



**Town of Altavista, Virginia  
Meeting Agenda Planning Commission  
Planning Commission**

**Monday, October 2, 2023  
5:00 PM - 510 7th Street  
Altavista, VA 24517**

- 1. CALL TO ORDER**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE - AMERICAN FLAG**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES**
  - 4.1 [Approval of Minutes - June 5, 2023](#)  
[Altavista Planning Commission Mtg. Minutes 9.05.23](#)
- 5. PUBLIC EXPRESSION**
- 6. PUBLIC HEARING(S)**
  - 6.1 [Public Hearing: Special Use Permit SUP-23-01](#)  
[SUP-23-01\\_JKinman\\_full-packet.pdf](#)
- 7. UNFINISHED BUSINESS**
- 8. NEW BUSINESS**
- 9. MATTERS FROM THE PLANNING COMMISSION**
- 10. MATTERS FROM STAFF**
- 11. ADJOURNMENT**

*THE TOWN OF ALTAVISTA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (434) 369-5001 FOR ASSISTANCE.*



TOWN OF ALTAVISTA  
PLANNING COMMISSION  
October 2, 2023  
AGENDA COVER SHEET

AGENDA ITEM #: 4.1

**Approval of Minutes**

**Title: Approval of Minutes - June 5, 2023**

**Staff Resource: Crystal Hailey, Asst. Town Clerk**

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**Action(s):**

The Commission may approve the minutes as presented; or inform Staff of changes needed to the document.

**Explanation:**

The Planning Commission is required to review and vote to approve or amend the minutes from their previous meeting.

**Background:**

**Funding Source(s):**

**Attachments:** *(click item to open)*

*[Altavista Planning Commission Mtg. Minutes 9.05.23](#)*

The Altavista Planning Commission held a regularly scheduled meeting on Tuesday, September 5th, 2023, at 5pm, in the Council Chambers of Town Hall, located at 510 7th Street, Altavista, VA.

Members present:     John Jordan, Chairman  
                             Marie Mitchell, Vice Chair  
                             Reggie Bennett, Vice Mayor  
                             Meghan Bolling  
                             Ashby Robinson, Jr.  
                             Rayna Steele, Senior Student Commissioner

Staff present:         Matt Perkins, Assistant Town Manager  
                             J. Johnson Eller Jr., Town Attorney  
                             Crystal Hailey, Assistant Town Clerk

### **CALL TO ORDER**

Chairman John Jordan called the Altavista Planning Commission Meeting to order at 5:00 p.m.

### **PLEDGE OF ALLEGIANCE & INVOCATION**

Chairman Jordan asked that everyone keep Sharon Williams, Community Development Director and Planning Commission Secretary, in their prayers for a total recovery from her recent surgery. Chairman Jordan delivered an Invocation for the meeting and afterwards, the Planning Commission and Staff recited the Pledge of Allegiance.

### **APPROVAL OF AGENDA**

Chairman Jordan confirmed there were no amendments needed to the agenda.

Upon a motion made by Vice Chair Marie Mitchell, and seconded by Vice Mayor Reggie Bennett, the Planning Commission voted 6-0 to approve the September 5th meeting agenda as presented.

### **APPROVAL OF MINUTES**

Chairman Jordan stated that he reviewed the June 2023 meeting minutes and did not find any corrections needed. He asked the Commission if they found any needed corrections, of which there were none.

A motion was made by Vice Chair Mitchell, and seconded by Vice Mayor Bennett, approving the minutes, by a 6-0 vote, for the Altavista Planning Commission's June 2023 meeting as presented.

**PUBLIC EXPRESSION** - There were no citizen comments on this date.

### **PUBLIC HEARING**

CASE# RZ-23-02: Request to Rezone the 800 Block of Novelty Street and Amherst Avenue

Assistant Town Manager Matt Perkins presented this item to the Planning Commission, and shared Staff's appreciation for the work and service the Commission provides to the Altavista Community.

