

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
REGULAR MEETING MINUTES  
JULY 22 2014 – 7:00 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON JULY 22, 2014 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael Barber; Vice-Mayor James W. Vanhoozier; Samuel M. Bishop; R. Cord Hall; Steve Huppert; Henry D. Showalter. ABSENT: Bradford J. Stipes.

ADMINISTRATION PRESENT: Town Manager Barry Helms; Clerk of Council Michele Stipes; Town Attorney Theresa Fontana; Assistant Town Manager Randy Wingfield; Finance Director/Treasurer Valerie Tweedie; Planning Director Nichole Hair; Director of Parks and Recreation Brad Epperley.

**PLEDGE OF ALLEGIANCE**

**PUBLIC HEARING**

1. Council's intention to adopt an ordinance in regards to a rezoning request Stateson Homes for property located on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) from A Agricultural to R-1 Single Family Residential with proffers. The property contains 35.4 acres and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan.

Mr. Todd Robertson, owner of Stateson Homes and a native of Montgomery County, spent twenty years working with a national home builder before moving back to Montgomery County where he built his first neighborhood in Blacksburg with fifty-eight home sites. He also established a neighborhood in Radford and now wants to build in Christiansburg on the northern side of Quin W. Stuart Boulevard. Stateson Homes is an established business, with a complete staff, that builds model homes, which can be customized by the purchaser. Complete inspections are done on each home, and each home is sold with a full warranty.

Mr. Tim Walker of 25 Jessie Circle, and president of the Homeowner's Association of Stafford's Farm Subdivision, relayed to Council neighborhood concerns regarding the additional traffic new homes would place on Peppers Ferry Road, Stafford Drive, and Quin W. Stuart Boulevard. He supports continued growth, but is concerned because a traffic study was not included in the proposed development plans. He requested that Council be prepared to address traffic concerns that may result from the proposed development.

Chris Widrig of 725 Stafford Drive is the owner of property that would adjoin the proposed road access from Stafford Drive. Mr. Widrig believes that the traffic projection included in the development plans is outdated, and that the actual usage is much heavier than indicated. He suggested that the developer seek an alternate route into the proposed development that would alleviate additional traffic on Stafford Drive. Town Manager Helms reported that the site plan has been revised to remove the Stafford Drive access into the development.

Arthur Willson, 220 Revolution Circle, urged the Town to do a traffic study at Quin W. Stuart Boulevard and Peppers Ferry Road, since the indication is that the majority of the traffic from the proposed development would utilize Quin W. Stuart Boulevard, and also considering that a park entrance would likely be developed across Peppers Ferry Road from Quin W. Stuart Boulevard in the future. Mr. Willson explained that the improvements to Route 114 have made entering onto that road from Quin W. Stuart Boulevard even more dangerous than before the improvements. The communities of Stafford Drive and the Villas at Peppers Ferry Road do not have safe access onto Route 114, a problem that would be exacerbated with additional development, according to Mr. Willson. Town Manager Helms reported that VDOT intends to do a traffic study at Quin W. Stuart Boulevard and Peppers Ferry Road, once the improvements are completed. VDOT performed a traffic study at Quin W. Stuart Boulevard and Peppers Ferry Road within the past few years and found that the intersection did not meet VDOT standards for a stoplight. The concern of the Town is the liability that may result from installing a stoplight not justified by VDOT standards.

Kathryn Dowling of 200 Revolution Circle in the Villas at Peppers Ferry, understands that the land is scheduled for residential development in the comprehensive plan, and she has met with Balzer and Associates, and Stateson Homes, to discuss the proposed development. She is in general support of the request; however she believes the Town must use forward thinking in addressing traffic issues with Route 114 by considering placement of a stop light at Quin W. Stuart Boulevard or Stafford Drive, along with improvements to Stafford Drive. Ms. Dowling also requested that additional tree and landscape buffering be included in the site plan to provide more separation between the new development and the back of Revolution Circle. Her last concern pertained to the proposed location of the in-ground water utilities and how additional development may negatively affect water pressure at the Villas at Peppers Ferry. Ms. Dowling stated that the residents of Villas at Peppers Ferry want to be good neighbors and citizens, but the cooperation of all is necessary.

