BLACKSBURG PLANNING COMMISSION — January 3, 2023
Municipal Building Council Chambers — 6:30 p.m.

MINUTES

I. CALL TO ORDER

Chair Andy Kassoff called the meeting to order at 6:30 pm.

II. ROLL CALL

Present: T. Colley; J. Herbein; M. Jones; A. Kassoff; S. Rinehart; L. Walker; L. Watson
A. McClung-Planning and Building Director
K. Thomsen-Planning Technician

Absent: J. Ford Jr

III. CONSENT AGENDA

A. RZN 22-0003-Request for an amendment to previous rezoning Ordinance #746 to modify a Planned Commercial PC zoning district including permitted uses at 1055 Plantation Road (Tax Map No. 254-A-18) by Broadstreet Partners, LLC (applicant) for Blacksburgs Greens BLD LLC (owner).
ACTION: Schedule public hearing for February 7, 2023.

B. CUP 22-0006-Condtional Use Permit for Mini-Warehouse Use in the Planned Commercial PC zoning district at 1055 Plantation Road (Tax Map No. 254-A-18) by Broadstreet Partners, LLC (applicant) for Blacksburgs Greens BLD LLC (owner).
ACTION: Schedule public hearing for February 7, 2023.

C. CUP 22-0007-Condtional Use Permit request for Personal Improvement Services in the Office zoning district at 2200 South Main Street (Tax Map No. 317-A-16) by Stahl Fitness, LLC (applicant) for AWA 2200 Holdings, LLC (owner).
ACTION: Schedule public hearing for February 7, 2023.

D. RZN 22-0004/ORD #2007-Request to rezone 44.85 acres of vacant land from RR-1 Rural Residential 1 to PR Planned Residential at 1006 Glade Road by Meredith Jones of Eden and Associates, PC (applicant) for Cary Hopper of Glade Spring Crossing, LLC (owner).
ACTION: Schedule public hearing for February 7, 2023.

Joel Herbein moved to approve the Consent Agenda.
Liam Watson seconded the motion.

There was no discussion from the Planning Commission.

Motion passed 7-0. All commissioners present voted yes. None voted no.

IV. PUBLIC HEARING

Commissioner Tim Colley read a statement removing himself from any vote and discussion regarding ZOA #42/ORD #2002 because he has "a potential personal interest in a transaction, and to avoid any appearance of impropriety, I am disqualifying myself from participating in the following matter."

Please see the full statement at the end of these minutes.

Colley left the dais and seated himself in the audience area of the chamber.

A. <u>ZOA #42/ORD #2002-Ordinance to amend the text of the Town's Zoning Ordinance to create, define and regulate small-scale alcohol productions facilities including associated uses such as tasting rooms and retail sales.</u>

   a. Staff presentation.
   Anne McClung gave a presentation stating there is a growing interest locally, regionally and nationally in small-scale operations for alcohol production. The current Town code only addresses brewpubs. Town Staff conducted research from other localities to create an ordinance to regulate and govern additional uses for different types of small-scale alcohol production and associated uses such as tasting rooms. McClung covered the existing zoning code provision and reviewed the contents of the proposed ordinance. McClung gave a list of proposed definitions, use and design standards, allowed zoning districts, allowance for production expansion and ABC licensure. McClung stated in what zoning districts the proposed uses would by allowed by-right or with a conditional use permit. Finally, McClung highlighted the public input opportunities and public hearing schedule.

   b. Discussion & Questions. The Planning Commission had a question regarding if all the products used at the small-scale alcohol facilities must be manufactured at the facility. There were no further questions from the Planning Commission.

   c. Public Comment.
   Jason Hudson of 301 Hemlock Drive is one of the interested distillers and wanted to thank the Town for considering this ordinance and providing for a valuable economic opportunity with a positive impact to the Town.

   d. Motion and Discussion.
   Joel Herbein moved to approve ZOA #42/ORD #2002 to amend the text of the Town's Zoning Ordinance to create, define and regulate small scale alcohol production facilities.

   Susanna Rinehart seconded the motion.

   There was no discussion from the Planning Commission.

   The motion to approve passed with a vote of 6-0 with 6 commissioners voting yes with Commissioner Colley abstaining.

V. CITIZEN COMMENT-None. (Commissioner Colley returned to the dais at this time.)

VI. UNFINISHED BUSINESS

A. Zoning Ordinance Review Committee
The committee will meet again in February 2023.

B. Historic or Design Review Board
Tim Colley reported that the Board has not met.

C. Montgomery County Planning Commission.
Joel Herbein reported on the actions and topics discussed at the December 2022 Commission meeting.

D. Additional items from the Planning Commission.
None.

VII. NEW BUSINESS

A. Chair's Report.
None.

B. Planning Director's Report.
Anne McClung reminded the Planning Commissioners about real estate disclosure forms that are due to the Town Clerk by the end of the month.

C. Town Council Report.
Jerry Ford Jr. was absent so there was no Town Council report.

VIII. ADJOURNMENT OF REGULAR MEETING

The meeting was adjourned at 6:51 pm.

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Timothy Colley, Secretary

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K. Thomsen, Planning Technician

BLACKSBURG PLANNING COMMISSION
CONFLICT OF INTEREST ACT DISQUALIFICATION FORM

I hereby declare that, because of a potential personal interest in a transaction, and to avoid any appearance of impropriety, I am disqualifying myself from participating in the following matter:

Ordinance 2002, Zoning Ordinance Amendment regarding small-scale production of alcoholic beverages.

The nature of my personal interest is as follows:

I have an ownership interest in Colley Architects, P.C..

Ordinance 2002 will develop zoning regulations to permit the small-scale production of alcoholic beverages in town. If adopted, it will permit the establishment of small distilleries and microbreweries. I am a member of the Planning Commission, which will review and make a recommendation on Ordinance 2002.[1]

Colley Architects, P.C., is providing services to a business that hopes to establish a facility that would operate under these zoning regulations, if adopted. Because it is reasonably foreseeable this client might benefit from the adoption of these new regulations, I am disqualifying myself from participating in this transaction, pursuant to Virginia Code § 2.2-3112 (A) (1). I will not participate in any vote nor will I participate in the Commission's discussion of this matter.

Tim Colley

Date: 1·3·23

[1] This review and recommendation is considered to be a "transaction" as that term is defined by the Virginia COIA>