Mr. Perkins gave a brief overview of his Staff Report, provided to the Commission with their meeting packet, pertaining to the rezoning request. He said the application was submitted May 9, 2023, by Dr. Thomas Brookes, Acres of Virginia, on behalf of his client JCJ Holdings, LLC, the new owner of the subject properties, located along Amherst Avenue and Novelty Street; identified as Parcel IDs 83A-11-36-1, -2, -3, -4, -5, -6, -8, -9, -10, -11, -12, -13, -14, and -15. Mr. Perkins stated, per Town Code, this Public Hearing had been advertised for two consecutive weeks prior to that evening, and all adjacent property owners were also sent notice letters.

Mr. Perkins stated that it was the owner's desire to renovate all fourteen (14) single-family detached and duplex dwellings as residential, however, the properties were currently zoned M-Industrial, which did not permit residential use. He said the application requested to rezone the said area/properties to R2-Medium-Density Residential, which allowed the proposed use. Mr. Perkins stated, at that time, the lots were all vacant structures and considered blighted.

Mr. Perkins shared Staff's recommendation to approve the rezoning request, as the proposed use was consistent with Altavista's Comprehensive Plan recommendation, and was consistent with the development pattern for the area. He introduced Dr. Thomas Brookes, Acres of Virginia, Inc.

Dr. Brookes gave a brief presentation pertaining to his application for rezoning. He shared a photo of the proposed site plan for the Commission's visual reference, which included new living structures, alleyways, and parking spaces. Dr. Brookes stated that all comments from the Town Manager, Gary Shanaberger, regarding utilities had been addressed, as well as widening the alleyways for sufficient parking.

Vice Chair Marie Mitchell asked Staff a series of questions regarding this rezoning request.

- If approved, how would rezoning the said area to R-2 affect the Town's Future Land Use Map, which currently specified the area as "Economic Opportunity". Mr. Perkins referenced the 2045 Comprehensive Plan, which listed nine land use categories, including Economic Opportunity. He said, currently, Economic Opportunity was not a legal zoning district in Altavista, so rezoning would fall to the next closest zoning district, which in this case was R-2. Mr. Perkins stated, by definition, the proposed use aligned with the current designation of the properties specified on the Future Land Use Map.
- Recognizing that R-2 has certain specifications for duplexes, would the said parcels be non-conforming to the current R-2 standards. Mr. Perkins stated that he believed, if rezoned to R-2, the use would be a legal non-conforming use.
- Referencing Town Ordinances, the proposed site plan showed alleyways as 15ft, no the required 20ft. Mr. Perkins stated that 20ft only applied to parking lots, not residential.
- The Staff Report in the Commission's agenda packet, under "requested actions", mentioned proffers. Mr. Perkins stated that Mr. Brooks had shared the owner's intentions with Town Staff in preliminary conversations and draft proposals, but no official proffers were offered. He said, when submitting the rezoning application and initial site plan, the owner specified that he intended for the properties to be fair market housing.

Chairman Jordan asked for clarification of the term fair-market housing.

Mr. Perkins shared examples of housing designations: Section VIII, Public Housing (such as apartments), and fair market housing (meaning, available without government assistance).

Vice Chair Mitchell explained, if the “going rate” (average rate) for a rental property in Altavista was \$800 per month, then that would be considered the Town’s fair market rate.

Mr. Perkins said there were still a few issues/items that needed to be discussed and possibly tweaked in the site plan, to conform with the Town’s requirements, and Staff would continue to address those items. He stated, approval of the site plan would mean the plan was approved with the stated facts presented and assured by the owner.

Mrs. Mitchell asked who was responsible for approving the site plan: the Planning Commission or Staff, to which Mr. Perkins stated that task was done by Town Staff .

Dr. Brooks stated, as a representative of JCJ Holdings, he was authorized to speak for his client, and his client would have no problem sending proffers for any items needed, however, there was a time limit to submitting a proffer before a public hearing (21 days).

Mr. Perkins stated that any request by the Commission for a proffer should be reasonable for the “condition” of approving the rezoning request.

Town Attorney John Eller concurred with Mr. Perkins and stated that a Letter of Intent was sufficient in this case, because interior fixtures did not qualify for proffers, and exterior items would be addressed on the site plan, which would have to be approved by the Town.

Commissioner Robinson stated, after reading the Staff Report, and hearing Dr. Brooks’ presentation, he believed the proposed rezoning request was inline with the Town’s Comprehensive Plan, offering homeownership and/or quality rental opportunities.