Paul Schott of 100 Revolution Circle expressed his concern regarding traffic issues along Peppers Ferry Road and the additional difficulties residents of the Villas at Peppers Ferry would experience entering and exiting Quin W. Stuart Boulevard with completion of the improvements to Peppers Ferry Road; he spoke as an advocate to finding a solution that would address the issues and provide relief for the residents.

Steve Semones of Balzer and Associates stated that communication with residents has been an important part of developing the plans for this location. He and the developer are aware of the residents' traffic concerns and have taken measures through proffers to address some of the concerns voiced. Mr. Semones reported that VDOT intends to perform a traffic study upon completion of the improvements to Route 114, which could result in further improvements to the area.

Charlie Saks of 310 Revolution Circle expressed concern that there were no plans for widening Stafford Drive or for constructing sidewalks along the busy road. The road is narrow, with no lines, and is difficult to navigate, especially when passing school buses or other larger vehicles. Mr. Saks stated that it appears there is adequate room to widen the road which would increase its safety. Mr. Saks urged Council to do a traffic study sooner, rather than later, to be proactive in providing traffic relief for those who live in the area.

Bonnie Boatwright of 480 Revolution Circle said she is strongly opposed to additional development along Quin W. Stuart Boulevard for reasons that included additional traffic that would further compromise the safety of the area, along with an increase in noise. She also expressed concern regarding the close proximity of the proposed road to her property and four above-ground gas utility pipes, which are located near the corner of her property. She understands that the plan complies with the Town's comprehensive plan, but would like the concerns voiced tonight to be considered by Council. Ms. Boatwright submitted to Council a petition signed by residents of Villas at Peppers Ferry in support of her attempt to block or change the proposed development.

Anthony Campasini of 185 Revolution Circle asked Council to consider the elderly ages of many of the residents of the Villas at Peppers Ferry and the impact additional traffic will have on the safety within the area. The residents' already have difficulties entering onto Peppers Ferry Road and adding more traffic will increase the dangers for those living in the area.

Tom Peters, Pastor of New Life Apostolic Church at 783 Stafford Drive, shared the concerns of others regarding the difficulties accessing Peppers Ferry Road from Stafford Drive, as well as navigating Stafford Drive, especially on Sundays when traffic is heavier. Pastor Peters suggested widening Stafford Drive to improve roadway safety.

Les Bane of 665 Stafford Drive asked for clarification of the developers plan for ingress and egress for the proposed development. Town Manager Helms reported that the developer has modified the plans to eliminate the access road from Stafford Drive. Per the proposal, there would only be one access off of Quin W. Stuart Boulevard. However, this could change in the future depending on who might purchase the undeveloped property.

LJ White of 575 Stafford Drive spoke to the growth along Stafford Drive in recent years and the difficulties in navigating the narrow, winding road. Sight distance is poor in certain areas along the road, and many drivers exceed the speed limit. Mr. White concurred with the traffic concerns voiced and urged the Town take steps to increase the safety through the area.

Bob Magee of 470 Revolution Circle voiced his concern with the dangers faced by residents in trying to access Peppers Ferry Road from Quin W. Stuart Boulevard, which will be exacerbated with the improvements to Peppers

Ferry Road. Mr. Magee stressed that a stop light is necessary to protect the lives of those utilizing Quin W. Stuart Boulevard, many of whom will begin using Stafford Boulevard once Peppers Ferry Road becomes four lanes.

Marjorie Hendren of 70 Revolution Circle reiterated the traffic concerns voiced and expressed support for the installment of a stop light at Quin W. Stuart Boulevard and Peppers Ferry Road.

