



PLANNING COMMISSION
REGULAR MEETING
AGENDA

January 3, 2023
6:00 PM

Council Chambers, Rocky Mount Municipal Building
345 Donald Avenue, Rocky Mount, Virginia

When speaking before Planning Commission, please come to the podium and give your name and address for the record. Please address the Planning Commission and not the audience. If you provide Planning Commission with any documentation, please also give a copy to the clerk prior to speaking.

1. Roll Call
2. Hearing of Citizens
3. Approval of Agenda
4. Approval of Draft Minutes
 - 4.1. December 6, 2022- Regular Meeting Minutes
5. Public Hearing
 - 5.1. 335FRANKLINST LLC, represented by Phillip Bane, has applied for a special exception permit in order to operate a boutique hotel on the 2nd floor of property located in the Central Business District.
 - Staff Comments
 - Applicant Comments
 - Public Comments
6. Report of the Planning & Zoning Administrator
7. Committee Reports (None)
8. Old Business (None)
9. New Business
 - 9.1. Policy for remote participation in meetings
10. Adjournment

**TOWN OF ROCKY MOUNT
PLANNING COMMISSION
REGULAR MEETING MINUTES
December 6, 2022
6:00 P.M.**

The Planning Commission of the Town of Rocky Mount, Virginia met in the Council Chambers of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, Virginia, at 6:00 p.m. on December 6, 2022, for its regular monthly meeting with Madame Chair Janet Stockton presiding.

Commission Members Present:

- Chair Janet Stockton
- Vice Chair Bud Blanchard
- Bill Ball
- Will Waller
- John Tiggle
- Ina Clements

Commission Members Absent:

- Member John Speidel (via conference phone)

Staff Members Present:

- Planning & Zoning Administrator Jessica H. Heckman
- Planning Commission Clerk Cherie Compton

HEARING OF CITIZENS

None at this time

APPROVAL OF AGENDA

Additions or Corrections: None

Motion: To approve the agenda as presented

Motion By: Member Ina Clements

Second: Member Will Waller

Action: Approved by a unanimous vote of members present

REVIEW AND CONSIDERATION OF MINUTES

Let the record show that prior to the meeting, the Planning Commission received the following draft minutes for review and consideration of approval:

November 1, 2022- Regular Meeting Minutes

Additions or Corrections: None

Motion: To approve minutes as presented

Motion By: Vice Chair Bud Blanchard

Second: Member Ina Clements

Action: Approved by unanimous vote of members present

PUBLIC HEARINGS

None

REPORT OF PLANNING & ZONING ADMINISTRATOR

Zoning Administrator Jessica Heckman updated members on:

- Special Exception application received for a boutique hotel on the 2nd floor of 335 Franklin St, public hearing to be held January
- Received VDOT State of Good Repair – Paving grant of approximately 1.2 million for paving of Route 40 from Claiborne to approximately Hatcher Street
- Town has applied for State of Good Repair- Paving grants for this round as well for Tanyard Road
- Currently reviewing the work order proposed for the Zoning & Subdivision review and update, hope to begin after February

REPORT OF COMMITTEES

None at this time

OLD BUSINESS

None at this time

NEW BUSINESS

None at this time

WORKSESSION

Ms. Heckman advised members staff had discussed potential amendments to the ordinance regarding short term rentals and had recommended waiting to discuss regulations until the full zoning ordinance review so we can get feedback from the public and various stakeholder groups. Staff further recommended to amend the definition of tourist home to short term rental and change the definition to the state definition. Staff also recommended leaving the use as is in uses by right for R3 until later amendments during the full review. All members were in agreement with the recommendations and asked Ms. Heckman to prepare and bring back for consideration under a public hearing.

Hearing no further discussion, Chair Janet Stockton asked for a motion to adjourn.

ADJOURNMENT

Motion to Adjourn By: Member Ina Clements

Second: Vice Chair Bud Blanchard

Action: Approved by a unanimous vote of members present

Time of Adjournment: 6:20 p.m.

Janet Stockton, Chairman

ATTEST:

Cherie Compton, Clerk



STAFF REPORT

PETITIONER: 335FRANKLINST, LLC

REQUEST: Special Exception Permit in the CBD(Central Business District) to allow a boutique hotel use on the second floor

LOCATION: 335 Franklin Street, Rocky Mount, VA

HEARING DATE: Planning Commission, January 3, 2023
Town Council, January 9, 2023

TAX PARCEL: 2070103400

EXECUTIVE SUMMARY:

335FRANKLINST LLC, represented by Phillip Bane, has applied for a special exception permit in order to operate a boutique hotel on the 2nd floor of property located in the Central Business District. If approved, the applicant intends to develop a boutique hotel to include four rooms for lodging. This application has been advertised in the Franklin News-Post as required by law, and the public hearing notice been posted on the site.