Mr. Perkins noted page 16 of the Comprehensive Plan, stating one of the Town’s top priorities was to ensure that all current and future residents have access to safe and affordable housing, which can be accomplished through zoning ordinances that can facilitate housing development, redevelopment, and maintenance of existing structures.

Chairman Jordan stated that the said properties had been a blight issue for quite some time, and shared his favor with approving the rezoning request.

Commissioner Bolling asked, if the rezoning request was approved, when the project for the aforementioned properties would be complete.

Dr. Brooks informed the Commission that JCJ Holdings had their own construction firm, so they were not subject to subcontracting schedules, however, it was had to predict an exact date of completion due to unforeseen delays, such as weather and/or materials.

Chairman Jordan asked Altavista Police Chief Tommy Merricks if he had any concerns with the proposed site plan, to which Chief Merricks stated he did not. Chief Merricks stated that he believed the submitted site plan was “workable”.

Mr. Perkins informed the Commission that the Campbell County Fire Marshall was contacted, which stated they would review the site plan in its final form.

Chairman Jordan closed the public hearing at 5:38pm. With a motion by Vice Mayor Reggie Bennett, seconded by Vice Chair Marie Mitchell, the Planning Commission voted 6-0 in favor to send the rezoning application to Town Council for their consideration, with the Planning Commission's recommendation of approval to rezone the 800 Block of Novelty Street and Amherst Avenue from M-Industrial, to R-2 Medium Density Residential.

### **UNFINISHED BUSINESS**

#### **Student Commissioner Discussion**

Vice Chair Mitchell stated, since Altavista Combined School had a new Principal, she would work with Senior Student Commissioner Rayna Steele to acquire contact information, and collaborate with the school for Junior Commissioner recommendations. She said that she would update the Commission at their next meeting.

### **NEW BUSINESS**

There were no new business items scheduled for this meeting.

### **MATTERS FROM STAFF**

There were none on this date.

### **MATTERS FROM THE COMMISSION**

There were none on this date.

### **ADJOURNMENT**

Chairman Jordan asked if there were any other concerns or items to discuss that evening, of which there were none.

With no further business to discuss, Chairman Jordan adjourned the meeting at 5:45pm.

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John Jordan  
Planning Commission Chair

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Matthew Perkins  
Assistant Town Manager



TOWN OF ALTAVISTA  
PLANNING COMMISSION  
October 2, 2023  
AGENDA COVER SHEET

AGENDA ITEM #: 6.1

**Public Hearing(s)**

**Title: Public Hearing: Special Use Permit SUP-23-01**

**Staff Resource: Assistant Town Manager Matt Perkins**

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**Action(s):**

Conduct Public Hearing to consider Special Use Permit submitted by Mr. John Kinman

**Explanation:**

The Altavista Planning Commission is holding a Public Hearing to consider a Special Use Application submitted by John Kinman to operate at 216 West Road, Altavista, a detached accessory apartment, as defined in Section 86-32 and 86-453 of the Town Code.

**Background:**

Reference Staff Report to Planning Commission for more full and complete background information.

**Funding Source(s):**

N/A

**Attachments:** *(click item to open)*

[\*SUP-23-01\\_JKinman\\_full-packet.pdf\*](#)

**Planning Commission Staff Report  
Special Use Permit #SUP-23-01  
Public Hearing October 02, 2023**

**Request:**

The request is for a Special Use Permit for John Kinman to establish an accessory apartment in a 12 x 40 accessory building located on Mr. Kinman's property.

**Summary:**

Mr. Kinman is a private citizen, resident, and property owner in the Town of Altavista. Mr. Kinman's property, Parcel ID 68-F-2F, commonly referenced as 216 West Road, Altavista, containing +/-16.95 acres.

Mr. Kinman, having previously been permitted to place the accessory structure on the subject parcel, is seeking a Special Use Permit to convert the accessory structure into an accessory apartment. Per the Mr. Kinman's application, he intends only to use the accessory apartment and only for his family to reside, more specifically a college-aged son and occasionally his mother-in-law.

The accessory apartment will have interior finishes and amenities expected of a small apartment, including but not limited to bathroom, laundry, kitchen, and bedroom. The accessory structure will be permanently anchored with foundation skirting.

Mr. Kinman will be required to obtain all applicable permits required through Campbell County Building Inspections.

