kegley, Mr. Guthrie.

Voting No: None

2-d. An application by **Volvo Trucks North America Inc.** for an amendment to the Pulaski County Zoning Ordinance to add a use not provided for, per Section 17-5, to amend the following section(s) of the Pulaski County Zoning Ordinance:

- Amendment to **Article 1, Definitions Use and Design Standards**, defining a **Small Wind Energy System**;
- Amendment to the Zoning Ordinance allowing a **Small Wind Energy System** as a use either by-right or by Special Use Permit in the Industrial (I1) Zoning District.

Mr. Tickner presented staff comments. Volvo Trucks North America is applying for a Use Not Provided For, under Article 17-5 of the Pulaski County Zoning Ordinance. The applicants wish to place a wind turbine on their property for the purpose of generating power to the facility. The turbine would, of course, not provide power for the entire facility, but could possibly power the lighting for the freestanding sign visible from Interstate 81 on Cougar Trail Road. The applicant is applying for this use as either a use by-right or by Special Use Permit in the Industrial (I1) Zoning District. ***As is always the case with uses not provided for, the Commission and Board must consider the impact of the use not only on the subject parcel, but in the zoning district in which it is proposed as a whole.*** In this case, the use is being proposed in the Industrial (I1) Zoning District only.

The Commission had discussed this topic briefly at several meetings, and had representatives from James Madison University present information to the Commission. The JMU Representatives provided the County with a generic ordinance for possible use in creating new regulations. Staff has requested from those university representatives additional ordinances and information, including some ordinances that had actually been adopted by a locality in Virginia. However, at the time of the Planning Commission meeting, none have been provided. David Rundgren with the Planning District Commission was able to find an ordinance that had been adopted by Rockingham County, and provided that to staff.

The windmills that Volvo is referring to are not uses provided for anywhere in the Zoning Ordinance currently. While the Ordinance does allow for windmills, it does not differentiate between what might be considered a "traditional" windmill versus one that is providing power. In fact, a windmill as such is not defined in the Ordinance at all. From limited staff research, there appear to be some significant differences between a traditional windmill and a power-generating windmill. A few years ago, a company approached the Board of Supervisors to gauge their interest in constructing a windmill farm, on Cloyd's Mountain. The Board was informally not in favor of such a use – and given the nature and characteristics of such a use staff would prefer to proceed cautiously.

There are several characteristics of these types of windmills that merit consideration:

1. The windmills are typically higher, some likely as high as a typical telecommunications tower. Because of the aesthetic impacts of towers, most localities throughout the country have adopted regulations specifically addressing towers. Pulaski County is no exception.
2. The "typical" windmill may have blades that are 30' in diameter, and quite high off the ground. True wind generating windmills typically have much larger blades (80' in diameter or greater) that may be closer to the ground.
3. Windmills obviously need to be in proximity to a good source of wind. In Southwest Virginia, the strongest areas are at mountain tops and/or ridgelines.

4. Although no staff members have seen such windmills, there is a basic understanding that these devices can generate a significant noise when functioning – when the wind is moving the blades.
5. The size and weight of the towers can have an adverse impact on people, animals and structures in close proximity in the event of a structural failure.

Although there are a number of issues that would need to be addressed in evaluating the feasibility and impact of allowing such use, wind generation for power is an upcoming use and a green energy that should not be overlooked. As petroleum supplies dwindle and the pushes for more ecologically-friendly energy sources are favored, this will likely not be the last time that this use type is considered and proposed.

The model ordinance provided by James Madison University; the other is the ordinance that was adopted by Rockingham County. The ordinances appear to be virtually the same, just structured a bit differently. *Staff has not had the opportunity to research this topic in-depth at this time, thus only some general direction can be provided at this time.* It appears that it would be beneficial to differentiate between a traditional windmill and one truly constructed to generate power. The definition used in the ordinances, *Small Wind Energy System*, appears to be quite suitable. Staff will hereafter refer to this as such.

Many of the “features” of the ordinances appear to have similar characteristics to telecommunications towers, with regards to items such as overall aesthetics, lighting, lot size and separation from other structures, interference with other communications systems, requirement of photo simulations, etc. Some additional requirements that certainly deserve consideration include:

1. Proof of liability insurance;
2. Proof of acceptability by the power company (AEP);
3. Noise excess limitations;
4. Separation between blades at the lowest point and the ground and other structures.