I. APPLICABLE REGULATIONS:

DEFINITIONS

Central Business District - Statement of Intent - *The purpose of this district is to promote the harmonious use and development of the historic uptown, downtown and surrounding areas, which is the traditional commercial, governmental, residential, and cultural center of Rocky Mount. The central business district is characterized by an uptown professional office district and a downtown commercial district, which surrounds a residential core. The central business district is distinct due to the historic architecture that lines and is directly adjacent to the pedestrian way and the street. It is the intent of the town to maintain the unique nature of the district by promoting the use of existing buildings, and maintaining and extending the current building arrangement, architectural style, and scale.*

29-1-32 *Any use not specifically listed will be reviewed on an individual basis and if approved, permitted by granting of a special exception by town council.*

29-2 *Use by special exception (applicable here): For the purposes of this ordinance, the town council reserves unto itself the right to grant or refuse special exceptions as provided by 15.2-2286(A)(3) of the Code of Virginia(1950), as amended.*

II. EXISTING CONDITIONS:

The subject property is located between the 325 Franklin Street development and the Franklin County Library. The two story structure is approximately 6000 square feet, roughly 3000 per floor.

III. PROPOSED CONDITIONS:

If approved, the applicant intends to develop a boutique hotel on the second floor to include four rooms for lodging. Per the applicant, the boutique hotel will be managed by the same firm that will manage the Morris Hotel at 325 Franklin Street but will be a separate entity.

With the addition of only four rooms for lodging, staff does not foresee any negative impacts to surrounding properties and the proposed use is expected to have little impact on traffic safety at the downtown location. The property is located a short distance from ample public parking and it meets requirements per Town code.

IV. CONFORMANCE WITH COMPREHENSIVE PLAN:

The Comprehensive plan calls for us to encourage economic development as well as tourism. In order to encourage a healthy tourism economy, Rocky Mount's lodging capacity needs to grow beyond its current offerings. Specific citations of support in the Comprehensive Plan include:

- Encourage new development initiatives that revitalize downtown and uptown and further the unique sense of place that characterizes the central business district of Rocky Mount
- Encourage and pursue businesses, industries, employers, and educational institutions in Rocky Mount that complement and diversify the economic base, provide quality jobs, enhance the quality of life, and sustain the environmental quality of the region
- Continue to pursue additional initiatives that build upon the Arts and Culture District, the Harvester, the Farmers Market, and other downtown/uptown attractions
- Planning and revitalization: reuse and redevelopment of older buildings and properties in the Central Business District is encouraged
- Enhance the economic viability of the central business district

V. STAFF ANALYSIS

The zoning ordinance recognizes the unique nature of the town's Central Business District and it also recognizes that there may be uses that are appropriate for the district, but require individual review in order to permit them. This case-by-case consideration is crucial in discouraging high-impact uses.

Staff has reviewed the proposal and foresees no negative impacts for allowing the boutique hotel use that will add four additional rooms for lodging in downtown Rocky Mount. It is essential for downtown businesses to be open and thriving for the Town to have continued economic growth. The proposed business will further support tourism in Rocky Mount and possibly increase lodging tax revenues as Harvester patrons and other visitors are able to find accommodations in Town versus seeking lodging in surrounding areas. Staff recommends approval of the boutique hotel on the second floor.

POSSIBLE MOTIONS:

Approval: I move to approve the special exception request for Tax Map Parcel 2070103400 (on the following grounds, if needed):_____

ONLY IF APPLICABLE:

Approval, with Imposed Conditions: I move to approve the special exception request for Tax Map Parcel 2070103400 **with the following conditions:**_____

Denial: I move to deny the special exception request for Tax Map Parcel 2070103400 (on the following grounds, if needed):_____

PREPARED BY: Jessica H. Heckman
HEARING DATES: Planning Commission, January 3, 2023
Town Council, January 9, 2023



Town of Rocky Mount SPECIAL ZONING APPLICATION

☐ REZONING REQUEST ☒ SPECIAL EXCEPTION/USE ☐ VARIANCE

Date Received	11/28/22
Received by	[Signature]
PC/BA Date	1/3/22

PRE-FILING CONSULTATION WITH THE TOWN PLANNING STAFF TO REVIEW THE PROPOSED REQUEST AND TO OBTAIN RECOMMENDED PROCEDURES AND TECHNICAL ASSISTANCE IS REQUIRED. TO SCHEDULE A PRE-FILING CONSULTATION, PLEASE CONTACT THE TOWN OF ROCKY MOUNT COMMUNITY DEVELOPMENT DEPARTMENT AT 540-483-0907.