**Staff Evaluation in accordance with Zoning Ordinance:**

Section 86-453 – Accessory Apartments clearly defines the use and design standards for accessory apartments. Mr. Kinman is planning for an accessory apartment in a structure that is not the principal structure and thus the requirement for the Special Use Permit application.

Displayed below is a summary table of those conditions listed in the Zoning Ordinance and subject to this request:

<b>GUIDLINE – Sec 86-453</b>	<b>YES</b>	<b>NO</b>
Only considered and Accessory Use to a detached single-family dwelling - 86-453(b)(1)	<b>X</b>	
Only one accessory apartment shall be allowed on any one lot or parcel – 86-453(b)(2)	<b>X</b>	

<b>GUIDLINE – Sec 86-453</b>	<b>YES</b>	<b>NO</b>
Owner shall reside on premises – 86-453(b)(2)	<b>X</b>	
Only members of the Owner's family shall reside in the accessory apartment – 86-453(b)(2)	<b>X</b>	
Accessory Apartment is less than 1000 sq ft – 86-453(b)(3)	<b>X</b>	

### **Zoning District and Adjacent Land Use:**

The subject property is Zoned as R1-Low Density Residential District. Both to the East and South of the subject property is also Zoned R1. Immediately to the West is a parcel Zoned C1 – Local Commercial District which is also owned by Mr. Kinman. The Northern boundary of this property is, for all intents and purposes, State Route 29 (northbound).

### **Relationship to Existing Plans**

#### **Comprehensive Plan**

The future land use map for this site recommends Medium Density Residential which would not impact or limit this type of request.

In the evaluation process, staff determined that this use would not cause any undue adverse impacts related to public health, safety, or general welfare. Further, staff believes that there will not be any adverse impacts to existing property values or neighborhood character.

#### **Public Input**

Public Advertisements for the Public Hearing in this matter were published for two successive weeks, that being September 13 and September 20 in the Altavista Journal. Also, Adjacent Property Owner Letters were sent on September 15, 2023, via first-class mail.

As of the writing of this report, staff has received no phone calls or emails in support of or opposition to the proposed text amendment.

Residents of 214 West Road visited the Community Develop Office to review the Special Use Permit Application. They stated their opposition only if the accessory apartment were to be used as a guest rental.

**Staff Recommendation:**

Staff recommends that the Planning Commission make a recommendation to the Town Council to approve the Special Use Permit SUP-23-01.

**Attachments:**

1. Application
  - a. Site Plan
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Site photos (*current conditions*)

OFFICE USE ONLY
SUP # <u>23-01</u>
FEE PAID: <u>\$300.00</u>
DATE: <u>6/07/23</u>

**TOWN OF ALTAVISTA**  
**APPLICATION FOR SPECIAL USE PERMIT**

online payment  
#02177Z

This application and accompanying information must be submitted in full before the special use permit can be referred to the Planning Commission and Town Council for consideration. The application and accompanying information will become conditions of approval and be binding on the property if the permit is granted. Please contact the Zoning Department at (434) 369-5001 for application and deadline or questions.

Request is hereby made by the principle officer of applicant or undersigned owner of the below listed property for consideration of a Special Use Permit as provided for in Section 86-33 of The Code of the Town of Altavista, Virginia 2002.

**Applicant Information**

Name: John Kinman Phone Number: 540-490-0053

Address: 216 West Road Altavista VA 24517

**Property Information**

Property Owner(s): John Kinman Phone Number: 540-490-0053

Property Address or Location: 216 West Rd Altavista

Parcel ID Number: 68-F-2F

Present Zoning District: R1

**Purpose of Request**

Is this request for an amendment to an existing special use permit? NO

Please provide the following information – separate pages if necessary:

Detailed description of the proposed use (or site modification)

Please provide a site plan with the following information:

- Proposed use of the land: size and location of structures with dimensions to lot lines.
- Vehicular circulation system with points of ingress and egress.

- Existing on-site buildings, separation dimensions and paved areas.
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided.
- Net acreage.
- Gross and net square footage of building (s) (proposed and existing).
- Required landscaping and buffer areas.

Please provide a brief description of the proposed development:

<sup>ACCESSORY</sup>  
12x40 building for immediate family to live in. For ~~temp~~ residence of college age child, in-laws when they visit.