Given the complexity of the issue, and the infinite number of considerations for each case, staff is recommending that this use be allowed by Special Use Permit only. This allows the Commission and Board to evaluate each application on an individual basis. Staff also feels that the best way in which to structure this is to give the Commission and Board some general guidelines to use in considering each case. For example, rather than imposing a set height limitation, consider height generally. In some areas of the County, a height of 100 feet could be devastating, in areas such as Cloyd’s Mountain, where in the Corporate Center, with tall buildings and a water tank, the visual impact would be significantly less.

With this in mind, staff is proposing the following additions to the Pulaski County Zoning Ordinance, under Definitions and the Industrial (I1) Zoning Districts. Deletions are shown as ~~strikethrough~~ and additions are *italicized and highlighted*.

### **Article 1, Definitions Use and Design Standards**

***Small wind energy system:*** *A wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which will be used primarily to reduce on-site consumption of utility power. Small wind energy systems shall meet the following requirements:*

1. *Small wind energy systems shall not be artificially lighted unless required by the Federal Aviation Administration (FAA) or appropriate authority.*
2. *No part of the structure shall have any sign, writing or picture that can be construed as advertising.*
3. *Small wind energy systems shall not exceed 60 decibels in sound, as measured at the closest property line. This level may occasionally be exceeded during short-term events such as utility outages and/or severe windstorms.*
4. *The applicant shall provide evidence that the proposed height of the small wind energy system does not exceed the height as recommended by the manufacturer.*
5. *The applicant shall provide evidence that the provider of electric utility service to the site has been informed of the applicant's intent to install an interconnected customer-owned electricity generator, unless the applicant intends, and so states on the application, that the system will not be connected to the electricity grid. This notification will take place by having the electric utility provider sign the special use permit application. This signature does not construe approval for net metering by the electric utility.*
6. *The applicant provides proof of adequate liability insurance for a small wind energy system. Whether or not the applicant is participating in the net metering program, the applicant will be required to meet the insurance coverage requirements set forth in 20 VAC 5-315-60.*
7. *The small wind energy system generators and alternators should be constructed so as to prevent the emission of radio and television signals and shall comply with the provisions of Section 47 of the Federal Code of Regulations, Part 15 and subsequent revisions governing said emissions.*
8. *Building permit applications for wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the Uniform Statewide Building Code and certified by a licensed professional engineer shall also be submitted.*
9. *Wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.*
10. *Building permit applications for wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.*
11. *Wind energy systems connected to the utility grid must comply with the Virginia Administrative Code 20 VAC 5-315: Regulations Governing Energy Net Metering.*

## **Article 7, Industrial District (I1)**

### **7-3 Uses Permitted by Special Use Permit Only**

*Small wind energy system (with additional requirements in Article 7-9)*

### **7-9 Special Use Permit criteria for small wind energy systems**

*In reviewing an application for these uses, the Planning Commission and Board of Supervisors, may consider the health, safety and general welfare of the public in accordance with the Preamble to this Ordinance and Section 15.2-2283 of State Code. To this end, the Planning Commission and Board of Supervisors may consider the following factors as well as other appropriate land use considerations:*

1. *The nature of the surrounding area and the extent to which the proposed use might significantly impair its present or future development;*

2. *The size of the lot and the potential impact of a catastrophic structural failure;*
3. *The proximity of structures, parking lots, animals, trees and other developed or non-developed land features and the potential impact of the system on such;*
4. *The probable effect of the proposed use and its noise levels on the peace and enjoyment of people in their homes;*
5. *The preservation of cultural and historical landmarks and trees;*
6. *The probable effect of noise, vibrations and glare upon the uses of surrounding properties;*
7. *The overall height of the structure and its impact on the surrounding environs.*

Chairman Hall opened the public hearing. Mr. Hagee an adjacent property owner spoke in opposition to the windmill. Mr. Jeff Briggs, Outreach Administrator, Virginia Wind Energy Collaborative at James Madison University, spoke in favor of the request. Mr. Briggs clarified there are two (2) sizes of the wind energy systems. Mr. Briggs stated small Turbines have been around for 20 years and were designed to withstand hurricane force winds. Mr. Briggs explained that large turbines have 100'+ blades. There being no further comments, Chairman Hall closed the public hearing.