Councilman Hall raised the issue of liability to the Town if it were to determine, through its own study, that a stoplight is warranted in an area that does not meet VDOT standards. His concern is that VDOT's traffic study did not take subjective information into consideration, such as demographics and ingress/egress, and he requested an opinion from the Town Attorney concerning the Town's options in performing its own study, as well as options for placing traffic control measures as a result of the study. Town Attorney Fontana will research the matter and provide an opinion to Council at the second regular meeting in August.

Councilman Huppert reported that the builder has pledged to wait until October 2015 to begin construction, which gives the Town, and VDOT, more than one year to address traffic concerns; Councilman Showalter recommended the Town move forward with investigating its options for placing a stoplight at Peppers Ferry Road and Quin W. Stuart Boulevard.

2. Contingent of Item 1, a Conditional Use Permit request by Stateson Homes for property on the northern side of Quin W. Stuart Boulevard and at 745 Stafford Drive, N.W. (an approximately 27.8 acre portion of tax parcel 435 – ((A)) – 40, an approximately 6.2 acre portion of tax parcel 405 – ((A)) – 28 and tax parcel 405 – ((A)) – 9B) for a planned housing development in the R-1 Single Family Residential District.

Steve Semones of Balzer and Associates reported that the conditions set forth in the CUP will be redrafted to address concerns voiced during discussions including additional landscape screening and the placement of a retaining wall.

## **REGULAR MEETING**

### **I. CALL TO ORDER:**

MAYOR BARBER called the regular meeting of Council to order and asked if there were any additions or corrections to the meeting minutes of July 8, 2014. Councilman Hall made a motion to approve the minutes as presented seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Bishop, Hall, Huppert, Vanhoozier. NAYS: None. Abstain: Showalter (absent from July 8<sup>th</sup> meeting).

### **II. CITIZEN'S HEARING:**

1. KEVIN BYRD, EXECUTIVE DIRECTOR OF THE NEW RIVER VALLEY PLANNING DISTRICTCOMMISSION, TO UPDATE COUNCIL ON THE COMMISSION ACTIVITIES. Mr. Byrd provided Council with an update on the various ways the New River Valley Planning District Commission is serving Christiansburg through assistance and partnerships, including the grant writing that secured government funds for the Chrisman Mill railroad crossing safety improvements. He then explained how the NRPDC is serving the region through the New River Valley Livability Initiative, a regional planning project that provides a collective, future vision for enhanced livability in the New River Valley. The project offers community education workshops and programs, and has published three reports that target livability, energy usage, and home ownership. Mr. Byrd recognized the contributions of Councilman Showalter and Scott Weaver through their service as representatives on the commission. Councilman Showalter invited the audience to research the NRPDC to learn about the commission's positive influence in government operations.

### **2. CITIZEN COMMENTS:**

a. Kevin Conner of Gay and Neel, Inc. provided Council with a brief update on the construction progress of the Huckleberry Trail Bridge.

*Councilman Hall made a motion to amend the agenda to include a recommendation from the Water and Sewer Committee regarding a previous request pertaining to 290 Cheverley Road. Councilman Showalter seconded the motion and Council voted as follows: AYES: Bishop, Hall, Huppert, Showalter, Vanhoozier. NAYS: None. The matter was placed as Item #6 under III. Discussions by Mayor and Council Members.*