Please demonstrate how the proposed use, when complemented with additional measures, if any, will be in harmony with the purposes of the specific district in which it will be placed.

+ 24 acres in a residential neighborhood not visible from city street

(Use separate pages if additional space is required)

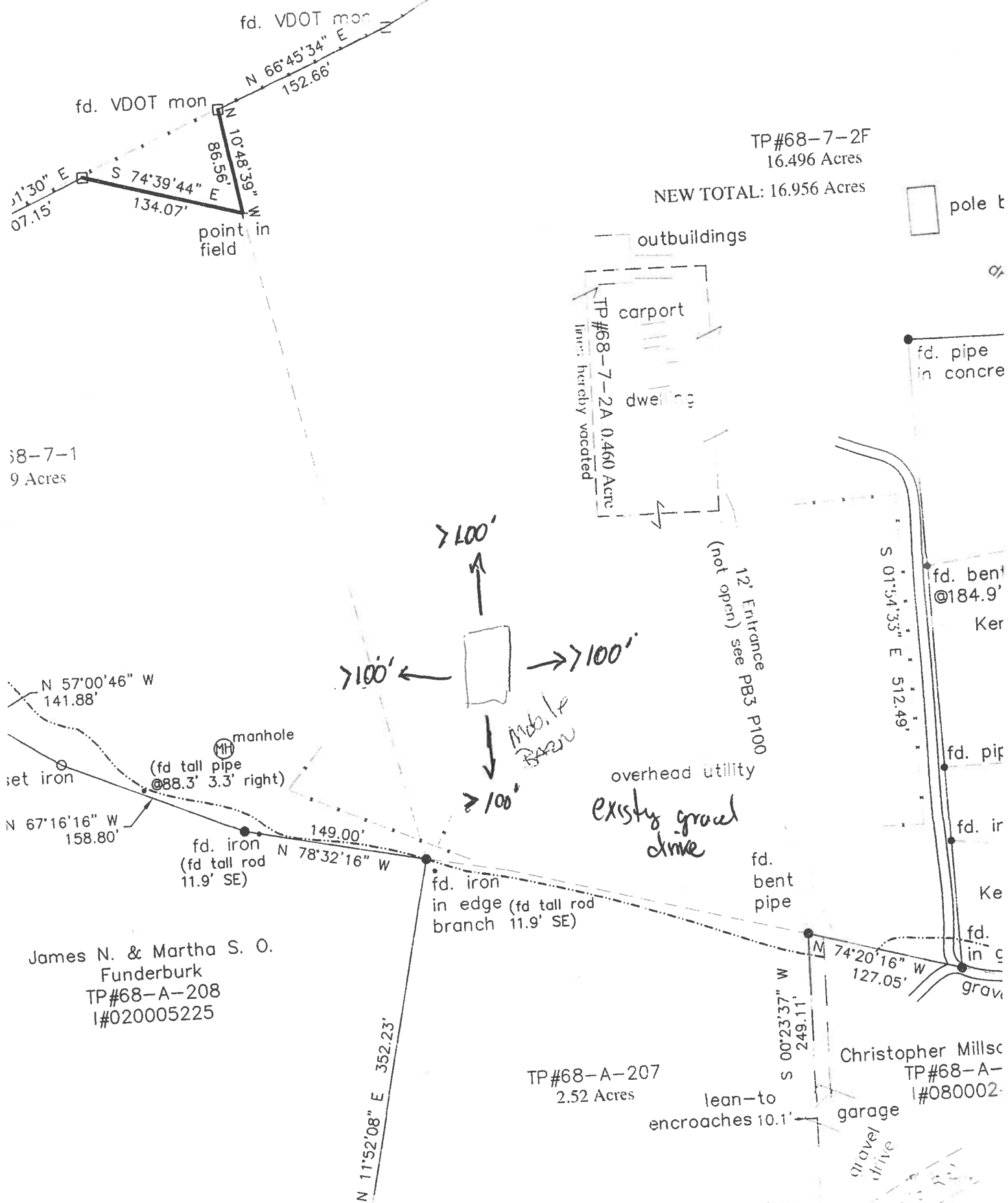
Please demonstrate how there will be no undue adverse impacts on the surrounding neighborhood in terms of public health, safety, or general welfare, and show the measures to be taken to achieve such goals.

