

MINUTES
CALLED MEETING
OCTOBER 15, 2018

A called meeting of the Council for the City of Covington was held on Monday, October 15, 2018 at 4:30 p.m. in the Council Chambers of City Hall located at 333 W. Locust Street, Covington, Virginia.

The meeting was called to order by Mayor Thomas H. Sibold, Jr. with all members present as follows: Mayor Sibold, Vice Mayor David S. Crosier, Councilwoman Mary Ann Beirne, Councilman Raymond C. Hunter and Councilman S. Allan Tucker.

The purpose of the meeting was to hold a joint Public Hearing with the Covington Planning Commission regarding the following:

- (1) Special Use Permit request for Catherine Linkenhoker and Amanda Walters, to allow for a drive through coffee shop located on East Madison Street, Altamont
- (2) Special Use Permit request for Datapath Tower, to allow for a public safety communications/commercial tower located at 2000 North Peak Drive, Dry Run
- (3) Ordinance revision to Section 8-3 of the City Code, to eliminate the renewal requirement for Special Use Permits
- (4) Ordinance revision to Appendix B, Zoning, Article XI, Light Industry District (M-1), Section 7 of the City Code, to change the setback regulations by reducing it to 25 feet

The Planning Commission was called to order by Chairman Tad Robertson with the following members present: Chairman Robertson, Vice Chairman Jerry Morgan, Ms. Carolyn O'Conner, Mr. Patrick Scruggs and Mr. Wayne Lamb.

Eric Tyree, Zoning Administrator, presented a brief explanation regarding the proposed ordinance clarifying Special Use Permits and Special Exceptions. Consideration was given to possibly issuing Special Use Permits in a manner consistent with other localities. He also noted that the applicant cannot be forced to "proffer" conditions on their request per action by the state legislature. Chairman Robertson expressed concerns that this could be leaning toward spot zoning. Flexibility of conditions is currently possible for the City. Mr. Morgan stated that some businesses would not be here without Special Use Permits. The Planning Commission was in agreement to wait for the Comprehensive Plan's completion and do additional planning from there.

The Public Hearing regarding the request for a Special Use Permit for Catherine Linkenhoker and Amanda Walters, to allow for a drive through coffee shop was postponed until November.

The Public Hearing regarding the Special Use Permit for Datapath Tower was held. Steven Sivonda spoke against the tower as the proposed tower height will be 150 feet, whereas, he stated that the conveyance of this site stated 60 feet. He also felt this would create a traffic problem and diminish property value.

Euan Fuller, speaking on behalf of Datapath Tower, noted that there would be no lights on the tower as it is below the required height. The nearest property is 1,500 feet from the tower and there would be income generated for Alleghany County and the City of Covington. Mr. Fuller stated that this tower is part of a wider plan to improve emergency communications in the area.

Josh Johnson spoke during the Public Hearing stating that he is not necessarily opposed to the tower, he just needed clarification if a road agreement was in place and what the tower would look like as he is invested in property in this area. With no further citizen comments, the Public Hearing was closed.

Discussion was held with Chairman Robertson asking if consideration had been given to alternate sites and possible means to hide/disguise the tower and not distract from the limited areas of development the City does have. He also inquired about the previous situation with the tower. It was noted that the previous Special Use Permit lapsed as nothing was done on the site for public communications. Mayor Tom Sibold explained that this tower is part of the tower

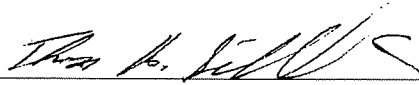
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system for 9-11. It will allow communication at the Island Ford Bridge that is currently not covered and is needed during emergency events. This tower is the key to the emergency system. Following discussion, a motion was made by Mr. Morgan, seconded by Mr. Lamb, that the Planning Commission recommend the Special Use Permit for Datapath Tower with height not to exceed 150 feet. Motion carried by vote of 5 to 0.

The Public Hearings were held regarding: (1) Ordinance revision to Section 8-3 of the City Code to eliminate the renewal requirement for Special Use Permits and (2) Ordinance revision to Appendix B, Article XI, Light Industry District (M-1), Section 7 to change the setback regulations by reducing it to 25 feet. There were no comments from the citizens present regarding these two proposed changes to the Covington City Code. The Planning Commission voted to recommend both changes by vote of 5 to 0.

No further business to come before Council, Council adjourned.



THOMAS H. SIBOLD, JR., MAYOR
PRESIDENT OF THE CITY COUNCIL AND, AS SUCH,
EX-OFFICIO OFFICER OF THE CITY OF COVINGTON,
VIRGINIA

ATTEST:


EDITH S. WOOD, CITY CLERK