### **III. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:**

1. COUNCIL ACTION ON:

- a. Council's intention to adopt an ordinance in regards to the definition of bed and breakfast inn. The Public Hearing was held July 8, 2014. Town Manager Helms read the Planning Commission resolution recommending Town Council approve the amendment as follows: "A single-family, owner-occupied dwelling which, as an accessory use, offers no more than six bedrooms (one of which may be located in an accessory structure) for short-term transient occupancy for compensation and where food service for resident guests is limited to breakfast only. In addition to the functions for overnight guests, the bed and breakfast inn may hold special events and social." The Planning Commission vote was 6 ayes; 0 nays; 2 absent. Councilman Hall made a motion to accept the Planning Commission's recommendation, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Absent; Vanhoozier – Aye.
- b. Contingent on the above, a Conditional Use Permit amendment request by Linda Wortzberger for a bed and breakfast inn at 311 East Main Street (tax parcel 527 – ((A)) – 127) in the R-3 Multi-Family Residential District. The Public Hearing was held July 8, 2014. Town Manager Helms read the Planning Commission resolution recommending Town Council issue the CUP with fourteen (14) conditions. The Planning Commission vote was 8 ayes; 0 nays; 2 absent. Councilman Vanhoozier made a motion to issue the CUP as recommended with the exception of striking condition thirteen, seconded by Councilman Huppert. Councilman Vanhoozier explained that condition thirteen would require the applicant to provide written notification of events to adjoining property owners, and he did not see the necessity in encumbering the applicant in that manner, especially since there is ample parking both on-site and on-street. In addition, Councilman Hall recommended that condition eleven be modified to require the utilization of on-site parking before on-street parking is used. Councilman Vanhoozier amended his motion to include the modification of condition eleven requiring that on-site parking be utilized before on-street parking. Councilman Huppert seconded the amended motion. Upon further discussion, Councilman Showalter recommended striking condition nine, which would then allow for limited sized weddings and receptions to be held on-site during the hours of 11:00 A.M. and 3:00 P.M. Councilman Vanhoozier made a motion to amend his previous motion to strike condition nine, seconded by Councilman Huppert. Council was polled on the amended motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Absent; Vanhoozier – Aye. A copy of the CUP and conditions is attached herewith.
- c. Conditional Use Permit request by Derrick Lancaster for a towing service at 880 Radford Street (tax parcel 525 – ((A)) – 38) in the B-3 General Business District. The Public Hearing was held July 8, 2014. Town Manager Helms read the Planning Commission resolution recommending Town Council issue the Conditional Use Permit with thirteen conditions. The Planning Commission vote was 8 ayes; 0 nays; 2 absent. Councilman Hall made a motion to issue the CUP as recommended by the Planning Commission, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Absent; Vanhoozier – Aye. A copy of the CUP and conditions is attached herewith.
- d. Conditional Use Permit request by Marvi Stine for residential use at 404 Roanoke Street in the B-3 General Business District. The Public Hearing was held July 8, 2014. Town Manager Helms read the Planning Commission resolution recommending Town Council issue the Conditional Use Permit with one condition. The Planning Commission vote was 8 ayes; 0 nays; 2 absent. There were no complaints received by the Town pertaining to this request. Councilman Hall made a motion to issue the CUP as recommended by the Planning Commission, seconded by Councilman Bishop. Council was polled on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Absent; Vanhoozier – Aye. A copy of the CUP and one condition is attached herewith.

2. REAPPOINTMENT OF TRISH COOK TO THE MONTGOMERY TOURISM DEVELOPMENT

COUNCIL.

Trish Cook is currently serving the unexpired term of Kathy Drummond Wheeler, which expires August 27, 2014. She has expressed interest in serving another term; of the two meetings held since her appointment, Ms. Cook was absent from one due to a business conflict. Councilman Huppert made a motion to reappoint Trish Cook to serve a

two-year term on the Montgomery Tourism Development Council, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Bishop, Hall, Huppert, Showalter, Vanhoozier. NAYS: None.