APPLICANT NAME: 335FranklinSt, LLC

ADDRESS: PO Box 854 Rocky Mount VA 24151

PHONE: _____ EMAIL: _____

PROPERTY OWNERS NAME & ADDRESS:
(IF DIFFERENT FROM APPLICANT) _____

TAX MAP & PARCEL NUMBER: 2070103400 LOT SIZE (ACRES/SQ.FT.) _____

CURRENT ZONING: ☐ R-1 ☐ R-2 ☐ R-3 ☐ RA ☐ RB ☐ RPUD ☐ POS ☐ C-1 ☐ C-2 ☐ M-1 ☐ M-2 ☒ CBD ☐ CBD-ARTS & CULTURE ☐ GB

CURRENT LAND USE: ☐ VACANT ☐ AGRICULTURAL ☐ RESIDENTIAL ☒ COMMERCIAL ☐ INDUSTRIAL

☐ REZONING REQUEST: PROPOSED ZONING: _____ PROPOSED LAND USE: _____

☒ SPECIAL EXCEPTION/USE REQUEST OF SECTION(S) 29-1-32 OF THE TOWN ZONING ORDINANCE.

☐ VARIANCE REQUEST OF SECTION(S) _____ OF THE TOWN ZONING ORDINANCE.

NATURE OF REQUEST - BRIEFLY DESCRIBE THE PROPOSED PROJECT AND SPECIFIC DEVIATION REQUEST FROM THE ZONING ORDINANCE.

To use the second floor for a boutique hotel.

I HEREBY CERTIFY THAT I AM ACTING WITH THE KNOWLEDGE AND CONSENT OF THE PROPERTY OWNER TO THE REQUEST DESCRIBED ON THE APPLICATION. BY SIGNING BELOW, I AGREE THE INFORMATION PROVIDED ON THE APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

