

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
SEPTEMBER 9, 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 SEPTEMBER 9, 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; Bradford J. Stipes; Henry D. Showalter. ABSENT: None.

ADMINISTRATION PRESENT: Town Manager Barry Helms; Assistant Town Manager Randy Wingfield, Clerk of Council Michele Stipes; Town Attorney Theresa Fontana; Finance Director/Treasurer Val Tweedie; Police Chief Mark Sisson.

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. Council's intention to adopt an ordinance vacating a 15-foot wide by 85-foot long public utility and drainage easement interior to the rear property line at 750 George Edward Via (tax parcel 495 – ((8)) – 13). Town Manager Helms reported that this request is due to an error in determining property lines when the property owner was preparing to build a garage. Due to the error, the property owner built the garage over the property line onto adjoining town property. Town staff does not foresee a need for the easements and supports the vacation request and following property disposition request.
2. Council's intention to adopt an ordinance in regards to disposition of approximately 0.02 acres of Town property located in the Diamond Hills Park adjoining 750 George Edward Via (tax parcel 495 – ((2)) – A). This request is contingent on the above request. Disposition of the Town's property as noted would bring the property at 750 George Edward Via into compliance with Town setback requirements. Town Manager Helms has studied this matter and recommended approving the request.

Councilman Vanhoozier made a motion to amend the agenda to add the Public Hearing matters for Council discussion and action. Councilman Hall seconded the motion and Council voted as follows: AYES: Bishop, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. The items were placed as #5 and #6 under Discussions by Mayor and Council Members.

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 August 26, 2014. Councilman Vanhoozier made a motion to adopt the minutes as presented, seconded by Councilman Bishop. Council voted on the motion as follows: AYES: Bishop, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

II. CITIZEN'S HEARING:

1. RUSSELL STONE TO PRESENT HISTORICAL CAMBRIA DOCUMENTS TO COUNCIL. Mr. Stone presented Council with historical documents held by his late father who served as clerk of council of Cambria for many years. The documents pertained to the history of Cambria and included information on the merger between Cambria and Christiansburg. Council graciously thanked Mr. Stone for donating the documents to the Town, noting that the items would be archived at Town Hall.
2. REPORT ON TOWN HALL AND POLICE DEPARTMENT PARKING. Assistant Town Manager Wingfield reviewed information included in the agenda packet that offered possible resolution to the parking concerns at Town Hall. It was noted that Police Chief Sisson would report on the Police Department parking later in the meeting.

Parking at Town Hall has been an ongoing concern, especially on court days at the adjacent Courthouse and during employee training sessions. Using an aerial map for clarification, Mr. Wingfield explained the proposed parking designations and proposed signage intended to reserve specific parking spaces for Town employees and customers. Suggestions for prohibitive parking signs were also included in the staff recommendations, which were supported by the Central Business District Committee and the Street Committee. It was noted that there is ample parking located behind the Montgomery County Courthouse, but that it is not as visible, or convenient, as the Town Hall parking lot for those doing business in the courthouse. Council expressed support for more aggressive signage pertaining to penalties for parking violations, and discussed raising the existing fine of ten dollars to a more substantial amount. Councilman Vanhoozier offered to add the discussion regarding courthouse parking to the next agenda for the monthly liaison meeting between Montgomery County, Blacksburg, and Christiansburg. Council discussed various ways to utilize the recommendations of staff and decided to focus on the placement of proper and highly noticeable signage, and/or the painting of parking spaces to mark specific designations.

3. CITIZEN COMMENTS:

- a. Connie Turner of Alleghany Street thanked Council on behalf of the Christiansburg Alumni Return organizers for the support given by the Mayor, Town Manager, Police Department, and Public Works Department, during the 2014 Christiansburg Alumni Return event, which raised \$2,000 for the Christiansburg High School scholarship. She then asked about the status of the speed control measures planned for Alleghany Street, to which Town Manager Helms reported that, after a delay during the procurement process, the speed tables are finally on order and expected to arrive within the next few weeks.

III. DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. APPOINTMENT/REAPPOINTMENT TO THE NEW RIVER VALLEY AGENCY ON AGING FOR OCTOBER 1, 2014 TO SEPTEMBER 30, 2015. Scott Weaver currently serves as Town representative, while Councilman Steve Huppert serves as alternate. Councilman Huppert requested that he not be reappointed to this position. Mayor Barber recommended Town Council reappoint Mr. Weaver and to appoint an alternative at a later date. It was noted that Mr. Weaver's attendance and service in this capacity has been excellent. Councilman Vanhoozier made a motion to reappoint Scott Weaver to serve another term on the New River Valley Agency on Aging, seconded by Councilman Showalter. Council voted on the motion as follows: AYES: Bishop, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None. Mr. Weaver was present and thanked Council for the reappointment. As a forty-two year member of the New River Valley Agency on Aging, he reported on the important services the agency provides the community. He then commended Council on its cooperative nature and service to the Town.
2. COUNCIL TO CONSIDER SETTING THE PERSONAL PROPERTY TAX RELIEF PERCENTAGE AT 39% AS REQUIRED BY THE PERSONAL PROPERTY TAX RELIEF ACT. COUNCIL MUST SET THE PERSONAL PROPERTY RELIEF PERCENTAGE EACH YEAR. Councilman Hall made a motion to set the personal property tax relief percentage at 39% as required by the personal property tax relief act, seconded by Councilman Huppert. Council was polled on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier – Aye.
3. UPDATE ON FARMER'S MARKET STATUS. Councilman Showalter shared his vision for the farmer's market of starting small by closing off streets in the downtown area, instead of beginning with a land investment. He stressed the importance of developing a customer and vendor base as a first step, before moving forward with determining location. Councilman Vanhoozier expressed support for Councilman Showalter's comments and recommended contacting downtown merchants for input as part of the planning process. Mayor Barber said he was interested in appointing a committee that would involve downtown merchants, the Central Business District, and citizens, to assist in organizing the farmer's market. He asked that committee member recommendations be submitted to him for inclusion on a proposed member list for Council consideration. Councilman Showalter reminded Mayor Barber of his previous request for expansion of the Central Business District Committee and suggested using the same proposed membership list for that purpose. In response to an inquiry by Councilman Hall, Town Manager Helms reported that Town staff continues to monitor available grants that could be used to cover costs associated with the farmer's market. Councilman Huppert invited members of Council to visit the small farmer's market held at Corrine's each Saturday morning.
4. DISCUSSION ON OUT-OF-TOWN EMPLOYEE TAKE HOME VEHICLE POLICY. Police Chief Sisson reviewed with Council information regarding the current take-home vehicle policy, along with a spreadsheet providing a breakdown of the vehicles currently taken home and locations. This information was provided to Council in the agenda packet. Chief Sisson stated that this has been a consistent concern for Council and the community over the

years. In 2012, a municipal policy was developed to place controls on the take-home vehicle program; two memos dated February 8, 2012 and August 30, 2012 addressing and clarifying the changes were provided to Council for informational purposes. As a result of the changes made in 2012, the Police Department has seen a reduction in the number of take-home vehicles leaving Montgomery County. Chief Sisson explained the need for members of the Emergency Response Team to have take-home vehicles, even though several live outside Montgomery County. ERT officers provide emergency assistance in Christiansburg, Blacksburg, Virginia Tech and Montgomery County and are on call twenty-four hours each day. Four of the ERT members live in Floyd, but these are the best suited officers for the team, according to Chief Sisson. Chief Sisson discussed with Council the information provided that outlined the costs per month for officers to take vehicles outside Christiansburg town limits, noting that the older vehicles with higher mileage are assigned to those taking vehicles beyond town limits. Councilman Showalter noted that the issue is a department-wide concern and he urged Council to take an economical view in addressing the current policy. Councilman Hall asked that Chief Sisson provide Council with the collective mileage for vehicles driven into Montgomery County for comparison purposes. Chief Sisson requested that Council consider continuing the use of the take-home vehicle policy drafted in 2012, and to continue reducing the number of vehicles taken out of town limits through attrition. He stressed that the officers currently taking vehicles out of Montgomery County are critical to county-wide law enforcement operations, including under the existing Mutual Aid Agreement.