3. REAPPOINTMENT OF TONIA WINN TO THE PARKS AND RECREATION ADVISORY COMMISSION.  
Tonia Winn's term expired December 31, 2013, and she has expressed interest in serving another term. Councilman Hall made a motion to reappoint Tonia Winn to serve a four-year term on the Parks and Recreation Advisory Commission, noting that she has had excellent attendance and has provided valuable insight during commission discussions. Councilman Vanhoozier seconded the motion and Council voted on the motion as follows: AYES: Bishop, Hall, Huppert, Showalter, Vanhoozier. NAYS: None. Tonia Winn was present and thanked Council for the reappointment.
4. DISCUSSION OF APPOINTMENT TO THE BOARD OF ZONING APPEALS. The vacancy is due to the resignation of Stanley "Buck" Woodyard. At Council's direction, Town Manager Helms sent notification letters to the individuals who interviewed for the Council vacancy, and he received an expression of interest from five of the candidates contacted. Town Manager Helms will contact those interested in the appointment to see if they have any conflicts for Thursday meetings.
5. MR. STIPES AND MR. VANHOOZIER - STREET COMMITTEE REPORT/RECOMMENDATION ON:
  - a. Plat Showing Boundary Line Relocation Between Tax Parcel 497 – ((A)) – 354 & Tax Parcel 497 – ((A)) – 358; located at 925 Harless Street, N.E.; consists of 2 lots. Councilman Vanhoozier explained the request, which would extend one of the two lots by approximately one acre. One lot is currently landlocked, and the boundary line location would not impact that status. The Street Committee has reviewed the request and Councilman Vanhoozier made a motion to approve the request, seconded by Councilman Hall. Council voted on the motion as follows: AYES: Bishop, Hall, Huppert, Showalter, Vanhoozier. NAYS: None.
  - b. Recommendation on the upgrading of Oakland Drive. Councilman Vanhoozier reported that the Street Committee studied the request to upgrade Oakland Drive, which is a Town-owned and maintained gravel road serving one residence as well as a detached garage. The steep road washes out during heavy rains and deposits erosion into the yard of the private residence. The Street Committee researched the costs to re-grade the twelve-foot by three-hundred foot street with a six-inch base of tar and gravel. Surface treatment by Town crews, using Town equipment, would cost approximately sixteen thousand dollars. Surface treatment costs would be nine thousand dollars, if done by a private contractor, with preparation work by Town crews at a cost of approximately one-thousand dollars. The Street Committee recommended installing the road through a private contractor at a total cost of ten thousand dollars, which would be funded through the "Non-eligible Streets" line item in the budget. Councilman Hall and Councilman Showalter voiced concerns regarding the cost of upgrading a road that would only benefit two property owners. He recommended tabling the matter to give him the opportunity to visit the site before taking action on the request. Several members of Council visited the site and noted the steepness of the street. Town Manager Helms reported that the Town received a request from a citizen to pave Craig Street north of High Street, due to dust. Oakland Drive and Craig Street are two of the few remaining gravel streets owned by the Town.
6. MR. HALL AND MR. SHOWALTER – WATER AND SEWER COMMITTEE REPORT/RECOMMENDATION ON:
  - a. A request by Bob Anderson of 290 Cheverly Drive for reimbursement of costs incurred due to a sewer issue on Cheverly Drive. This request was brought to Council on May 13, 2014. Mr. Anderson experienced two sewer backups at his home on Cheverly Drive shortly after Town crews connected a sewer line to the sewer main near his property. The Town's engineering and public works departments worked to correct the problem, which occurred due to the improper placement of a sewer line, but Mr. Anderson incurred a cost of three thousand dollars to dig up and replace the sewer line on his property. This cost was not covered by his homeowner's insurance or the Town's insurance, and Mr. Anderson requested the Town reimburse him for his costs to install the sewer line on his property. The Town waived the two-thousand five hundred dollar connection fee. The Water and Sewer Committee studied the request, along with Town Manager Helms, and the Town's engineers who determined the situation was an uncommon occurrence. The Water and Sewer Committee recommended that the Town reimburse Mr. Anderson for one-half of the installation costs at a total of fifteen hundred dollars (\$1,500). The recommendation is based on the consideration that the situation was created by work that was performed by Town crews. Mr. Anderson attended the previous Water and Sewer Committee meeting to present information and answer questions. Councilman Hall made a motion to reimburse Mr. Anderson fifteen hundred dollars (\$1,500) to cover one-half of his sewer line installation costs, seconded by Councilman Showalter. Council voted

on the motion as follows: AYES: Bishop, Hall, Huppert, Showalter, Vanhoozier. NAYS: None.