+ NO impacts on neighborhood

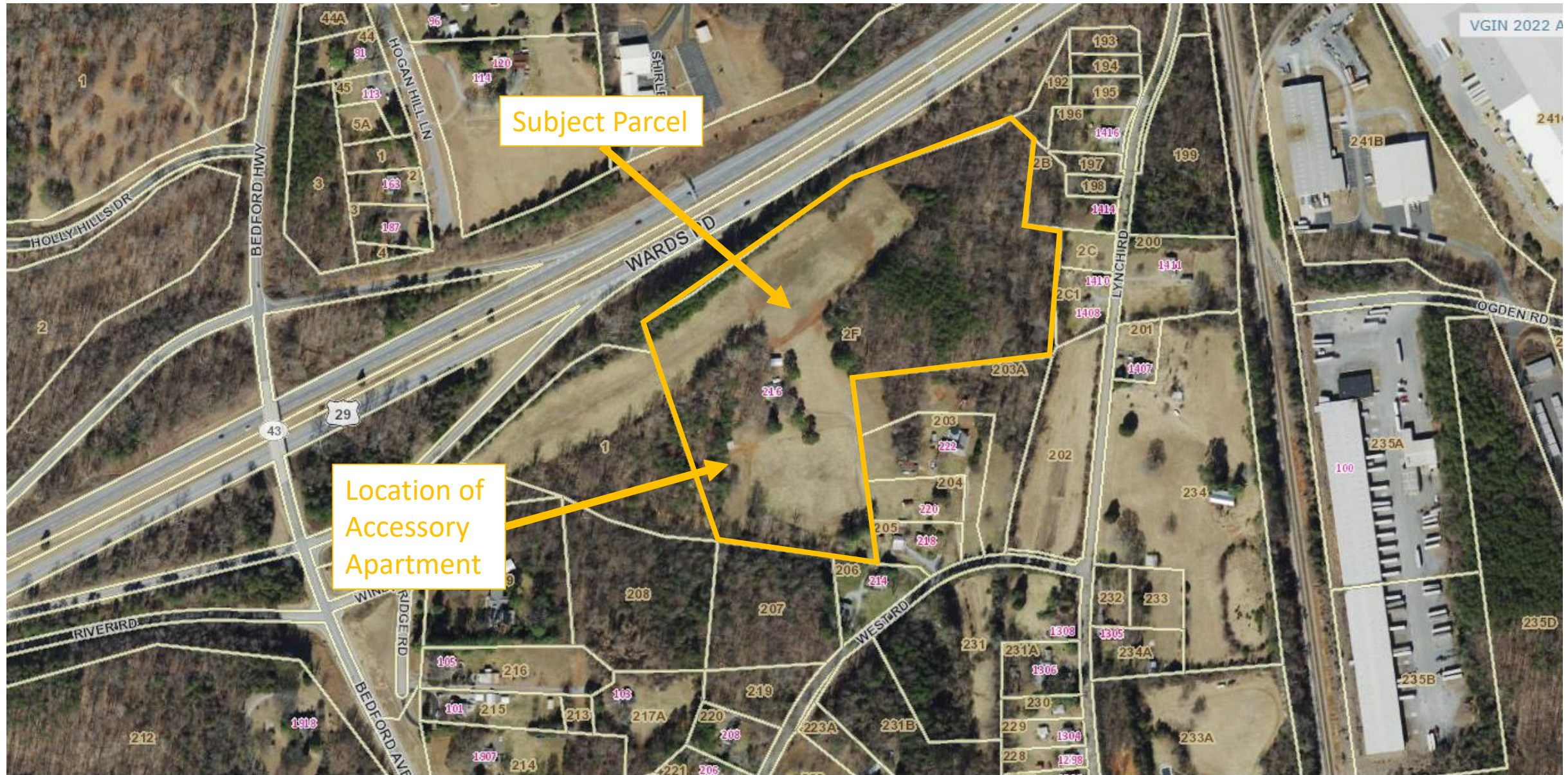
(Use separate pages if additional space is required)

The following items must accompany this application:

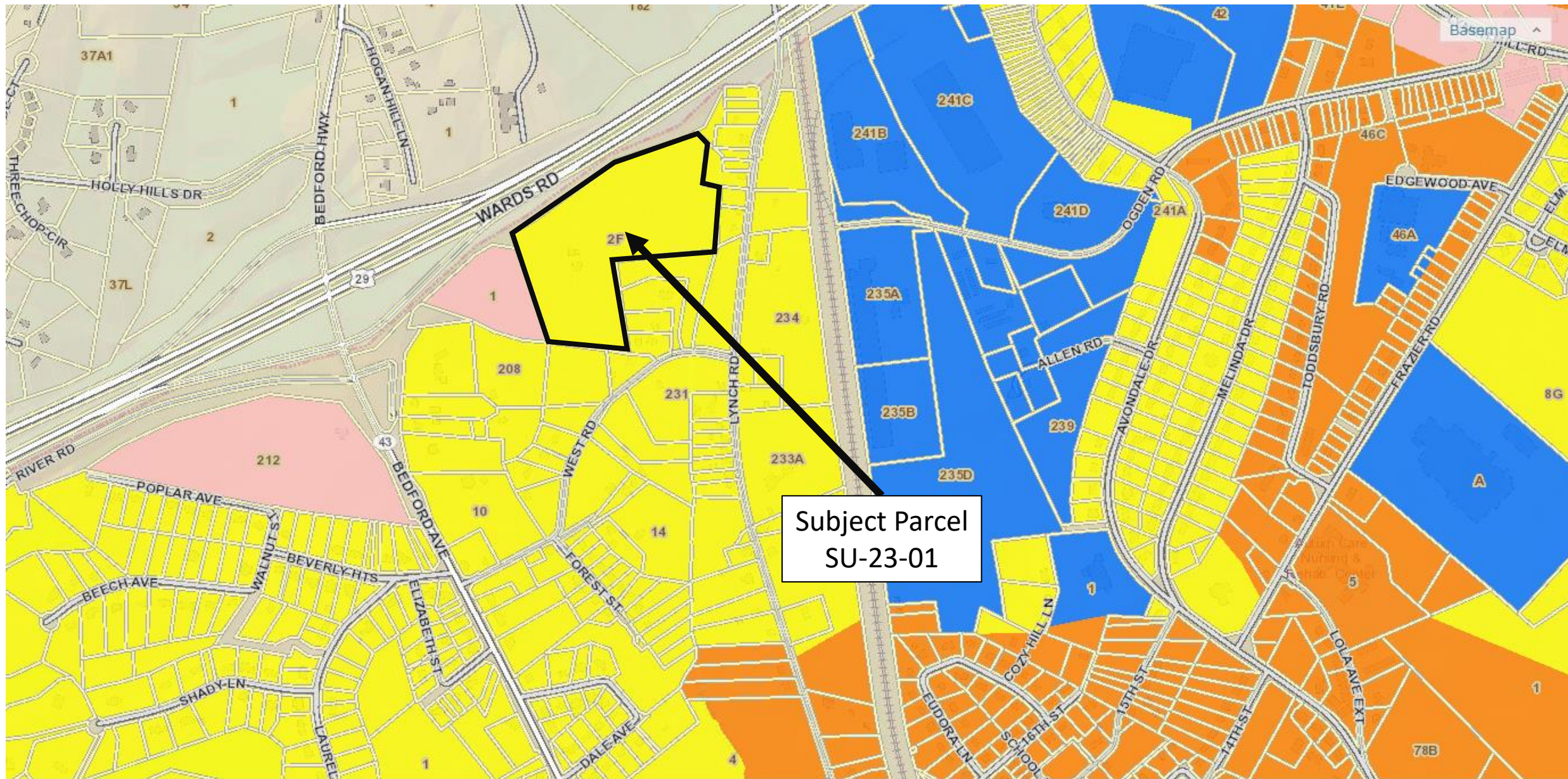
1. The written consent of the owner or agent for the owner (only if the applicant is not the owner). If the applicant is the contract purchaser, the written consent of the owner is required.
2. One copy of a site plan for the property showing the lot, structures, site improvements, parking areas and spaces, and any other information necessary to determine the ability to meet the Zoning Ordinance site development standards, use and design standards, and physical compatibility with the neighborhood.
3. Vicinity map (may be included on the site plan).