Dr. Warren had concerns with the terminology of small wind energy system. Discussion followed by Jeff Briggs and the Commission.

On a motion by Mr. Scott, seconded by Mr. Guthrie and carried, the Commission recommended to the Board approval of the zoning text amendment as proposed by SUP in the Industrial District. Discussion followed again.

Voting Yes: Mr. Conner, Mr. Hancock, Mr. Scott, Mr. Kegley, Mr. Guthrie  
 Voting No: Dr. Warren, Mr. Hall

2-e. A request for Special Use Permit (SUP) by **Volvo Trucks North America Inc.** to allow a Small Wind Energy System on property identified as tax map no. 065-001-0000-001B and 1C, (274.15 acres), zoned Industrial (I1), located at 4881 Cougar Trail Road (Rte. 643) at the New River Valley Truck Plant, Massie District.

To: Planning Commission	Prepared by: David Tickner
Case Numbers:	Date: July 28, 2006
Owner:	Volvo Trucks North America
<b>General Information</b>	
Applicants	Volvo Trucks North America
Status of Applicants	Owners of property
Purpose	To place an experimental small wind energy system on the lot and determine feasibility of future wind generation use.
Existing Zoning	Industrial (I1)
Location	Cougar Trail Road, at the New River Valley Truck Plant
Size	274.15 acres
Existing Land Use	Industrial – truck assembly facility.

Surrounding land use and zoning	<p>North – Other industries and vacant County-owned property in Cougar Industrial Park and the Corporate Center zoned Industrial (I1).</p> <p>East – Two small single-family subdivisions zoned Residential (R1) and agricultural/vacant land zoned Agricultural (A1).</p> <p>West – Agricultural/vacant land zoned Industrial (I1).</p> <p>South – Two small existing lots zoned Industrial (I1); Interstate 81; land either vacant or in use as single-family residences zoned Commercial (CM1)</p>
Comprehensive Plan	Property is designated as Industrial on the Future Land Use Map for the North Central Planning area. Adjoining parcels are designated the same use as the underlying zoning.
Zoning History	Property has been zoned Industrial (I1) since the inception of zoning.
Applicable Regulations	<p>Article 17-5 of Zoning Ordinance sets “uses not provided for” and approval process.</p> <p>Article 7 regulates uses in the Industrial (I1) Zoning District.</p> <p>Article 17-3 provides procedures for uses allowed by Special Use Permit.</p>
<b>Special Information</b>	
Public Utilities	Public water and sewer are available to the site, although none are needed for the proposed project.
Public Services (Sanitation, Sheriff’s, fire)	NA
Engineering (E and S)	Any land disturbance may require an Erosion and Sediment Control Plan
Transportation (VDOT)	Cougar Trail Road, Route 643, is a feeder street in the County that experiences significant “peak” traffic times due to the High School and numerous industries that have direct access to the road. The average daily traffic count for this area is approximately 7,500 VPD according to 2002 VDOT estimates.
Other agencies: A.E.P.	NA
Other Agencies: D.E.Q.	NA
Other Agencies: Health Department	NA



Land Physical Characteristics	Land is fairly level and very gently rolling. The area where the tower is proposed to be located is higher up than Cougar Trail Road by about 10-15 feet, and slightly above the existing neighborhoods. The area for the proposed facility currently has no structures or trees with the exception of a freestanding sign and 2 pads for vehicle display.
<b>Enclosures:</b>	Aerial photography Site photographs Portions of site plan as provided by Volvo

Mr. Tickner presented staff comments. **In the event that the Board of Supervisors ultimately allows Small wind energy systems in the Industrial (I1) Zoning District as a use by Special Use Permit, the following is submitted:**

The Volvo truck plant has applied to allow a wind generating windmill, or small wind energy system, at their facility on Cougar Trail Road in Pulaski County. The 275 acre property is the home of the New River Valley Truck Plant, where Volvo and Mac Trucks are assembled. The company would like to place a small energy wind system (wind system) on the property for two purposes: 1) To provide supplemental power, likely to power the lighting for existing signage and 2) To evaluate the merits of such a system and see if additional systems may be useful someday. The timeframe for the first system is sometime next year, and the feasibility of adding more will be evaluated only after a few years of numbers from the first system have been gathered.

