

**MINUTES OF THE MEETING OF THE TOWN OF VINTON PLANNING
COMMISSION HELD ON THURSDAY, NOVEMBER 3, 2011, AT 7 P.M., AT THE
VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET.**

MEMBERS PRESENT: **Dave Jones, Chairman**
 Dawn Michelsen, Vice Chairperson
 Bill Booth
 Paul Mason
 Bob Patterson

STAFF PRESENT: **Anita McMillan, Planning and Zoning Director**
 Julie S. Tucei, Planning and Zoning Coordinator

OTHERS PRESENT: **Stan Seymour, Petitioner, Bojangles'/Potomac Foods Real Estate**

 Ben Crew, Petitioner's Representative, Balzer and Associates
 Sean Horne, Balzer and Associates
 Renita McMillan, Citizen, 932 Bedford Road, Vinton

AGENDA:

- I. Call to Order**
- II. Approval of Minutes:**
 - Public Hearing—February 8, 2011**
 - Work Session—March 29, 2011**
- III. Public Hearing:**
 - Petition of Potomac Foods Real Estate, LLC, for a rezoning of three parcels of land off Bedford Road; two vacant parcels and 953 Bedford Road, tax map numbers 60.20-07-29.00, 60.20-07-30.00, and 60.20-07031.00, from R-3 Residential District to GB General Business District. The purpose of the rezoning is for the parking expansion of Bojangles' Restaurant.**
- IV. Other Business**
- V. Adjournment**

The meeting of the Vinton Planning Commission was called to order at 7:02 p.m. by Chairman Jones. All members of the Commission were present.

The first item on the agenda was the approval of minutes from the February 8, 2011, public hearing and the work session from March 29, 2011. A motion to approve both sets of minutes was made by Mr. Patterson and seconded by Mr. Booth. A roll call vote was taken, and all members voted in favor of the motion to approve both sets of minutes.

Chairman Jones introduced the public hearing concerning the rezoning of three parcels of land off Bedford Road for Bojangles. Ms. McMillan presented the staff report, a copy of which will become a part of the permanent record of this meeting. Ms. McMillan mentioned that the hearing was advertised in the Vinton Messenger, and also mail was sent to adjoining property owners. She stated that the Planning Department received no calls about the case. Chairman Jones asked if any commissioners had any questions. Mr. Booth asked about the driveway coming out onto Vinyard Road and if it will be expanded. Ms. McMillan stated that it would be moved to the northwest of the existing

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entrance driveway. Ms. McMillan asked the petitioner's engineer if they were going to provide fencing, as well as trees for screening. Mr. Crew stated that they would be using board-on-board fencing and evergreens. Mr. Booth said he visits the facility from time to time, and he felt that the relocation of the entrance will be an improvement. Ms. Michelsen asked if they would be providing any sidewalks along Vinyard Road. There were no plans for sidewalks to be provided in conjunction with this work. Next, Mr. Crew from Balzer and Associates presented the rezoning request. He stated that they would like to add 14 additional parking spaces, along with a buffer and landscaping. He said that the dumpster will be relocated and improved with an added storage area. He also mentioned the improved traffic flow with relocated entrance. Mr. Crew said this work will improve appearance of site. He mentioned that the buffers and landscaping they provide will continue to demonstrate that Bojangles' is a good neighbor in the Vinton community. Chairman Jones asked if any commissioners had any questions for Mr. Crew. Ms. Michelsen asked where the other exit will be, other than the one on Hardy Road. Ms. McMillan showed her on the aerial and the proposed plan. Chairman Jones asked if Mr. Horne had anything additional to say on behalf of Balzer and Associates. Mr. Horne declined. Mr. Seymour spoke next, first stating that he lives in the Cave Spring area. He stated that this was his first store, and that he is also planning to upgrade the inside of the restaurant, too. Mr. Seymour said he is trying to keep pace with his competitors. He plans to gut and redesign the dining room and customer service area around the same time as the parking lot expansion project. Chairman Jones asked if the house on Bedford Road is currently being used for storage. Mr. Seymour stated he used to have a tenant renting it, but it has been vacant for awhile and awaiting demolition. Mr. Booth asked if the interior and exterior work will be done at the same time. Mr. Seymour stated that he is trying to coordinate it together. Chairman Jones commented that Bedford Road would not be able to be used as an entrance or exit unless Mr. Seymour returns to the BZA to revise his original variance. Mr. Seymour stated that he understands that and has no plans to put an entrance off Bedford Road. Ms. Renita McMillan, of 932 Bedford Road, spoke next regarding the rezoning request. She stated that she moved to Vinton in 2009. She said she is two houses up from the stop sign on Bedford Road, and she pointed out her house on the aerial map for Chairman Jones. She mentioned that she is also a customer of the Vinton Bojangles'. Ms. R. McMillan expressed the following concerns about this project:

- the expansion will hurt her property value
- the dumpster being relocated closer to her home with the smell and also the noise when it is emptied especially during the early morning hours
- the skunks that frequent the existing dumpster area
- the new exterior lighting in the parking area
- a safety concern over the change of the driveway/entrance making it closer to a home that has children who play outside
- the lack of sidewalks causing foot traffic to cut through yards to access Bojangles'
- the bucket trucks that park daily behind Bojangles' in a gravel area along Bedford Road
- the circulation within the existing Bojangles' parking lot

She said that she hoped they would consider moving the dumpster over near the lube business where there are fewer nearby homes. She reiterated that she strongly opposes the proposed location of the dumpster, the danger to pedestrians, and the new lighting, but that she does not have an issue with the business expanding. Mr. Booth asked if the bucket trucks she spoke of were coming down Bedford Road just to park to go to Bojangles'. Ms. R. McMillan stated that

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they were. Ms. A. McMillan said she would ask the public works and the police departments check into the issue of parking along Bedford Road. Mr. Seymour said that by doing the project, he is trying to improve the parking on his lot. Ms. R. McMillan said that many times the traffic backs up past Bedford Road, so the relocation of the entrance will not make much difference. Mr. Crew mentioned that an improved dumpster enclosure is planned, so it will look better. He said they plan to add more landscaping and a 6 feet tall privacy fence to mitigate the effects on the nearby property owners. Mr. Seymour mentioned that he plans to put a clause in the contract with future dumpster companies that the dumpster can only be emptied between the hours of 7 a.m. and 9 p.m. In regards to the new lighting to be installed, Mr. Crew said it will be minimal—just enough for safety. Mr. Seymour stated that the new lights will be 600 watt halogen lights directed downward, and the fixtures will be 25 feet tall. Ms. Michelsen asked about the backup of traffic along Vinyard Road and if the improved flow on the property will help the issue. Mr. Crew said that he feels that it will improve it. Chairman Jones stated that the lighting will be addressed during the site plan process and will be required to comply with the zoning ordinance. Ms. R. McMillan asked again if the dumpster could be relocated farther away from the houses because of noise and smells. Mr. Seymour said they would look into the possibility of moving it. Chairman Jones closed the public hearing and asked for a motion. He also asked that the commissioners state their reasoning behind their votes when the roll call vote is taken. Mr. Booth made a motion to approve the rezoning request due to the move of the entrance farther down being an improvement for the area and also the overall improvement being made to the property. The motion was seconded by Mr. Patterson. A roll call vote was taken:

- Chairman Jones: Yes, because it is a good plan which will fit in with what is around it and will make a business function better. He said it will become better business in the town.
- Commissioner Booth: Yes, with his reason stated during his motion to approve the request.
- Commissioner Mason: Yes, because it is a good business decision to improve the flow of traffic. He also stated that he hopes Bojangles' will look into the concerns of residents.
- Commissioner Michelsen: Yes, she said she agrees with previous statements and that it is a thriving business so expansion is inevitable. She said she would also like the residents' concerns to be considered.
- Commissioner Patterson: Yes, he said he agrees with Ms. Michelsen and also felt that the owner of the business seems to be very cooperative.

Chairman Jones stated that the request is approved. Ms. Michelsen asked what the process would be to address the residents' concerns. Ms. A. McMillan stated that the rezoning request will be sent to Town Council with the Planning Commission's recommendation to approve it. She also said that Ms. R. McMillan is invited to the council meeting to be heard there as well. Ms. A. McMillan said council will make the final decision on December 6th. Ms. R. McMillan stated that she did not receive a meeting notification letter in the mail like her neighbors had received. Ms. A. McMillan apologized and stated that she was included on the mailing list.

In other business, the commissioners discussed conferences that had been attended by members recently. Mr. Jones asked about the Roanoke River Currents meeting held at Ferrum. Ms. McMillan updated him on the different workshops that were held at the meeting. Ms. McMillan stated that she always tries to email them to notify them of upcoming conferences. Mr. Booth

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attended the land use conference. He said it was a very good meeting facilitated by Michael Chandler; however, it was not well attended because of restricted budgets. He said it was a chance to meet and network with people from other localities. Ms. McMillan mentioned that Mr. Mason recently attended the certification program. Mr. Mason stated it was a very good program. Chairman Jones did one of the presentations there, and Mr. Mason said that he had done a good job. Ms. McMillan asked them to let her know if there are any upcoming conferences or classes that they wish to attend.

There was nothing further to be discussed; therefore, the meeting was adjourned at 7:54 p.m. on a motion by Mr. Patterson and a second by Ms. Michelsen.

Respectfully Submitted,

Anita McMillan
Planning Commission Secretary