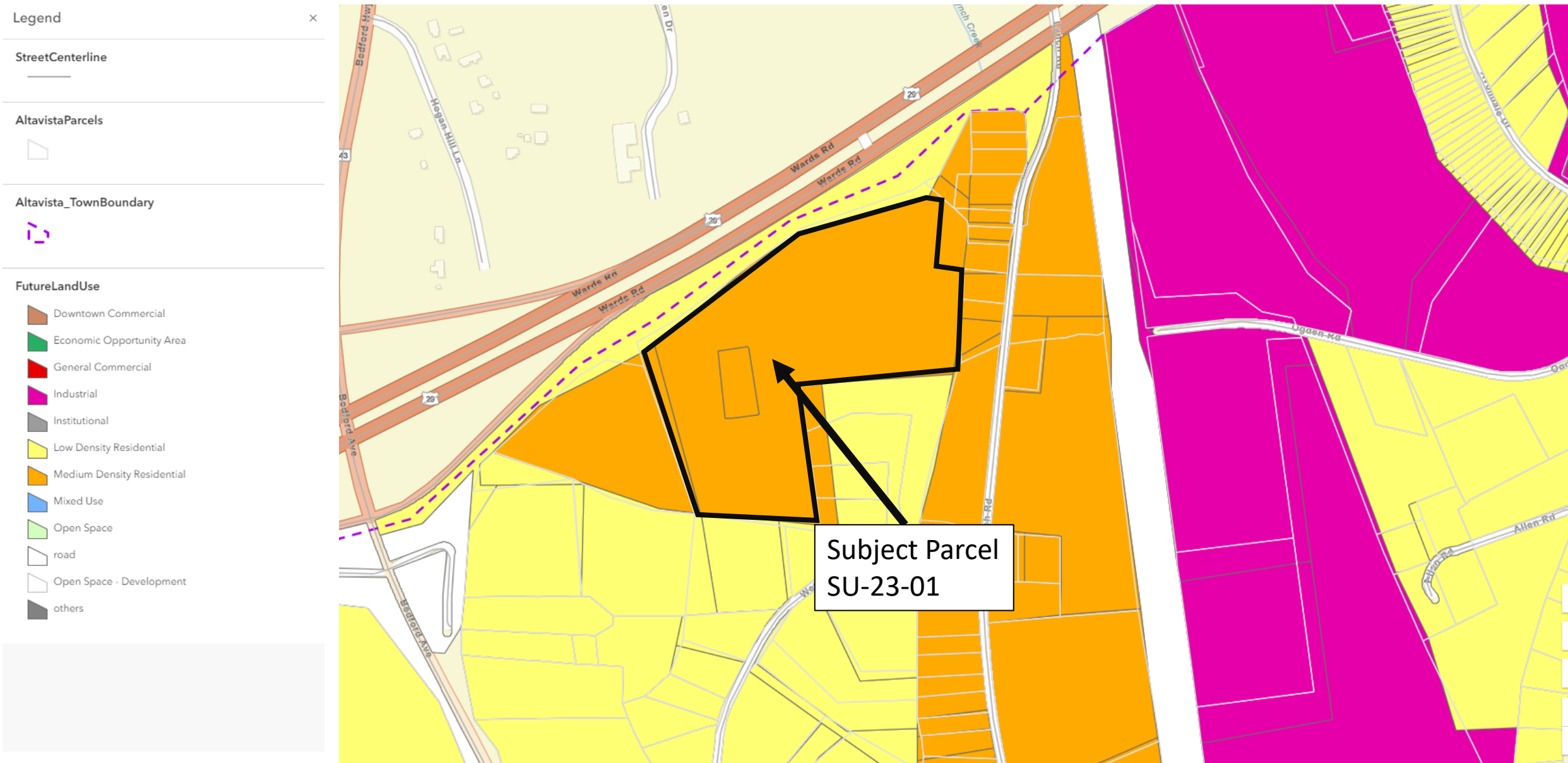
# Aerial Map – 216 West Rd SUP-23-01



# Zoning Map – 216 West Rd SUP-23-01



# Future Land Use Map – 216 West Road SUP-23-01



# Site Photos – 216 West Rd SUP-23-01



# Site Photos – 216 West Rd SUP-23-01