The immediate area is a mixture of uses, including vacant agricultural land, other industries, Interstate 81 and two small neighborhoods. There are between 30-40 single-family homes to the east of the plant off Cougar Trail Road. The Interstate itself runs close to the neighborhoods, without a lot of natural land features such as trees or a hill to buffer them from the noise.

The site photos depict the environment at ground level. As can be seen, the tower for the system will be extremely visible from the interstate. Cougar Trail rises slightly above the plant property along the borders of the two neighborhoods – thus the system would have the effect of seeming slightly lower in height. There is literally nothing that this system, as proposed, would fall into if it collapsed, except for the two truck pads and freestanding sign. The entire area is devoid of trees or other screening. This could be seen as a benefit for the applicant, but a detriment to the neighborhood, as trees could provide some degree of screening.

While the impact of the plant on the neighborhoods itself seems minimal based on the distance between them, the windmill is being proposed at a location much closer to these homes. The site plan prepared by Volvo and titled, "JMU/NRV Windmill," gives a graphic depiction of the propose structure and also shows its location on the property. The proposed tower is 80 feet in height, with an additional approximate 11' of the turbine blade. The diameter of the blades is 22' and the blades themselves are very high above the ground. No lighting is proposed, and no color finish for the tower and blades is shown. There are several components of the project that can be seen from the site portion of the plan:

1. There is an 80' buffer around the proposed system, the anticipated fall zone. However, this zone does not take into account the additional 11' length of the blades that should be included in the fall zone.
2. The system is being proposed at a location that would keep it from falling on Cougar Trail Road or any other structures on the Volvo property, including the two display trucks and freestanding sign.
3. The proposed location appears to be about 9 feet below the grade of Cougar Trail Road in the curve.

While there is literature on the noise levels of such apparatuses, given the proximity of Interstate 81 and its noise, the effects from a decibel standpoint may be minimal. While staff does not have a decibel meter, it might be in the best interest of all parties concerned to get a current reading of decibel levels as a base standard for measurements of its individual impact.

Chairman Hall opened the public hearing. There being no comments, Chairman Hall closed the public hearing.

On a motion by Mr. Kegley, seconded by Dr. Warren and carried, the Commission recommended to the Board approval of the Special Use Permit (SUP).

Voting Yes: Mr. Conner, Dr. Warren, Mr. Hall, Mr. Scott, Mr. Kegley, Mr. Guthrie  
 Voting No: None  
 Abstain: Mr. Hancock

2-f. An initiative by the **County of Pulaski** to amend the following sections of the Pulaski County Zoning Ordinance:

- Amendment to Article 1, **Definitions Use and Design Standards**, stipulating that uses permitted by-right with standards as set forth in this Article must submit a plan of development showing compliance with Article 18 of the Zoning Ordinance, with the exception of the requirements set forth in Article 18-6.3 through 18-6.6 and 18-6.10.
- An amendment to Article 1, **Definitions Use and Design Standards**, defining and setting standards for **storage tanks, above ground**.
- An amendment to articles 2, 3, 4, 6A, 6B, 7, 9, 10 and 12 allowing **storage tanks, above ground**, 10,000 gallons or less as a use by-right in the Agricultural (A1), Conservation (C1), Commercial (CM1), Transitional Industrial (IO), Planned Industrial (PID), Industrial (I1), NRV Airport Overlay (NRVA1), Landfill Overlay (LD1) and PUD Zoning districts; An amendment to articles 2, 3, 4, 6A, 6B, 7, 9, 10 and 12 allowing **storage tanks, above ground**, greater than 10,000 gallons as a use allowed by Special Use Permit in the Agricultural (A1), Conservation (C1), Commercial (CM1), Transitional Industrial (IO), Planned Industrial (PID), Industrial (I1), NRV Airport Overlay (NRVA1), Landfill Overlay (LD1) and PUD Zoning districts.

Mr. Tickner presented staff comments.

