

The June 2009 meeting of the Wise County Planning Commission was held on June 8th 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:

Richard Houchins, Chairman

Ed Roop, Vice-Chair

Lee Turner

Jeff Cantrell

J. Fred Tate

Randy Hamilton

Shannon Scott

Others Present:

Michael Abbott, Council to the Planning Commission

Karen Mullins, Assistant County Administrator

Robert Mullins, Zoning Administrator

Cindy Kelly, Recording Secretary

Agenda:

Jeff Cantrell made a motion to approve the agenda as presented. Lee Turner seconded the motion. All present voted aye, no one opposed.

The April 13, 2009 agenda is approved as presented.

Minutes:

Lee Turner's name was omitted from the list of Commissioners present in the minutes of the March 9 meeting.

Jeff Cantrell made a motion that the minutes of the March 9, 2008 meeting be approved as amended to include Lee Turner as present for the March 9th meeting. J. Fred Tate seconded the motion. All present voted in favor, with one abstention from Mark Wooten who was not present at the March meeting. No one opposed.

The April minutes stand approved as amended.

6:02 pm

Chairman Houchins opened the public hearing session of the meeting.

Public Hearing

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

Robert Mullins, Zoning Administrator, gave background information on this case. The Planning Commission had a request and the Board of Supervisors approved rezoning half, approximately 24 acres of this 48 acre tract of land, in 2006 from A-RR to a B-2 District. Now, the new owner, Maggard Leasing, LLC, is requesting a change of zoning to B-2 for the remaining half,

approximately 24 acres, located on the north west side of the intersection of US 23 and South Fork Road in Pound. Maggard Sales and Service

will move their business, which is directly across US 23 from this property, to the new site. This request does conform with the Comprehensive Plan for that area along US 23.

The public hearing was advertised and all adjoining property owners were notified by mail. There was no response by anyone regarding this request and there was no one present at the public hearing to speak in favor or opposition.

There being no further questions or discussion concerning this case, Chairman Houchins closed the public hearing.

At this time, Houchins stated that it was not time for the 6:10 p.m. public hearing therefore he opened the floor for a motion or further discussion.

Action taken: Case No: PC09-02

Randy Hamilton made a motion to recommend to the Board of Supervisors to approve the rezoning for Case No. PC09-02. Mark Wooten seconded the motion.

Roll Call Vote:

Richard Houchins -- Aye

Ed Roop – Aye

Lee Turner -- Aye

Jeff Cantrell -- Aye

Mark Wooten -- Aye

J. Fred Tate -- Aye

Lloyd Smith -- Aye

Randy Hamilton – Aye

Shannon Scott – Aye

Motion carries, Case No. PC09-02 for Maggard Leasing, LLC, will be forwarded to the Board of Supervisors with a recommendation to approve the request to rezone 24 acres of tax id #003916 from an A-RR to a B-2 District.

Public Hearing

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

Robert Mullins, Zoning Administrator, gave background information on this case. Wise County IDA purchased 3 parcels from the Cumberland Airport Commission, 13.368 acres, 2.045 acres and 8.076 acres. The 23.489 acres is adjacent to the Lonesome Pine Airport and the Lonesome Pine Regional Business and Technology Park. The property was part of the Airport property therefore was within that separate Airport classification in zoning. The IDA is requesting that this property have an M-1 / PD-BT District designation for future development.

Chairman Houchins expressed his concern about the M-1 designation being applied here. He stated that he feels that some of the M-1 District allowed uses would not be in keeping with the intent of the Comprehensive Plan for the Business and Technology Park. He asked if the PD-BT overlay would supersede the M-1 designation. Mr. Mullins stated that the intent of the overlays are to protect possible situations in areas such as this and the PD-BT overlay would supersede the M-1 allowable uses.

There was discussion in regards to the intent of the “Tech Park” and the future of technology, whether the intent is being met and whether the intent will encompass future needs of the Park.

The public hearing was advertised and all adjoining property owners were notified by mail. Jim Cox, 6104 Airport Road in Wise, an adjacent property owner, was present at the public hearing. Mr. Cox owns and operates a restaurant in the Tech Park. Cox wanted to know if this rezoning would involve a buffered area that would include his property. Cox also has his residence on his property and was concerned about possible future plans for his home. This request involves the IDA property only.

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

At this time, Houchins opened the floor for a motion or further discussion.

Action taken: Case No: PC09-03

Mark Wooten made a motion to recommend to the Board of Supervisors to approve the rezoning for Case No.PC09-03. J. Fred Tate seconded the motion.

Roll Call Vote:

Richard Houchins -- Aye

Ed Roop – Aye

Lee Turner -- Aye

Jeff Cantrell -- Aye

Mark Wooten -- Aye

J. Fred Tate -- Aye

Lloyd Smith -- Aye

Randy Hamilton – Aye

Shannon Scott – Aye

Motion carries, Case No. PC09-03 for Wise County Industrial Development Authority will be forwarded to the Board of Supervisors with a recommendation to approve the request to rezone 23.489 acres adjacent to the property to an M-1 / PD-BT District.

New Business:

Case No. PC09-04 – Cecil Cantrell – Conditional Rezoning

Robert Mullins presented a request for public hearing for Case No. PC09-04. Cecil Cantrell is requesting a Conditional Change of Zoning for a parcel on Robinette Circle Road in Wise from an A-RR to an R-2 to build a duplex rental unit.

Shannon Scott made a motion to set Case No. PC09-04 for public hearing on May 11, 2009 at 6:02 p.m. Mark Wooten seconded the motion. All present voted aye. No one opposed.

Case No. PC09-04 is set for public hearing May 11, 2009 at 6:02 p.m.

Case No. PC09-05 – Roosevelt Stanley – Rezoning

Robert Mullins presented a request for public hearing for Case No. PC09-05. Roosevelt Stanley is requesting a Rezoning for 1.60 acres on Morrison Road in Wise from an R-1 to B-2 to sell the property as a business interest.

Mark Wooten made a motion to set Case No. PC09-05 for public hearing on May 11, 2009 at 6:10 p.m. J. Fred Tate seconded the motion. All present voted aye. No one opposed.

Case No. PC09-05 is set for public hearing May 11, 2009 at 6:10 p.m.

Unfinished Business:

Case No. PC09-01 – Wise County Christian School – Rezoning

Robert Mullins reported that, as directed by the Commission last month, he contacted the Wise County Christian School however the School's representatives have decided to withdraw their request. **Case No. PC09-01 is withdrawn.**

Robert Mullins, presented to the Planning Commission a future project that will be coming before the Planning Commission soon. Mullins met with Mike McCoy of BP Energy. BP Energy proposes to locate wind turbines in Wise County on Black Mountain on property owned by Penn VA. This property is in an A-RR. BP proposes construction by the year 2012. Wise County Zoning Ordinance does not address wind energy turbines. The Ordinance will have to be amended to include regulations for wind turbines. Shannon Scott suggested that the Planning Commission with the Board of Supervisors visit a wind farm in West Virginia to be educated to the future of green energy.

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

ATTEST:

Secretary

Chair