

Mr. Nicely called the September 14, 2015 meeting of the Botetourt County Planning Commission to order at 6:00 PM, in Meeting Room 102 of the Old District Courthouse in Fincastle, Virginia.

PRESENT: Mr. Hiawatha Nicely, Jr., Chairman
Mr. William Thurman, Vice-Chairman
Mr. Sam Foster, Member
Mr. Steven L. Kidd, Member
Mr. John Griffin, Member
Dr. Mac Scothorn, Ex-Officio Member
Mrs. Nicole Pendleton, Planning Manager/Zoning Administrator
Ms. Amanda McGee, Planner
Mrs. Laura Goad, Community Development Permit Technician

ABSENT: Mr. Mike Lockaby, County Attorney

ALSO PRESENT: Mr. Cody Sexton, Information Specialist

After Mr. Nicely opened the meeting and welcomed those in attendance, he introduced Staff and Planning Commission members, and then read the procedures for the public hearing.

Mr. Nicely stated the Board of Supervisors would hear these requests on September 22, 2015 at 6:00 PM at the Greenfield Education Training Center.

Mr. Nicely asked if there were any discussions regarding the July 13, 2015 minutes and requested a motion.

Mr. Kidd motioned to approve the July 13, 2015 minutes as written.

Mr. Griffin seconded the motion, which was unanimously approved 5:0:0:0 with the following recorded vote:

AYE: Mr. Griffin, Mr. Thurman, Mr. Nicely, Mr. Foster, Mr. Kidd
NAY: None
ABSTAIN: None
ABSENT: None

Mr. Nicely stated the public hearings for next month would be held on Wednesday, October 14, 2015 due to the Columbus Day holiday and the Planning Commission would meet in the Kroger parking lot for the field review on Thursday, October 8, 2015 at 3:15 PM.

Public hearings

Valley Magisterial District: Ardith R. Overbay requests a Change of Proffers in a Residential Use District (R-3), related to the phasing of construction for the Cottages of Steeplechase development located off Read Mountain Road (Route 654) Roanoke, VA, referenced in the Office of the Clerk of the Circuit Court as Plat Book 59, Pages 4 through 6. The property is

located 0.08 miles southwest of the Arrington Lane (Route 849)/Read Mountain Road (Route 654) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 107, Parcel 234C.

Mrs. Pendleton read the request aloud as she displayed the zoning map of the R-3, Residential lots, as well as the aerial photo with the applicants' concept plan. She stated that existing proffers restricted the development within Phase 2 to begin only after twenty-five (25) Certificates of Occupancy were issued in Phase 1. She further stated that Mr. Overbay now requested the proffer amendment to allow for the Cottages of Steeplechase, Phase 2 to be platted and recorded after fifteen (15) lots were sold or under contract. Mrs. Pendleton said the accelerated phasing of this project would not affect the overall development, however the platting of Phase 2 while Phase 1 construction is not complete might increase construction traffic to the site. She stated that in November 2012, the Board of Supervisors approved rezoning for Cottages of Steeplechase; the concept plan indicated the project would have fifty-five (55) lots, built in two phases; Phase 1 would include twenty-five (25) lots and Phase 2 would have thirty (30) lots. She noted the existing proffers included with the information package, provided as conditions for approval. Mrs. Pendleton said that according to the submitted, revised concept plan, Phase 1 contained twenty-seven (27) lots that have all been recorded; as of August 17, 2015, builders had obtained four (4) building permits issued within Phase 1; the developer has obtained VDOT and DEQ approval, plus permits regarding erosion and sediment control; grading and construction on the road was partially complete; bonds were held by the County on Phase 1 road construction; Primrose Court and a portion of Sunrise Court have been platted and recorded for Phase 1. She indicated that Phase 2 has not been recorded, but will include Carrington Court and the remaining portion of Sunrise Lane. Mrs. Pendleton referred to the original concept plan, and noted the revised concept plan just given to the Planning Commission by the applicants illustrated structures, which would be addressed by the applicant. Mrs. Pendleton said that overall, the number of lots had been reduced to forty-three (43); all internal roads would be private roads built to VDOT standards and certified by the engineer, with the exception of the Teresa Lane extension, the through street connection from Mountain Crest Subdivision to Read Mountain Road. She pointed out specific revisions that Proffer 1 related to the revised concept plan with substantial conformance and the date had been changed to July 15, 2015. For Proffer 2, the date was changed to July 14, 2015 to reflect the revised concept plan, and no changes were proposed for the third proffer. Mrs. Pendleton commented that the most substantial changes occurred in Proffer 4. She read, "The development will be in two phases. (27 lots in Phase 1 and 16 lots in Phase 2). Phase 2 to start once 15 lots are sold or under contract within Phase 1. " She noted the change of "from 25 Certificates of Occupancy" to "15 lots sold or under contract." Concerning the fifth proffer, Mrs. Pendleton said the road shown going to Read Mountain Road would be built as part of Phase 2. There would be no change in private streets, and Proffer 4 was the most substantial. She mentioned that Phase 2 started with fifteen (15) contracts, the original proffer had additional sentence, which was proposed to be deleted, and there were no proposed Special Exception Permit changes to the two conditions for the approved private roads. Mrs. Pendleton stated that the entrance from Read Mountain Road shall be approved in writing by VDOT, prior to the final subdivision plat approval, and the entrance shall be the primary construction entrance, which has occurred. The section of proposed new road beginning at Read Mountain Road continuing to Teresa Lane, shall be