**IV. COUNCIL REPORTS:**

- a. Councilman Huppert expressed concern for the vacancies and disrepair within the Market Place shopping center. Focused on ways to revitalize and build the economy in this particular area, Councilman Huppert recommended involving Charlie Jewell and Brian Hamilton of the Montgomery County Economic Development in determining ways to enhance the area. Town Manager Helms reported that the property owner is prompt in responding to the Town's notices of ordinance violations pertaining to maintenance. Mayor Barber requested that Councilman Huppert take the lead in contacting the property owners and members of the Montgomery County Economic Development.
- b. Councilman Showalter reported from the Water and Sewer Committee that Town staff is still researching recycling drop off locations and that the Town has purchased used recycling containers from Richmond. He then reported that he would want the Town to form a Central Business District sub-committee, with citizen representation, to focus on the cultural revitalization of the downtown area and the Cambria area. Mayor Barber asked Council to think about this type of sub-committee and to be prepared to discuss at a regular meeting in October.
- c. Councilman Vanhoozier reported that the Kiwanis Club has worked with a vendor to design downtown banners for the Wilderness Trail Festival and contracted the vendor to make the banners at a cost of \$1,700. At the suggestion of Councilman Showalter several months ago, Councilman Vanhoozier requested Council consider using tourism funding to cover one-half of the cost. The organization and event must meet certain criteria to receive tourism funding; however, since the banner design includes the name of the Kiwanis Club, Councilman Hall expressed concern with using public funds to pay for advertising of a private organization. Councilman Bishop stated that he shares Councilman Hall's concerns, but can support the request since the banners and the Wilderness Trail Festival would draw people into the downtown area, which he strongly advocates. Mayor Barber stated his support for the Kiwanis Club fully funding the banners. After further discussion, Councilman Huppert made a motion to authorize the use of tourism funds to pay one-half, or \$853.75, of the cost of the Wilderness Trail Festival banners to be displayed two weeks prior to the event. Councilman Showalter seconded the motion and Council voted on the motion as follows: AYES: Bishop, Huppert, Showalter. NAYS: Hall. ABSTAIN: Vanhoozier.
- d. Councilman Hall commended the staff of the Parks and Recreation Department for the successful organization of the recent 2014 Nations Baseball World Series. He then reported on the Park and Recreation Advisory Commission's intent to review the Kiwanis Lease at the August 4, 2014 meeting and make a recommendation to Council. Council can then meet with the Kiwanis Lease Committee to discuss the lease.
- e. Councilman Bishop reported on his attendance at the recent VML Newly Elected Officials Conference and recommended it as a refresher course for all members of Council. He also thanked Town Manager Helms for the recent tour of Town departments.

**IV. TOWN MANAGER'S REPORTS:**

1. **MONTHLY BILLS:** On motion by Councilman Hall, seconded by Councilman Showalter, Council voted to approve the monthly bills to be paid on August 10, 2014 in the amount of \$1,746,766.90 . Council voted on the motion as follows: AYES: Bishop, Hall, Huppert, Showalter, Vanhoozier. NAYS: None.

1. **PUBLIC HEARING REQUEST:** Town Manager Helms presented the following requests and recommended setting the Public Hearings as indicated:

August 12, 2014

1. Utility easement vacation request for 425 Church Street.

September 23, 2014

1. Conditional Use Permit request for residential use at 302 W. Main Street (tax parcel 526 – ((A)) – 180) in the B-2 Central Business District.

On motion by Councilman Hall, seconded by Councilman Vanhoozier, Council voted to set the Public Hearings as indicated above: AYES: Bishop, Hall, Huppert, Showalter, Vanhoozier. NAYS: None.

2. PROGRESS REPORTS AND ANNOUNCEMENTS:

- The fireworks picture hung on the wall outside Council chambers was donated to the Town by John Hogan of 14 Alleghany Street.
- Updated tourism brochures are at the printer's and 10,000 copies should be ready in about a week.
- Town Manager Helms reported he would like to be out of Town during the first regular Council meeting in October and that Assistant Town Manager Wingfield could attend the meeting in his place.

V. ADJOURNMENT:

There being no further business to bring before Council, the meeting was adjourned at 9:24 P.M.

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Michele M. Stipes, Clerk of Council

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D. Michael Barber, Mayor