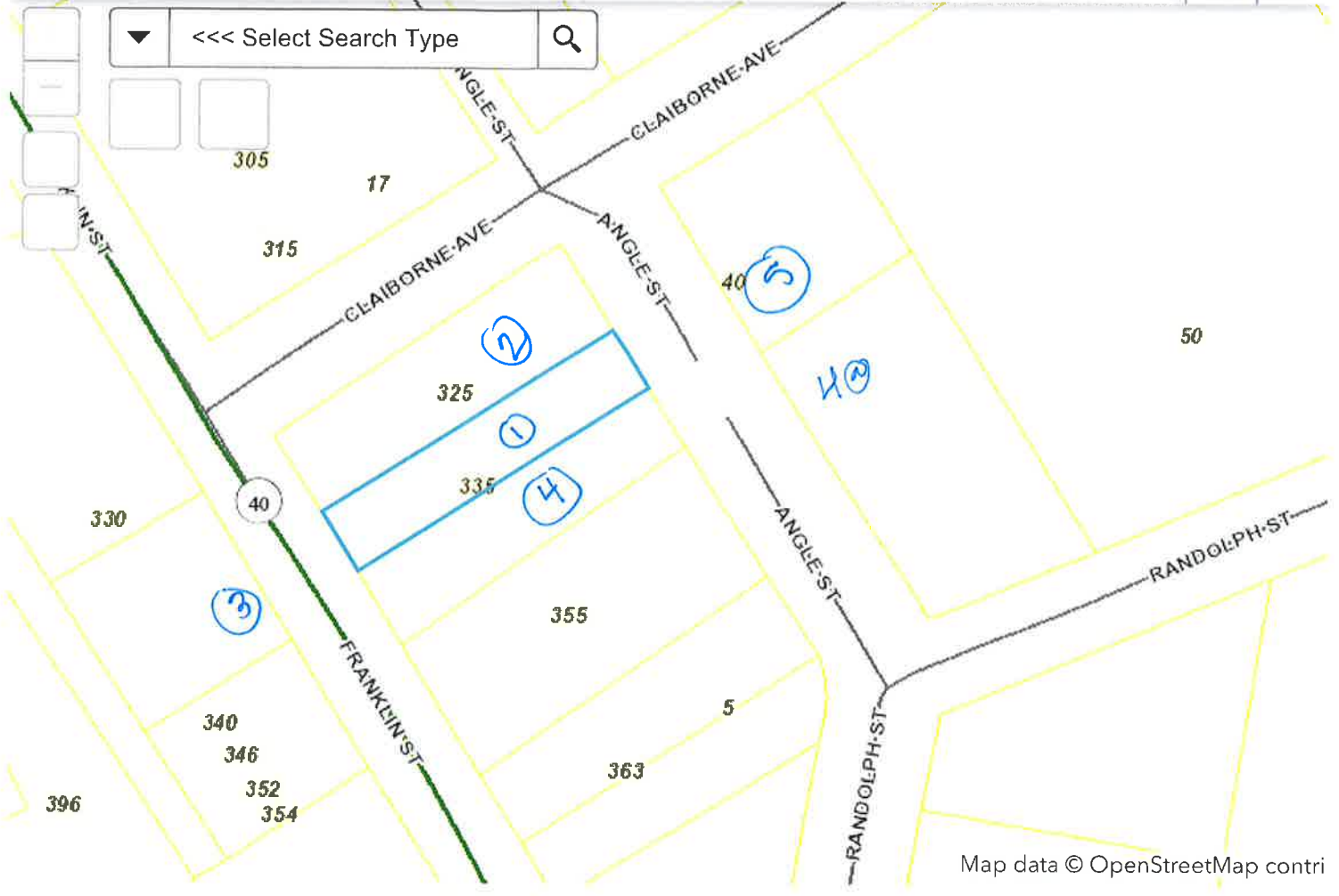
APPLICANT SIGNATURE

DATE

BY SIGNING BELOW, I CERTIFY I AM AWARE OF THE REQUEST SUBMITTED AND THE INFORMATION PROVIDED IS TRUE TO THE BEST OF MY KNOWLEDGE.

OWNER SIGNATURE

DATE



Order Confirmation

Order# 0001389611

Ad Content Proof

Note: Ad size does not reflect actual ad

Pursuant to the Town Code of Rocky Mount and the Code of Virginia, public hearings will be held by Rocky Mount Planning Commission and Town Council to review a special exception permit application to which the public and all interested parties are invited to hear the following:

335FranklinSt, LLC is requesting a special exception permit to operate a boutique hotel on the second floor at property located at 335 FRANKLIN STREET, ROCKY MOUNT, VA, 24151, Franklin County Tax Map and Parcel Number 2070103400. The property is zoned CBD (Central Business District). A site visit will be held at the property at 5:15 p.m. Tuesday, January 3, 2023, prior to the Planning Commission Public Hearing.

Rocky Mount Planning Commission will hold a public hearing on the application at 6 p.m., Tuesday, January 3, 2023, in the Council Chambers at the Rocky Mount Municipal Building, 345 Donald Avenue, Rocky Mount.

Rocky Mount Town Council will hold a public hearing on the same application at 7 p.m., Monday, January 9, 2023, in the Council Chambers at the Rocky Mount Municipal Building, 345 Donald Avenue.

Documents relating to the public hearings are available for inspection at the Planning and Community Development Department, located at 345 Donald Avenue, from 8:00 a.m. to 5:00 p.m., Monday through Friday. If you are unable to attend the public hearings and would like to send comments in writing, please address them to the Planning Commission Clerk, Attention: Public Hearing, 345 Donald Avenue, Rocky Mount, VA 24151 or email them to cocompton@rockymountva.org by 3 p.m. January 3, 2023 in order to be included in the record.

ITEM(S) TO BE CONSIDERED UNDER:
New Business

FOR MEETING DATED:	January 3, 2023
STAFF MAKING REQUEST:	Jessica Heckman, Planning & Zoning Administrator
BRIEF SUMMARY OF REQUEST:	A recently adopted state statute allows for members of the Town Council to participate in meetings remotely in specific situations: 1. The member has a temporary or permanent disability or other medical condition that prevents the members physical attendance; 2. A medical condition of a member of the member's family requires the member to provide care that prevents the members physical attendance; 3. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting; or 4. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. There are specific requirements that must be met and procedures that must be followed in order to utilize this method of participation, and the Town Council must adopt a policy that governs such participation. The draft policy in this packet was prepared by Town Attorney Boitnott for your review and consideration.
ACTION NEEDED:	Adoption of the proposed policy.