accepted into the secondary highway system in order to provide safer access to area school children.

Mr. Griffin said his biggest problem or concern back then was off Mountain Crest, that the road was not open and questioned if there were no plans to open it.

Mrs. Pendleton deferred to the applicant.

Mr. Griffin established that Mr. Overbay requested to lower the number of lots from twenty-five (25) Certificates of Occupancy to fifteen (15) lots sold.

Mrs. Pendleton noted the proffer originally stated twenty-five (25) Certificates of Occupancy and the requested change was for fifteen (15) lots sold or under contract.

Mr. Foster understood that for houses currently under construction, that portion of the road did not have to be under VDOT standards until Phase 2 was underway. He commented that a lot of people from those houses would have to drive on dirt road.

Mrs. Pendleton responded that the way the current proffers were written, that the road did not have to be completed until Phase 2 was under construction.

Mr. Griffin confirmed that the road being discussed was not the entrance to Mountain Crest, but the entrance to Read Mountain Road.

Mr. Chris McMurry, LS of McMurry Surveyors in Daleville, said he was asked to submit this application on Mr. Overbay's behalf. Mr. Riley Overbay and Mr. John Kilby were both present to discuss this request. Mr. McMurry said the whole issue was the twenty-five (25) Certificates of Occupancy. He said the economy slowed down, and trying to get twenty-five (25) people to build houses before they constructed Read Mountain Road was desired, but harder, and if Mr. Overbay sold fifteen (15) lots, then he can go ahead, but now he could not construct the road to VDOT standards unless the proffers were changed.

Both Mr. Foster and Mr. Nicely requested clarification.

Mr. McMurry explained that the original proffers required Mr. Overbay to have twenty-five (25) Certificates of Occupancy, and that houses had to be built completely before they could start Phase 2. He further explained that they had no desire to build to Mountain Crest. Instead, they want to build the road out to Read Mountain Road, and run all of the traffic there until such time as the project was mostly completed and then the connection would be made to Mountain Crest. Mr. McMurry remembered the concern of traffic going to Mountain Crest.

Mr. Nicely asked if that meant the road to Read Mountain would be completed sooner.

Mr. McMurry said it would be completed sooner, and that five houses were currently under construction and they had to have state maintained road access, and they needed to finish the road to Read Mountain Road.

Mr. Foster wanted to know who owned the houses.