- Requirements of uses permitted by-right with standards

Over the past few years, staff, the Planning Commission, and Board of Supervisors have worked to eliminate many of the Special Uses in the Zoning Ordinance. During much of this process, we have designed standards for these uses that must be complied with. Most of these standards have been placed within Article 1, as the Article was renamed to Definitions, Use and Design Standards. However, we neglected to set a format in which to measure

each project to assure that it met all of the requirements set forth in Article 1. The most logical way in which to do so is to require the submittal of a site plan. Given the complexities and numerous requirements of a site plan, valid in instances like the location of a large commercial center, it appears that this would not need to apply to a smaller individual running a smaller project. With this in mind, staff would like to propose that some sort of plan be submitted by these uses to verify compliance and keep on record. These plans would be reviewed administratively, and not by the Planning Commission, as the uses are already. Below is the format in which we see this best fitting:

### **ARTICLE 1, DEFINITIONS, USE AND DESIGN STANDARDS**

*Any uses within this Article containing standards must be evaluated by the Zoning Administrator to ensure compliance with those standards. Any party desiring to establish a use with standards as defined in this Article must submit a plan of development showing compliance with the standards set forth. The plan of development must comply with all requirements of Article 18 of this Ordinance, Site Development Plan, with the exception of Article 18-6.3 through 18-6.6 and 18-6.10.*

Chairman Hall opened the public hearing. There being no comments, Chairman Hall closed the public hearing.

On a motion by Dr. Warren, seconded by Mr. Hancock and carried, the Commission recommended to the Board approval of the zoning text amendment as presented.

Voting Yes: Mr. Conner, Mr. Hancock, Dr. Warren, Mr. Hall, Mr. Scott, Mr. Kegley  
Voting No: Mr. Guthrie

- Above ground storage tanks

**Due to a staff error in interpreting all requirements of the Zoning Ordinance, this item will need to be re-advertised for next month.**

We have recently had several applications for above ground storage tanks, and made changes to allow such by Special Use Permit. However, in attempting to ease the regulatory and administrative processes, staff would like to consider allowing certain size storage tanks as uses by-right rather than by Special Use Permit.

The prime consideration for this was the above-ground storage tank recently approved for fuel at the River Course golf course. The tank was relatively small in size, and probably would have been approvable as a use by right with the proper safeguards in place.

The first step is to define an above ground storage tank. The next step is to determine the size of the tanks and their impact on the subject property and adjoining lots. There is also the issue of what would happen if there were to be a rupture in a tank.

With this in mind, please find below proposed text changes, with standards, defining and then allowing certain types of above ground storage tanks as either a use by right or by Special Use Permit (the proposed omitted text is shown in ~~strikethrough~~ and the proposed added text is shown in *italics and highlighted*):

***Storage tanks, above ground:*** *Tanks utilized for the storage of materials, solid liquid or gas in form, that are partially or wholly above grade. Tanks in excess of 10,000 gallons of liquid storage or 8,593 gallons of dry storage are permitted only by Special Use Permit. Pulaski County public water and sewer utility units shall require only a site plan review.*

*Tanks less than 10,000 gallons liquid storage of 8,593 gallons of dry storage must meet the following requirements:*

1. *If the materials stored in the tank are classified as hazardous, then the tank must be double-walled;*
2. *The structural character, placement and maintenance must meet the requirements of the Virginia Uniform Statewide Building Code;*
3. *The tank must be at least 25 feet from all property lines;*
4. *The tank must be protected from accidental vehicular collision by the placement of concrete bollards or barriers along any side of the tank that abuts a parking area, parking space, alley, right-of-way or other area of vehicular access;*
5. *The tank must not be directly behind, beside, or in front of a dumpster or other refuse collection area. There must be at least 15 feet of separation between any such refuse collection area and the storage tank;*
6. *When a tank is placed on a lot adjoining a residentially-zoned lot and the tank is within 150 feet of the dwelling on that residentially-zoned lot, the tank must be shielded from view of that lot by landscaping as approved by the Zoning Administrator.*

**ARTICLE 2: AGRICULTURAL DISTRICT (A-1)**

**2-1 Uses Permitted by Right**

- *Storage tanks, above ground, less than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

**2-3 Uses Permitted by Special Use Permit (SUP) Only**

- *Storage tanks, above ground, greater than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*
- ~~Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review. Exempt from these requirements are:
 
  - a. ~~tanks eight (8) feet in height or less intended to serve single family residences for water and/or heating fuel, and~~
  - b. ~~tanks eight (8) feet in height or less and 1,000 gallons or less for agricultural uses.~~
  - c. ~~Any tank used for agricultural purposes when such tank is located at least 1,000 feet from adjoining property.~~~~

**ARTICLE 3: CONSERVATION DISTRICT (C-1)**

**3-1 Uses Permitted by Right**

- *Storage tanks, above ground, less than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