Attachment(s): Policy for the Remote Participation of Members

FOLLOW-UP ACTION:

(To be completed by Town Clerk)



THE TOWN OF ROCKY MOUNT PLANNING COMMISSION
POLICY FOR THE REMOTE PARTICIPATION OF MEMBERS

1. AUTHORITY AND SCOPE

a. This policy is adopted according to the authorization of Virginia Code § 2.2-3708.3 and shall be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Virginia Code §§ 2.2-3700, et seq.

b. This policy shall not govern an electronic meeting conducted to address a state of emergency declared by the Governor of Virginia or the Mayor of the Town of Rocky Mount. Any meeting conducted by electronic communication means under such circumstances shall be governed by the provisions of Virginia Code § 2.2-3708.2. This policy also does not apply to an all-virtual public meeting.

2. DEFINITIONS

a. "Planning Commission" means the Town of Rocky Mount Planning Commission, or any committee, subcommittee, or other entity of the Planning Commission.

b. "Member" means any member of the Planning Commission.

c. "Remote participation" means participation by an individual member of the Planning Commission by electronic communication means in a public meeting where a quorum of the Planning Commission is physically assembled, as defined by Virginia Code § 2.2-3701.

d. "Meeting" means a meeting as defined by Virginia Code § 2.2-3701.

e. "Notify" or "notifies," for purposes of this policy, means written notice, such as email or letter. Notice does not include text messages or communications via social media.

3. MANDATORY REQUIREMENTS

Regardless of the reasons why the member is participating in a meeting from a remote location by electronic communication means, the following conditions must be met for the member to participate remotely:

a. A quorum of the Planning Commission must be physically assembled at the primary or central meeting location; and

b. Arrangements have been made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location. If at any point during the meeting the voice of the remotely participating member is no longer able to be heard by all persons at the meeting location, the remotely participating member shall no longer be permitted to participate remotely.

4. PROCESS TO REQUEST REMOTE PARTICIPATION

a. On or before the day of the meeting, and at any point before the meeting begins, the requesting member must notify the Chairman that they are unable to physically attend a meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance, (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance, (iii) their principal residence location more than 60 miles from the meeting location, or (iv) a personal matter and identifies with specificity the nature of the personal matter.

b. The requesting member shall also notify the Clerk of the Planning Commission of their request, but their failure to do so shall not affect their ability to remotely participate.

c. If the requesting member is unable to physically attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. There is no limit to the number of times that a member may participate remotely for the other authorized purposes listed in (i)-(iii) above.

d. The requesting member is not obligated to provide independent verification regarding the reason for their nonattendance, including the temporary or permanent disability or other medical condition or the family member's medical condition that prevents their physical attendance at the meeting.

e. The Chairman shall promptly notify the requesting member whether their request is in conformance with this policy, and therefore approved or disapproved.

5. PROCESS TO CONFIRM APPROVAL OR DISAPPROVAL OF PARTICIPATION FROM A REMOTE LOCATION

When a quorum of the Planning Commission has assembled for the meeting, the Planning Commission shall vote to determine whether:

a. The Chairman's decision to approve or disapprove the requesting member's request to participate from a remote location was in conformance with this policy; and

b. The voice of the remotely participating member can be heard by all persons at the primary or central meeting location.

6. RECORDING IN MINUTES

a. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, a family member's medical condition that requires the member to provide care to the family member, or because their principal residence is located more than 60 miles from the meeting location the Board of Zoning Appeals shall record in its minutes (1) the Board's approval of the member's remote participation; and (2) a general description of the remote location from which the member participated.

b. If the member is allowed to participate remotely due to a personal matter, such matter shall be cited in the minutes with specificity, as well as how many times the member has participated remotely due to a personal matter, and a general description of the remote location from which the member participated.

c. If a member's request to participate remotely is disapproved, the disapproval, including the grounds upon which the requested participation violates this policy or VFOIA, shall be recorded in the minutes with specificity.

7. CLOSED SESSION

If the Planning Commission goes into closed session, the member participating remotely shall ensure that no third party is able to hear or otherwise observe the closed meeting.

8. STRICT AND UNIFORM APPLICATION OF THIS POLICY

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

The Clerk of the Planning Commission shall maintain the member's written request to participate remotely and the written response for a period of one year, or other such time required by records retention laws, regulations, and policies.

Adopted this _____ day of _____, 2022

Ayes:

Nays:

Present:

APPROVED:

Chairman

ATTEST:

Clerk

Approved as to form:

Town Attorney