Mr. McMurry replied that one was owned by a private individual; others were owned by Mr. Jon Overbay, Mr. Syd Diffenbaugh, Ms. Anne Huffman, Mr. A. R. Overbay and Mr. Mark Dunbar.

Mr. Foster questioned building the houses prior to the second phase, as Mr. Kidd questioned if improvements would also be made to Read Mountain Road.

Mr. McMurry confirmed that improvements would be made to Read Mountain Road, that VDOT had already approved the design.

Mr. Kidd confirmed with Mr. McMurry that this request included these improvements to Read Mountain Road, and that construction traffic would still not enter that direction.

Mr. Griffin said it was his understanding that a problem was people would buy lots and not build on them, which would hold up the process.

Mr. McMurry replied that not everyone builds immediately, and they needed to allow for that.

When Mr. Nicely asked if the houses would be single-family dwellings, Mr. McMurry said they would be single-family dwellings.

Mr. Griffin said he thought one would be a double.

Mr. McMurry referred to the zoning ordinance change regarding the Altimira Subdivision, and because these were zero-lot line, and as long as the open side met the 20 feet setback, they did not have to be on property line. Mr. McMurry said that the one showing as duplex was now actually spread apart and the open side now had 20 feet.

Mr. Griffin confirmed that it would not be counted as a double with Mr. McMurry.

Mr. McMurry said they could build as a duplex, but because of the change in R-3 zoning, they did not have to do that.

Mr. Thurman noted that he was not on the Planning Commission during the original process. He asked about the reduction in number of lots.

Mr. McMurry said the reduction of lots was due to the pool property sale. He explained that from the aspects of engineering, and stormwater management easements, they changed from triplexes to single-family dwellings and the whole subdivision engineering was now complete.

Mr. Thurman questioned if that was why construction started with entrances not discussed.

Mr. McMurry said the original concern was that they wanted to break it up because Mr. Overbay could not run all of the traffic through Mountain Crest Subdivision; that they wanted a compromise, not realizing the Certificates of Occupancy were not feasible because not everyone was building right away, and now they wanted to go out to Read Mountain Road,

not Mountain Crest. He brought up the proffer of twenty-five (25) Certificates of Occupancy and the request for fifteen (15) lots sold, and not tied to Certificates of Occupancy. He continued that this would allow the road to be built out to Read Mountain Road, and not go to Mountain Crest until the very last.

Mr. Griffin wanted to know how many lots had been sold.

Mr. Overbay answered that sixteen (16) lots had been sold, and Mr. McMurry said only five (5) houses were under construction.

When Mr. Nicely asked if construction of the road would include a turning lane, Mr. McMurry said, yes, it was part of the road design.

Dr. Scothorn mentioned concerns of Mountain Crest residents about opening up the existing subdivision. Dr. Scothorn commented that Mr. McMurry had mentioned the term "sold", not "under contract" and stated he wanted to keep Mr. McMurry to that word because "under contract" did not mean as much as "sold".

Mr. McMurry said that was a surveyor's attempt to write the proffer, and he understood Dr. Scothorn's concern.

Regarding Read Mountain Road, Dr. Scothorn spoke of the need to have some expansion in that area because of the turmoil this development would cause. Dr. Scothorn also said he hoped to revisit VDOT.

Mr. Foster questioned Mrs. Pendleton about the meaning of the deletion of the second sentence in Proffer 5.

Mrs. Pendleton responded that it originally was one sentence with "Construction of the entrance off of Read Mountain Road (State Route 654) in Phase 1 of the development will begin within 30 days of the issuance of the 25th Certificate of Occupancy and said roadway will be completed prior to the issuance of any additional Certificates of Occupancy in this development." Mrs. Pendleton noted that, "and said roadway will be completed prior to the issuance of any additional Certificates of Occupancy in this development" had been deleted from revised Proffer 5.

Mr. McMurry requested to address that and said he forgot to include that portion.