**3-3 Uses Permitted by Special Use Permit (SUP) Only**

- *Storage tanks, above ground, greater than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

- ~~Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review. Exempt from these requirements are:~~
  - ~~d. tanks eight (8) feet in height or less intended to serve single family residences for water and/or heating fuel, and~~
  - ~~e. tanks eight (8) feet in height or less **and** 1,000 gallons or less for agricultural uses.~~
  - ~~f. Any tank used for agricultural purposes when such tank is located at least 1,000 feet from adjoining property.~~

**ARTICLE 4: COMMERCIAL DISTRICT (CM-1)**

**4-1 Uses Permitted by Right**

- *Storage tanks, above ground, less than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

**4-3 Uses Permitted by Special Use Permit (SUP) Only**

- *Storage tanks, above ground, greater than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

- ~~Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review. Exempt from these requirements are:~~
  - ~~g. tanks eight (8) feet in height or less intended to serve single family residences for water and/or heating fuel, and~~
  - ~~h. tanks eight (8) feet in height or less **and** 1,000 gallons or less for agricultural uses.~~
  - ~~i. Any tank used for agricultural purposes when such tank is located at least 1,000 feet from adjoining property.~~

**ARTICLE 6A: TRANSITIONAL INDUSTRIAL DISTRICT (IO)**

**6A-1 Uses Permitted by Right**

- *Storage tanks, above ground, less than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

**6A-3 Uses Permitted by Special Use Permit (SUP) Only**

- *Storage tanks, above ground, greater than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

- ~~Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review.~~

**ARTICLE 6B: PLANNED INDUSTRIAL DISTRICT (PID)**

**6B-1 Uses Permitted by Right**

- *Storage tanks, above ground, less than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

**6B-3 Uses Permitted by Special Use Permit (SUP) Only**

- *Storage tanks, above ground, greater than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*
- ~~Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review.~~

**ARTICLE 7: INDUSTRIAL DISTRICT (I-1)**

**7-1 Uses Permitted by Right**

- *Storage tanks, above ground, less than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

**7-3 Uses Permitted by Special Use Permit (SUP) Only**

- *Storage tanks, above ground, greater than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*
- ~~Private Tanks or Pump Stations (above ground), except Pulaski County public water and sewer utility units shall require only a site plan review.~~

**ARTICLE 10: LANDFILL DISTRICT (LD-1)**

**10-2 Use Regulation by Special Use Permit (SUP) Only:**

- *Storage tanks, above ground, greater than 10,000 gallons of liquid storage or 8,593 gallons of dry storage*

**ARTICLE 12: PUD DISTRICT (PUD)**

12-2 Permitted uses

- *Storage tanks, above ground, less than 10,000 gallons of liquid storage or 8,593 gallons of dry storage.*

3. Other Zoning Matters: **NONE**

4. Plan Reviews(s):

4-a. Site Plan Review

- 3-a.1. A request by **Ruby Tuesday, Inc.** for a site plan review to allow construction of a restaurant on property owned by **JJM Properties L L C** identified as tax parcel 038-001-0000-142C, (2.2720 acres), zoned Commercial (CM1), located at 7331 Lee Hwy. (Rt. 11), Cloyd District. (Administratively approved on August 1, 2006)

4-b. Minor Site Plan Report

Summary of Site Plans Approved by the Zoning Administrator							
Property Owner	Tax Map Number	Description Of Project	Zone	Bldg Area	Location	District	Approval Date
James F. & Regina D. Kesling	095-004-0000-0004	Sales and Servicing of Agricultural Equipment	A-1	720 sq. ft.	7690 Wilson Grove Rd.	INGLES	07-06-2006

5. Reports from the Zoning Administrator:

5-a. Board of Supervisors Action:

- 5-a.1. A rezoning request by **DLR Group L L C** from Commercial (CM1) to Planned Unit Development (PUD) on property identified as tax map no. 038-002-0000-0001, 26 and 29 (project area approximately 15.1 +/- acres), located at 6749 Lee Hwy. (Rt. 11), at the entrance to the Motor Mile Speedway, Cloyd District. The property is designated as Commercial on the Future Land Use Map of the 2000 Comprehensive Plan. Uses proposed include multi-family residential and other uses as allowed in the Planned Unit Development at a density of no greater than fifteen (15) units per acre. **(Board approved rezoning request with submitted concept plan and signed voluntary proffers on July 24, 2006)**
- 5-a.2. A rezoning request by **DLR Group L L C** from Commercial (CM1) to Agricultural (A1) on property identified as tax map no. 038-002-0000-0001, 26 and 29 (project area approximately 9.8 acres), located at 6749 Lee Hwy. (Rt. 11), at the entrance to the Motor Mile Speedway, Cloyd District. The property is designated as Commercial on the Future Land Use Map of the 2000 Comprehensive Plan. Uses proposed include uses generally allowed in the Agricultural (A1) Zoning District and a campground at a density of no greater than 30,000 square feet for each permanent single-family residence (campground density not yet determined). **(Board approved rezoning request with signed voluntary proffers on July 24, 2006)**
- 5-a.3. A request by **DLR Group L L C** for consideration of a Special Use Permit (SUP) to allow development of a campground on property identified as tax map no. 038-002-0000-0001, 26 and 29 (project area approximately 9.8 acres), located at 6749 Lee Hwy. (Rt. 11), at the entrance to the Motor Mile Speedway, Cloyd District. The property is currently zoned Commercial (CM1), with a rezoning proposed to Agricultural (A1) to allow the proposed campground. **(Board approved Special Use Permit (SUP) request to allow development of a campground with signed voluntary proffers on July 24, 2006)**
- 5-a.4. An initiative by the **County of Pulaski** to amend the following sections of the Pulaski County Zoning Ordinance:
  - Amendments to Article 1, **Definitions Use and Design Standards**, proper referencing of Town Houses;

**(Board approved amendments as presented on July 24, 2006)**

5-b. Board of Zoning Appeals:

5-b.1. New Filings:

- 5-b.1.1. A request by **Wal Mart Real Estate Business Trust** for a variance to Section 15 Sign Regulations of the Pulaski County Zoning Ordinance on property

identified as tax map no. 065-001-0000-0057, zoned Commercial (CM1), located on the northwest side of Alexander Rd., (Rt. 683), Draper District. (Hearing scheduled for August 15, 2006)

5-b.2. Action: **None**

5-b.3. Appeals Pending with Circuit Court: **None**

6. Reports from Subdivision Agent:

6-a. JULY 2006 Subdivision Summary

Summary Of Subdivision Plats Approved by the Subdivision Agent							
Subdivision Name	Tax Map Number & Street	Total Area In Acres	Zone	No. Lots	Size In Acres Smallest/Largest	District	Approval Date
* MICHAEL & KATHY GAY	026-1-14 OFF RT 627 HIGHLAND RD	9.643	A1	2	.689/8.954	CLOYD	7-17-2006
JOHN DALTON, JR.	091-1-46 OLD RT 100 RD	161.097	A1	2	36.743/124.354	DRAPER	7-20-2006
CONNIE SNIDER	108-1-78A JULIA SIMPKINS RD	10.16	R1	2	1.76/8.40	INGLES	7-20-2006
* SHIRLEY HENLEY	093-003-0000-0011 WILLOWBROOK LN.	16.434	A1	2	1.004/15.43	INGLES	7-26-2006
A copy of the approved subdivision plat for subdivisions of 5 lots or more is enclosed with this summary  * <b>Indicates family subdivision</b>							

6-b. Other Subdivision Matters: **NONE**

7. Approval of Minutes:

On a motion by Mr. Hancock, seconded by Mr. Conner and carried, the Commission approved the July 11, 2006 minutes as presented.

Voting Yes: Mr. Conner, Mr. Hancock, Dr. Warren, Mr. Hall, Mr. Scott, Mr. Kegley, Mr. Guthrie

Voting No: None

8. Other Matters:

8-a. Miscellaneous Information from Staff

- Fairlawn Community Meeting at Riverlawn Elementary School on August 10, 2006, 7:00 p.m.

8-b. Other Commission Matters

9. Adjournment:

On a motion by Dr. Warren, seconded by Mr. Scott and carried, the meeting was adjourned.



Voting Yes: Mr. Conner, Mr. Hancock, Dr. Warren, Mr. Hall, Mr. Scott, Mr. Kegley,  
Mr. Guthrie  
Voting No: None

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Andrew Hall, Chairman

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Melody P. Taylor, Secretary