Chief Sisson then reported on the existing parking concerns at the Police Department. Using an aerial map, he showed Council the department's designated parking lots and explained that every available parking space is currently being utilized by the department. Chief Sisson expressed concern about the number of additional parking spaces that would be needed, should the Town disallow some of the take-home vehicles. Town Manager Helms and staff of the Engineering Department have looked into possible options to provide for additional parking for the Police Department. Councilman Showalter commented that it was his understanding that surrounding localities are able to meet their critical operations obligations without take-home vehicles, and he asked how this could be done in Christiansburg. Council briefly discussed the take-home vehicle policy in Blacksburg as a comparison. Councilman Vanhoozier recommended Chief Sisson review take-home vehicle policies of surrounding localities and present the information via email to Town Manager Helms for inclusion in the next agenda packet.

5. REQUEST TO ADOPT AN ORDINANCE VACATING A 15-FOOT WIDE BY 85-FOOT LONG PUBLIC UTILITY AND DRAINAGE EASEMENT INTERIOR TO THE REAR PROPERTY LINE AT 750 GEORGE EDWARD VIA (TAX PARCEL 495 – ((8)) – 13). The Public Hearing was held earlier in the meeting. Councilman Hall made a motion to approve the request, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier- Aye.
6. CONTINGENT ON THE ABOVE, A REQUEST TO ADOPT AN ORDINANCE IN REGARDS TO DISPOSITION OF APPROXIMATELY 0.02 ACRES OF TOWN PROPERTY LOCATED IN THE DIAMOND HILLS PARK ADJOINING 750 GEORGE EDWARD VIA (TAX PARCEL 495 – ((2)) – A). The Public Hearing was held earlier in the meeting. Town Manager Helm recommended selling the strip of land for the value of park land of \$207, which the adjoining property owner has agreed to pay. Councilman Hall made a motion to accept the recommendation of the Town Manager to dispose of the real property at a cost of \$207, seconded by Councilman Vanhoozier. Council was polled on the motion as follows: Bishop – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye; Vanhoozier- Aye. A subdivision plat reflecting this action will be presented to Council at a future meeting.

IV. COUNCIL REPORTS:

- a. Councilman Bishop reported that he will keep Council posted on the upcoming blood drive hosted by the Christiansburg Rescue Squad.
- b. Councilman Hall reported that he expects to email Council with the recommendations of the Parks and Recreation Advisory Commission regarding the Kiwanis Lease, prior to the next regular Council meeting.
- c. Councilman Vanhoozier reported that aquatic center staff and advisory board are preparing an informational presentation that will be presented to Council at the next regular Council meeting.
- d. Councilman Stipes noted the changed appearance of the Town logo and requested an opportunity to discuss the change as a Council during the next regular Council meeting.

- e. Councilman Huppert encouraged Council members to attend the showing of a movie about hemp at the Lyric on September 17 in order to gain a new perspective on the topic.

IV. TOWN MANAGER'S REPORTS:

1. PUBLIC HEARING REQUEST: Town Manager Helms presented the following requests and recommended setting the Public Hearings for October 28, 2014:

1. Rezoning request for property at 325 Falling Branch Road from R-2 Two-Family Residential District to B-3 General Business District.
2. Contingent on the above, a Conditional Use Permit Request for residential use in the B-3 General Business District, 325 Falling Branch Road.
3. Rezoning request for property on Depot Street from I-2 General Industrial District to B-2 Central Business District.

On motion by Councilman Hall, seconded by Councilman Vanhoozier, Council voted to set the Public Hearings for October 28, 2014 as follows: AYES: Bishop, Hall, Huppert, Showalter, Stipes, Vanhoozier. NAYS: None.

2. PROGRESS REPORTS AND ANNOUNCEMENTS:

- Town Manager Helms provided Council with an update on the progress of the Huckleberry Trail Bridge.
- A work session was scheduled for September 30, 2014 at 6:00 P.M. to discuss the proposed employee compensation plan.
- Town Manager Helms reported that the Town has experienced setbacks in upgrading the intersection at Roanoke Street and Depot Street; he will provide Council with an estimated completion date at the next regular Council meeting.