Mr. Foster confirmed that the term "sold lots", was correct, and asked when the road had to be completed.

Mr. Foster wanted to know if building the road up to VDOT standards occurred at the point of twenty-five (25) total houses or fifteen (15) lots sold.

Mr. McMurry stated that if approved, they would start on the road and build it.

Mr. Foster indicated that the information did not say that.

Mr. McMurry stated that if the proffers were changed, “the road will be built to VDOT standards, everything except for the top 1 inch of pavement” due to construction traffic.

Mr. Foster verified with Mr. McMurry that this had nothing to do with selling lots in Phase 2, and if approved, road construction would start within thirty (30) days.

Dr. Scothorn and Mr. Nicely confirmed that “twenty-five (25) Certificates of Occupancy” was replaced with “fifteen (15) lots sold”.

Mr. Foster stated that the proffers need to read “road construction to begin within 30 days of this change.”

Mr. McMurry responded that the road was already under construction.

When Mr. Foster stressed that the wording had to be in the proffers, not verbal, Mr. Kidd stated the need to include updates to Read Mountain Road.

Dr. Scothorn repeated that the road construction was to start within thirty (30) days.

Mr. Kilby then spoke. He indicated they had no way to start within thirty (30) days without an agreement for curb, guttering and sewer. He further indicated that the road is bonded.

Mr. Foster stated that he wanted to see activity taking place.

Mr. Kilby said they had already started with getting the curb and gutter ready and they had already had people on site getting prices for construction.

Mr. McMurry said they needed to stabilize the road.

Mr. Nicely confirmed with Mr. McMurry that the applicant would change the wording of proffers.

There being no one else to speak, Mr. Nicely closed the public hearing.

Mr. Kidd said he felt more comfortable with the second part of proffer to begin road construction within thirty (30) days.

Mr. Foster said he felt better now than after driving through the subdivision. He also said he hoped this would help the serious erosion problem.

Mr. Griffin said he had no problem with this request, because it was hard to sell lots.

Mr. Thurman requested clarification regarding wording.

Mrs. Pendleton requested permission for input. Regarding proposed Proffer 4, “The development will be in two phases. (27 lots in Phase 1 and 16 lots in Phase 2). Phase 2 to start

once 15 lots are sold or under contract within Phase 1. The road shown going to Read Mountain Road will be built as part of Phase 2.” Mrs. Pendleton confirmed with the Planning Commission that their intent to state “once 15 lots are sold” and to remove “or under contract”.

After further discussion, it was determined that Proffer 5 would read, “Construction of the entrance off of Read Mountain Road (State Route 654) in Phase 1 of the development will begin within 30 days of the issuance of the 25th Certificate of Occupancy **15 lots sold and said roadway will be completed prior to the issuance of 25 lots sold in this development. [second sentence has been deleted]** Said roadway will be completed prior to the issuance of any additional Certificates of Occupancy.”

Mr. McMurry stated they would do everything associated with road construction, with the exception of the 1” asphalt cap.

Mr. Nicely asked Mr. McMurry if the final cap would be done if all but one lots were to be sold, even after two years.

Mr. McMurry said several subdivisions waited until the last house was in place before doing the 1” cap.

Mr. Kidd confirmed the road would be bonded.

Mrs. Pendleton asked if there was a number they would like to see in terms of lots sold, or Certificates of Occupancy that they would like to tie completeness that would warrant further definition.

Mr. McMurry suggested twenty-five (25) lots sold.

Mrs. Pendleton read, “Proffer 5 Construction of the entrance off of Read Mountain Road (State Route 654) in Phase 1 of the development will begin within 30 days of the issuance of the 25 lots sold and will be completed prior to issuance of any additional lots sold.

Mr. Griffin commented that would be less than half of the lots; Mr. Kidd agreed, saying that it was not open-ended and it was defined.

After further discussion, the wording was revised to, “Proffer 5 Construction of the entrance off of Read Mountain Road (State Route 654) in Phase 1 of the development will begin within 30 days of the issuance of the 15 lots sold and said roadway will be completed prior to issuance of 25 lots sold in this development.”

