

The March 2009 meeting of the Wise County Planning Commission was held on March 9th at 6:00 p.m. in the Board of Supervisors meeting room of the Wise County Courthouse. Chairman, Richard Houchins called the meeting to order.

Roll Call:

Those Present: *Those Absent:*
Richard Houchins, Chairman Mark Wooten
Ed Roop, Vice-Chairman
J. Fred Tate, Secretary
Lee Turner
Randy Hamilton
Jeff Cantrell
Lloyd Smith
Shannon Scott

Others Present:
Michael Abbott, Council to the Planning Commission
Karen Mullins, County Attorney
Robert Mullins, Zoning Administrator
Cindy Kelly, Recording Secretary

Agenda:

Robert Mullins presented the Commission with an amended agenda. J. Fred Tate made a motion to approve the agenda as amended. Ed Roop seconded the motion. All present voted aye, no one opposed.

The March 9th, 2009 agenda is approved as amended

Minutes:

Shannon Scott made a motion that the minutes of the February 9, 2009 meeting be approved as presented. Lloyd Smith seconded the motion. All present voted aye. No one opposed.

The February minutes stand approved as presented.

Chairman Houchins opened the public hearing session of the meeting.

Public Hearing:

Case No: PC09-01 – Wise County Christian School Rezoning Request

Robert Mullins, Zoning Administrator, gave background information on this case. Wise County Christian School is requesting a change of zoning to M-1 for 10.282 acres located at 9653 Coeburn Mountain Road in Wise that is the Christian School site and is currently an R-1 District. Wise County Christian School, Inc proposes to sell this property to Wise County Industrial Development Authority for industrial use.

Mr. Mullins explained that Carl Snodgrass of the Wise County IDA and Mr. Sloan and Mr. Hill of the Christian School are in negotiations for the IDA to possibly purchase the School site and

also for the Christian School to possibly purchase other property of the IDA to build a new school. There is an adjacent property that the Planning Commission rezoned to M-1 in March of 2006 for Ella Jane Mullins and another adjacent property was rezoned to R-2 for MidSouth Development where student apartments were built. The property owners have been made aware that if this property is rezoned the property and structure will become nonconforming in an M-1 District. There is not an official agreement between the IDA and the Christian School as of yet. There was much concern among the Commissioners that there was not more information available concerning this case.

The structure was built for and used for light industrial use prior to the school purchasing the property. Shannon Scott pointed out that the structure has no feasible use in A-RR, R-1, R-2 or even M-2 districts, it is really only appropriate for an M-1 district. Houchins reminded the Commissioners that they have a obligation to refer to the Comprehensive Plan as a guide in making decisions such as this request. The Comprehensive Plan is a long range very specific plan to correcting nonconforming properties and very specific about preferred locations of M-1 districts as all districts in the County. The Comprehensive Plan designates that area as an ideal R-2 District.

Mike Abbott stated that it might not be appropriate to create a nonconforming use and may not be legal to do so. Mr. Abbott suggested that Conditional Rezoning might be more appropriate for this case.

All adjoining property owners were notified of the request by mail and this public hearing. There was no response from anyone regarding this request.

There being no further questions or discussion and no one else present to speak in favor or opposition of this case, Chairman Houchins closed the public hearing and opened the floor for a motion or discussion.

Action: Case No: PC09-01

Scott made a motion to table this request until April 13th meeting. Scott directed staff to consult with the applicants of this case. Turner seconded the motion. All present voted aye.

Motion carries. Case No. PC09-01 will be tabled until the April 13th meeting of the Wise County Planning Commission.

New Business:

Mullins introduced to the Commissioners, Wayne Watts, a waste water consultant from Norton, VA. Mr. Watts spoke to the Commission in regards to a county wide sewer project and working with engineering firms, researching watersheds and existing treatment systems and combining all to develop a county wide system for Wise County. St. Paul and Big Stone Gap waste water systems are already in expansion planning. With County / Town cooperation in these expansions the systems could expand further into a county wide system. Mr. Watts and Wise County are working now in developing a Comprehensive Sewer Plan. Proposals include the possibility of two sewer plants for the County.

Mullins stated that the Planning Commission needs to have a lot more interaction with other departments in the County and the development and future development going on in the county.

Case No: PC09-02 – Maggard Leasing, LLC -- Rezoning Request

Robert Mullins gave background information on Case No. PC09-02. Archie Maggard, representing Maggard Leasing, LLC and Maggard Sales and Service, Inc is requesting a change of zoning to B-2 for the remaining 24 acres of a 48 acre tract located on the west side of the intersection of US23 and South Fork Road in Pound to relocate their business. Maggard Sales and Service is currently located directly across US23 from this property. Wise County Planning Commission previously rezoned approximately 24 acres of this tract from A-RR to B-2 in 2006 for William Sturgill. Sturgill proposed to sell the property at that time to a company to locate a discount store.

Ed Roop made a motion to set Case No. PC09-02 Maggard Leasing's request to rezone to public hearing April 13, 2009 at 6:02 p.m. Randy Hamilton seconded the motion. All present voted aye. No one opposed.

Case No. PC09-02 is set for public hearing April 13, 2009 at 6:02 p.m.

Case No: PC09-03 – Wise County Industrial Development Authority -- Rezoning Request

Robert Mullins gave background information on Case No. PC09-03. Wise County Industrial Development Authority (IDA) is requesting zoning for 3 tracts of land totaling 23.489 acres located adjacent to the Lonesome Pine Airport and the Lonesome Pine Regional Business and Technology Park to an M-1/PD-BT District.

Shannon Scott made a motion to set Case No. PC09-03 IDA's request to rezone for public hearing April 13, 2009 at 6:10 p.m. Lee Turner seconded the motion. All present voted aye. No one opposed.

There being no additional business, Chairman Houchins adjourned the meeting.