V. ADJOURNMENT:

There being no further business to bring before Council, the meeting was adjourned at 9:18 P.M.

Michele M. Stipes, Clerk of Council

D. Michael Barber, Mayor

**Christiansburg Planning Commission
Minutes of September 15, 2014**

Present: Matthew J. Beasley
Ann Carter
Harry Collins
David Franusich
Jonathan Hedrick
Steve Huppert
Craig Moore, Chairperson
Jennifer D. Sowers
Nichole Hair, Secretary ^{Non-Voting}

Absent: M.H. Dorsett, AICP
Joe Powers, Vice-Chairperson

Staff/Visitors: Missy Martin, staff
Sara Morgan, staff
Cindy Wells Disney, Montgomery County Planning Commission
Dan Myers, agent for 305 E. Main Street
Jimmy Radford, 150 Arrowhead Trail
Tanner Blankenship, 201 Roanoke Street
Mr. and Mrs. Cantrell, 1000 Thorn Circle
Mike Barber, Treasurer of New River Valley Health Foundation

Chairperson Moore called the meeting to order at 7:00 p.m. in the Christiansburg Town Hall at 100 E. Main Street, Christiansburg, Virginia, following the pledge of allegiance, to discuss the following items:

Public Comment.

Chairperson Moore opened the floor for public comment. There were no public comments. Chairperson Moore closed the floor for public comment.

Approval of meeting minutes for September 2, 2014.

Chairperson Moore introduced the discussion. Commissioner Sowers made a motion to approve the Planning Commission meeting minutes. Commissioner Beasley seconded the motion, which passed 7-0. Commissioner Hedrick abstained from the vote as he was not present for the last meeting.

Discussion regarding a Conditional Use Permit request by Glenn and Karen Smith for a bed and breakfast inn at 305 East Main Street (tax parcel 527 – ((A)) – 125) in the R-3 Multi-Family Residential District. The Planning Commission public hearing was held on September 2, 2014.

Chairperson Moore asked for the agent, Mr. Dan Myers, to speak about the request. A site plan was provided for Planning Commission.

Discussion regarding a Conditional Use Permit request by Glenn and Karen Smith for a bed and breakfast inn at 305 East Main Street (tax parcel 527 – ((A)) – 125) in the R-3 Multi-Family Residential District. The Planning Commission public hearing was held on September 2, 2014 (continued).

Mr. Myers explained the applicant would like to use the property as a bed and breakfast. The applicant has been working with Mr. Myers for about a year on this project and spoke with the Town in the spring of 2013. There will be no changes to the exterior of the property other than cleaning up the landscaping. The section to the right of the driveway will be for additional parking. This parking will be grass pavers. There will be interior work to bring the building up to date (i.e. heating/cooling system).

Commissioner Collins asked about parking. Mr. Myers stated there will be four spaces exterior, not counting the garage. There are seven total parking spaces when including the garage and the space in front of the garage.

Commissioner Collins asked about the number of people staying in the bed & breakfast. Mr. Myers did not know the bedroom occupancy but stated there will be four bedrooms.

Commissioner Collins asked about the cut out for a driveway to the left of the home. Mr. Myers stated there will not be anything in that location, that was the original driveway. He also gave a history of the ownership of the property.

Commissioner Huppert asked about the opening date. Mr. Myers stated opening up is contingent on the permit. The applicant plans to be here full time by the end of September.

Commissioner Collins asked about on-street parking in front of the property. Ms. Hair clarified that on-street parking is available in front of the property.

Chairperson read the eight proposed conditions.