Mr. Kilby said they had already started the road, but even with the twenty-five (25) lots sold, there might seventeen to eighteen (17-18) more houses to build, and the last coat would be the last thing to be done. He explained that this was customary for most of the subdivisions within this county.

Mr. Nicely reiterated that after the twenty-fifth sold lot, the road must be completed with exception of top coat of asphalt.

Mr. Thurman motioned to forward Mr. Overbay's request for the following Change of Proffers to the Board of Supervisors with a recommendation of approval with the change of wording on the basis that the proposed request was consistent with the comprehensive plan and the purposes and intent of the zoning ordinance:

1. The project will be built in substantial conformance with the concept plan titled "Plat of rezoning for Ardith R. Overbay, showing a concept plan for the Cottages of Steeplechase, dated **July 15, 2015.**"
2. The Homeowners' Association shall manage open space, private roads, and stormwater management area as shown on the aforesaid plat dated **July 15, 2015** and as further indicated in covenants and restrictions for same.
3. The private streets will be inspected by a Professional Engineer registered in the State of Virginia during the construction phase to make sure they are built to VDOT current standards.
4. The development will be built in two phases. (**27** lots in Phase 1 and **16** lots in Phase 2). Phase 2 to start **once 15 lots are sold or under contract within Phase 1.** The road shown going to Read Mountain Road will be built as part of Phase 2.
5. Construction of the entrance off of Read Mountain Road (State Route 654) in Phase 1 of the development will begin within 30 days of the issuance of the 25th Certificate of Occupancy **15 lots being sold and said roadway will be completed, with the exception of the installation of the final asphalt cap, prior to 25 lots being sold in this development.**

Mr. Griffin seconded, which was approved 5:0:0:0, with the following recorded vote:

AYE:	Mr. Thurman, Mr. Nicely, Mr. Griffin, Mr. Foster, Mr. Kidd
NO:	None
ABSTAIN:	None
ABSENT:	None

Buchanan Magisterial District: RYT LLC requests to rezone 0.44 acres of a 2.0 acre parcel from an Industrial Use District (M-2), to a Business Use District (B-3), with possible proffered conditions; and requests a Special Exception Permit with possible conditions for truck (heavy) repair and light auto/truck repair in a Business (B-3) Use District in order to partially demolish an existing building and construct a new building for truck and auto repair at 14760 Lee Highway (U. S. Route 11) Buchanan, VA, located at the northeast corner of the Lee Highway/Hardbarger Road (Route 636) intersection, identified on the Real Property Identification Maps of Botetourt County as Section 76, Parcels 117 and 117A.

Mrs. Pendleton displayed the zoning map as she read the request aloud. She explained the property was currently split zoned Industrial, M-2, with approximately 0.455 acres zoned Industrial, that it had been rezoned from B3 to M2 in 2000 for the purpose of a machine shop that was never built. She said that the applicant stated the property had been zoned for use as an automobile service station and repair facility since the 1960s. Mrs. Pendleton stated that the property was accessible from Lee Highway, the new building would partially overlap the split zoned property portion; the applicant would store vehicles up to two (2) weeks prior to moving to other locations. She further stated the applicant would need building permits; that rezoning to B-3 would help clarify uses for this property; interior lot lines would be vacated; the property was located almost entirely within Flood Zone A and would require a flood elevation study. Mrs. Pendleton noted that with the new proffers submitted the property would be in substantial conformance with the provided site plan. She also stated that the 2010 Comprehensive Plan identifies this as a commercial area.

Mr. Foster asked about towing, rezoning from M-2 to B-3.

Mrs. Pendleton noted this property would not be affected by the proposed text amendment for the next agenda item.

Mr. Nicely confirmed with Mrs. Pendleton that an adjoining neighbor was already zoned similar to this.

