

Minutes of a regular meeting of the Marion Planning Commission held in the Council Chambers of the Municipal Building on October 11, 2021, at 5:15 pm.

**CALL TO ORDER:** Chairman Wolfe.

**VISITORS:** Clegg Williams, Gayle dosSantos, Dyron dosSantos, Kevin Barrett, Melanie Barrett, Danny Hall, Emily Bennett, Caitlin McCloud, Rocky H. Sims, Scott Fleming, Amber Moore, Nicole Sims, Jane Sims, Arnold Sims, Kaudi Johnsey, Allen Johnsey, Joel Cregger and 4 unidentified visitors. See sign-in sheet.

**INVOCATION:** Bob Ramsey.

**PRESENT:** Chairman Cameron Wolfe, Bob Ramsey, Trey White, Alice Freeman, Jim Barker and Ben Reedy Planning Commission Members; Economic Development Director Ken Heath, Deputy Clerk Anita Catron, Police Officer Keith Finney and News Representative Stephanie Porter-Nichols.

**ABSENT:** Vice-Chairman Kimberly Austin.

**DETERMINATION OF A QUORUM:** As the meeting was called to order with 6 voting members present, the Commission has a quorum.

**MINUTES:** Upon motion of Mrs. Freeman, seconded by Mr. Ramsey and a vote of 6 AYES and 0 NOES minutes of the meeting August 9, 2021 were approved with 1 correction under rezoning request for Culbert Drive (housing was to be for 10 mothers).

**BAUD PROJECT:** Mr. Heath provided additional updates on the BAUD project noting they are still moving forward with correcting blighted properties and working with other departments to help locate these properties. Also the Town now owns 20 properties through donations, tax sales, and acquisitions. The \$25,000.00 DHCD Feasibility Grant that was received will help in the study of commercial and residential property needs in the historic district of downtown and just outside of the downtown area, with specific plans for reuse of the building at 215 E Main Street.

**REVISION/RECODIFICATION:** No updates for Zoning Laws or Comprehensive Plan at this time.

**PUBLIC COMMENT:** Chairman Wolfe informed members of a request for Rezoning; Special Use Permit- he requested Mr. Heath to review the information with commissioners. Mr. Heath stated Rocky Sims has requested this Special Use permit for the property located at 718 N Main Street. The property is owned by Mr. William C. Pierce. Mr. Heath read a letter from Mr. Pierce in support of the Special Use Permit. Mr. Sims intends to put a Tattoo Shop at this location. Rocky Simms, Melanie Barrett and Dyron dosSantos all spoke in support of this Special Use Permit. Mrs. Barrett informed commissioners she has been a hair stylist for several years in Marion, but also operates a permanent cosmetics business in the Iron Street Mall which she hopes to relocate to this building. She also stated that Tattoo Shops have changed over the past few years and spoke of the surrounding counties that have these establishments. Mr. dosSantos is applying to be an apprentice at this business and stated his support of this Special Use Permit. He feels this will be a good business for the town, noting also that Mr. Sims works with communities doing a lot of work with charities. Mr. Sims stated he is fully certified and licensed by

Virginia Department of Health as a Tattoo Artist. He stated he has no felonies against him, lives in Wytheville and currently has a business in West Virginia. He would love to have a business here in this community. He gave Mr. Heath a copy of an online petition signed by 531 people in support of the Tattoo Shop. No one present spoke in opposition to this request. Mr. Wolfe explained the next procedure for this request is rezoning consideration and asked for questions and comments from commissioners. Discussion ensued regarding the apartment in the upper part of the building and the parking situation with a business in accordance with zoning regulations specifically, possible number of clients expected in the building at a time, the chosen location in regards to the restrictions with other surrounding establishments and possible Ordinance changes vs Special Use Permit. Mr. Heath discussed the restrictions regarding residential zones, schools and other types of establishments. Members feel this is an appropriate location for the business. A request was made for Mr. Heath to have the letters mailed to adjoining property owners notifying them of the requested changes and upcoming public hearing date.

Upon Motion of Mrs. Freeman, seconded by Mr. Reedy and a vote of 6 AYES and 0 NOES, the Planning Commission recommends that Council set a Public Hearing for this request on November 1, 2021.

**REZONE REQUEST:** Chairman Wolfe stated a request for rezoning and variance changes was received and asked Mr. Heath to review the information with members. Mr. Heath reviewed a request from the Williams Family Trust noting that Mr. Clegg Williams had discussed this with Town Manager Bill Rush who advised Mr. Williams he would need to make the rezoning request to Planning Commission members. Mr. Clegg Williams was in attendance to represent the family in this request. Mr. Heath asked Mr. Williams to proceed with the request. Mr. Williams informed members the Williams Family would like to have the zoning changed from Medical Arts (MA) to Residential Multifamily (R-3) for their property located at 1128 Snider Street, to allow for apartments to be built on the site. The plans are to demolish the current building and build a new structure. There are also two variance requests: The first request is for lot size requirements: they intend to have a four unit apartment complex which would be 12,800 square feet. The ordinance requires a minimum of 13,500 square feet. They are requesting a variance of 700 square feet. The second variance request is for parking requirements. Current ordinance requires eight (8) parking spaces for four units. They would like to request a variance for less spaces per apartment. Mr. Williams presented a site plan indicating that with two (2) driveways they could have space for three (3) parking spaces on each. He also informed members he has discussed with an adjoining property owner, who has ample parking space, the possibility of allowing the tenants to park there. Mr. Williams stated the site plan meets all applicable setback requirements. Discussion ensued regarding water, sewer and trash pick-up for the planned apartment complex, zoning of adjacent properties, and the need to have some type of official agreement with the other property owner regarding parking if that should be necessary. They also noted the variance requests would need to be heard by the Board of Zoning Appeals. Mr. Heath was requested to have letters mailed to adjoining property owners and have a sign in place to notify citizens of the requested zoning changes and upcoming public hearing date.

Upon motion of Mrs. Freeman, seconded by Mr. Barker and a vote of 6 AYES and 0 NOES, the Planning Commission recommends that Council set a Public Hearing for this rezoning request on November 1, 2021

Upon motion of Mr. Ramsey, seconded by Mrs. Freeman and a vote of 6 AYES and 0 NOES the meeting was adjourned at 5:50pm.

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Chairman

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Secretary