1. The bed and breakfast inn shall be in conformance with the "305 E. Main Street Inn the Park Bed and Breakfast Site Plan", dated September 3, 2014.
2. Additional landscaping shall be utilized to screen the parking area from view of the street.
3. No commercial lighting of any kind is to be placed anywhere on the property.
4. The building shall be in conformance with state and local Building and Fire Regulations to the satisfaction of the Christiansburg Building Official and Fire Marshall.
5. The bed and breakfast inn is limited to 6 guest rooms.
6. Breakfast is only to be served.
7. This permit shall be revocable for violations of Chapter 4 "Advertising" of the Christiansburg Town Code occurring on the property.
8. The Planning Commission shall review this permit in one year.

Discussion regarding a Conditional Use Permit request by Glenn and Karen Smith for a bed and breakfast inn at 305 East Main Street (tax parcel 527 – ((A)) – 125) in the R-3 Multi-Family Residential District. The Planning Commission public hearing was held on September 2, 2014 (continued).

Commissioner Carter asked about proposed condition #2. She would like to commend the applicant on the work they have provided in regards to the site plan. Ms. Hair noted a concern from the last meeting in regards to parking being visible from the street. Chairperson Moore noted that the parking will be grass pavers and posed the question of whether the screening is necessary. Commissioner Franusich commended the use of grass pavers and asked that it become a condition. Ms. Hair noted that condition #1 ensures the use of grass pavers. Commissioner Collins asked if anyone has seen green pavers. Commissioner Franusich said the grass pavers are great. Ms. Hair noted that Community House Partners uses them and they work well. Chairperson Moore asked if the additional screening is necessary. Commissioner Sowers believes the screening would make the area congested. Commissioner Carter agrees. Planning Commission agreed to strike condition #2.

Chairperson Moore suggests adding a condition stating the Conditional Use Permit is nontransferable.

Commissioner Franusich moved to approve the request with revised conditions. Commissioner Beasley seconded the motion. The motion passed 8-0.

The Town Council public hearing for this request will be September 23, 2014. Chairperson Moore suggested the agent/applicant be present for the public hearing.

Planning Commission Public Hearing for a Conditional Use Permit request by Radford & Radford Properties for residential use at 150 Arrowhead Trail (tax parcel 528 – ((A)) – 12A) in the B-3 General Business District.

Chairperson Moore asked the applicant to speak to their request. Jimmy Radford explained that they have owned the property for a number of years and was unaware that the property was not zoned residential.

Commissioner Franusich asked if the property has been rented as business. Mr. Radford clarified that the property has been rented to a single family.

Chairperson Moore opened the floor for public comment.

Mike Cantrell, 1000 Thorn Circle, is an adjoining property owner. He is opposed to the request in its present form and would like the Planning Commission to reject the request. He would support the application if it was restricted to single family residential and no dogs would be kept outside. Mr. Cantrell noted his handouts show the location of his property in relation to the subject property. He also provided the statement of intent for B-3 zoning which notes there should not be any noise nuisances other than those associated with businesses during normal business hours. Mr. Cantrell stated he and his wife have lived in their home for 24 years and enjoyed it until now.

Planning Commission Public Hearing for a Conditional Use Permit request by Radford & Radford Properties for residential use at 150 Arrowhead Trail (tax parcel 528 – ((A)) – 12A) in the B-3 General Business District (continued).

Mr. Cantrell stated he would support the submission of a new application that does not allow any dogs to be kept outside in any fashion. Mr. Cantrell believes this will address the noise nuisance factors that would be created by a residential use in a business zoned property. He also noted that the building on the subject property has one water meter, one sewer line, one mailbox and a new garbage can. Additionally, Mr. Cantrell is concerned that the property could turn into a multi-family use. He requested the Planning Commission reject this application.

With no other comments, Chairperson Moore closed the floor to public comment.

Planning Commission Public Hearing for a Conditional Use Permit request by Tanner Blankenship (agent for property owner Charles Hank) for residential use at 201 Roanoke Street (tax parcel 527 – ((A)) – 111) in the B-3 General Business District.

The agent, Tanner Blankenship, stated he has worked with Mr. Charles Hanks to purchase the property. He has the intention of having a business on the property. Mr. Blankenship stated the best way for him to finance the property is to rent the property out. Mr. Blankenship stated he has received interest in residential use for the property. Mr. Blankenship would like to rent it out as residential, two units, for one to two years. He would like to rent the units to responsible tenants. Mr. Blankenship stated he has made updates to the property including painting, landscaping and plumbing.