Mr. Robert C. Hagan, of Fincastle, stated that he represented Mr. Robert Young (RYT LLC), who was also in attendance. Mr. Hagan described this request as a good fit at Exit 162, and adjacent to an existing towing facility. Mr. Hagan spoke of the Zoning Ordinance confusion with auto and body repair and towing, saying it was hard to figure out why they've been separated. He noted that as of this date, B-3 was the only district that allowed towing. Mr. Hagan questioned having separate facilities in separate parts of the county; he stated that no towing operation liked to keep vehicles stored. Mr. Hagan said that Mr. Young had sites in Roanoke City and Rockbridge County for storage. Mr. Hagan stated that Mr. Young was prepared to proffer no more than five (5) vehicles stored for no more than 90 days. He further stated this would not add to auto graveyards, and they would have another healthy competitor, with compatible uses of towing and repair.

Mr. Kidd asked Mr. Hagan to talk about the site, citing one page from 2013 showing the main part zoned M-2, new 60 by 60 foot garage, the new driveway and the 14 by 14 foot overhead door. He asked if the rest of buildings were going away.

Mr. Hagan replied that the smaller buildings to the south were staying, and the others were going.

Mr. Kidd confirmed with Mr. Hagan that the building with the glass storefront would stay, the metal building would be removed, and that five (5) inoperative vehicles would include cars, trucks, and motorcycles.

Mr. Young stated he would not store vehicles on the new area at all.

Both Mr. Foster and Mr. Griffin confirmed with Mr. Young that no vehicles would be store on the new portion.

After questioning from Mr. Thurman regarding ninety (90) days, Mrs. Pendleton said she wanted to clarify with Mr. Hagan, and would defer to their definition.

Mr. Hagan stated they would proffer no more than five (5) vehicles for no more than 90 days.

Mrs. Pendleton stated the necessity for a metes and bounds description of the 0.455 acres, to which Mr. Young concurred.

Mr. Hagan said it would be necessary to work with staff and the .44 acres had never been surveyed.

Mrs. Pendleton noted there was not much space on the site for vehicle storage that wasn't being taken up by the building as displayed by the revised concept plan.

Mr. Danny Simmons of Buchanan, and an adjacent property owner to Mr. Young, said he was opposed to this rezoning. Mr. Simmons mentioned a front and side fence put up, that he said was now falling down. He brought up the property's current split zoning, storage of wrecked vehicles, numerous complaints, vehicle storage on other lots owned by Mr. Young, and that rezoning would devalue his property. Mr. Simmons also showed the Planning Commission photographs.

Mr. Steve Lovell, of Cloverdale, spoke in opposition to the Buchanan rezoning. He said he could not remember this being a towing facility, that it was used as a service station, then as a machine shop, that it was two (2) different lots in the flood plain, that Mr. Danny Simmons had to go through a flood study prior to getting permission to build his business. He said this was not a good fit for Exit 162.

Mr. Hagan said if he implied this was used for towing, that was erroneous, and the property had been a service station and auto repair shop for fifty (50) years. He explained that the fencing at site was installed on site at county request; Mr. Young had no direct impact on Mr. Simmons' business, and that towing was a necessary business. He said that this was a good site for auto and truck repair, and for a towing facility, that this request would be a benefit for planning purposes to undo the split zoning, and bring the property back into conformity, that they would vacate the lot line, and the whole property would be a B-3 use.

Mr. Kidd noted the proposed metal building, and questioned how the building would look, how it would be used, service work, and storage.

Mr. Young, said he was not planning on doing tires or outside work, that he would mostly work on his own trucks, that he wanted this to look good, and the same person who constructed the building next door would do this one.

Mr. Kidd asked about the flood study.

Mr. Young said the building was not in the flood zone, according to his engineer, and the flood zone was in behind his lot.

Mrs. Pendleton stated that [FEMA] maps indicated almost the entire property was in the flood zone.

Mr. Young said that after 2010, his engineer did work there and he was not in the flood zone.

