

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