Mr. Griffin requested documentation of the floodplain, and asked about the number of stored vehicles now on the lot.

Mr. Young said the stored vehicles were all in the zone B-3 section to the north side of the property. He said he would not store against the building, because they would park very expensive trucks there.

Regarding the exterior, Mr. Young said they would use brick casing, 4-5 feet, maybe even stone.

Mr. Griffin said he was trying to understand the overlay, and asked about the 25 feet overhang in front.

Mr. Young explained that was where the two buildings would be joined together.

Mr. Thurman confirmed with Mr. Young that the new building was for servicing his own equipment.

Mr. Young responded that 99% was for his own equipment

Dr. Scothorn requested clarification from FEMA regarding the floodplain.

Both Mr. Nicely and Mr. Griffin stated that floodplain documentation would be needed before obtaining a building permit.

Mr. Foster requested a drawing of what the building would look like; he said other applicants had presented drawings, and he would have a hard time supporting this without seeing it.

When Mr. Kidd asked if the 60 feet x 60 feet drawing was to scale, Mr. Griffin said it was not.

There being no one else to speak, Mr. Nicely closed the public hearing at 7:21 pm.

Mr. Kidd noted that this request did not have support to pass, and mentioned an intent to give the applicant a chance to show the size to scale, and provide some construction detail for the building. He further noted it had been the Planning Commission's policy of having the applicant provide information regarding construction in the FEMA floodplain. Mr. Kidd stated that he thought there was a need to table the request to receive more questions answered.

Mr. Foster agreed.

Mr. Griffin stated that a more detailed drawing was needed.

At this point, Mr. Hagan said that Mr. Young wished to withdraw his request at this time, and that he wished to withdraw his application for Cloverdale.

After further discussion, at 7:28 PM, Mr. Kidd motioned for a brief recess, seconded by Mr. Nicely, which was unanimously approved 5:0:0:0, with the following recorded vote:

AYE:	Mr. Thurman, Mr. Nicely, Mr. Foster, Mr. Griffin, Mr. Kidd
NO:	None
ABSTAIN:	None
ABSENT:	None

At 7:42 PM, Mr. Nicely reconvened.

Mrs. Pendleton stated she would read the notice of withdrawal which was signed in writing by the applicant, and the Planning Commission would need to consent to the withdrawal, because the public hearing had been advertised. She also noted that the request could not be resubmitted for three months.

Mrs. Pendleton read, "Effective this date of September 14, 2015, I Robert Young, agent for RYT LLC, hereby withdraw my rezoning application for TM #76-117 and 76-117A and the text amendment request to add "towing" as a permitted use in the Industrial, M-1 Use District." Signed by Robert Young, September 14, 2015.

Mr. Kidd motioned to accept Mr. Young's signed statement of withdrawal. Mr. Foster seconded, which was unanimously approved 5:0:0:0, with the following recorded vote:

AYE:	Mr. Thurman, Mr. Nicely, Mr. Foster, Mr. Griffin, Mr. Kidd
NO:	None
ABSTAIN:	None
ABSENT:	None

Staff confirmed that no action was needed to withdraw the request for the proposed text amendment, as staff had received the withdrawal request in writing by the applicant.

Mr. Nicely thank all for attending.

Mrs. Pendleton said she was pleased to introduce Ms. Amanda McGee as the county's new Long Range Planner. She noted that Ms. McGee researched recent text amendments, is a graduate of Hollins University and Virginia Tech, and presented at the VA APA conference. Mrs. Pendleton confirmed that the county was still actively recruiting to fill another planner position.

Adjournment

There being no other business, on motion by Mr. Kidd at 7:45 PM, and seconded by Mr. Griffin, the Planning Commission adjourned with the following recorded vote:

Aye:	Mr. Thurman, Mr. Nicely, Mr. Griffin, Mr. Foster Mr. Kidd
Nay:	None
ABSTAIN:	None
ABSENT:	None