Chairperson Moore opened the floor for public comment.

Mr. Mike Barber, Treasurer of New River Valley Health Foundation, spoke about the dogs coming from the property and would like the property to be restricted to no pets or use of a chain link fence to prevent dogs from coming onto the adjoining properties. The New River Valley Health Foundation's tenants have complained.

With no other comments, Chairperson Moore closed public comment.

Discussion by the Planning Commission on the Conditional Use Permit request by Radford & Radford Properties for residential use at 150 Arrowhead Trail (tax parcel 528 – ((A)) – 12A) in the B-3 General Business District.

Commissioner Carter asked Ms. Hair about the history of the property and the issues that occurred in the past. Ms. Hair stated that it was used as a business and a caretaker was living on the property.

Chairperson Moore asked the applicant how many families are on the property. Mr. Radford stated one family. He is not opposed to R-1.

Commissioner Franusich asked if the R-1 district has restrictions on animals. Commissioner Carter clarified that there are no restrictions on animals.

Discussion by the Planning Commission on the Conditional Use Permit request by Radford & Radford Properties for residential use at 150 Arrowhead Trail (tax parcel 528 – ((A)) – 12A) in the B-3 General Business District – (continued).

Commissioner Franusich asked if it would be considered as spot zoning if it were rezoned to R-1. Ms. Hair clarified that the property is not being rezoned and the Planning Commission cannot initiate that.

Ms. Hair provided her experience with barking dogs in her neighborhood. She noted that the Police Department handles those situations. Chairperson Moore suggested, as a condition, that if a nuisance persists the permit could be revoked.

Commissioner Carter doesn't think the Planning Commission can restrict the tenants from having animals. Ms. Hair agreed.

Commissioner Franusich noted that conditioning it as single family is reasonable since the property adjoins an R-1 district.

Proposed conditions

1. The property shall be restricted to single family use only.
2. This permit shall be revocable for violations to the Christiansburg Town Code, including but not limited to Chapter 8 "Animals".

Commissioner Collins asked Mr. Radford what it is being used for at present time. Mr. Radford confirmed the property is occupied by a single family.

Commissioner Sowers asked if more than one family is possible. Mr. Radford stated both floors are finished and they could use the space in that way; however, they have no intention to have more than one family. Commissioner Carter noted that in the past it has been more than one family.

Commissioner Franusich asked Mr. Radford how long the property has been used as residential. Mr. Radford's grandfather built the property 25 years ago. Mr. Radford has owned the property for 10-15 years and the tenant was the same during that time until he recently passed away.

Mr. Cantrell gave a history of the property. There were two families living on the property. Mr. Terpenney told Mr. Cantrell the property could have a caretaker living in the house and use the basement as storage. Mr. Cantrell believes there are two separate units. He believes there is someone living in the basement and the top floor.

Commissioner Collins asked if there are stairs between the two levels. Mr. Radford stated that the house is a split level home. He noted that if a basement is finished there could be someone living there but that is not the case for his property.

Mr. Cantrell asked about the noise nuisance. Chairperson Moore explained that one of the conditions would state the permit is revocable if a nuisance persists.

Discussion by the Planning Commission on the Conditional Use Permit request by Radford & Radford Properties for residential use at 150 Arrowhead Trail (tax parcel 528 – ((A)) – 12A) in the B-3 General Business District – (continued).

Ms. Hair informed Mr. Cantrell of the nuisance process and how to contact the Police Department. Mr. Cantrell stated he would contact them if he needs to. He noted that he is a dog lover but he does not like to be kept up at night. Mr. Cantrell added that he has no problem with the property being rented to a single family.

Chairperson Moore explained the process if a nuisance was called into the Police Department. Ms. Hair noted any violations could be forwarded to the Planning Department.

Commissioner Carter asked if they would rent to the current tenants. Mr. Radford stated the current tenants are allowed a dog. He stated that he was not aware of the barking dog situation. Mr. Cantrell thought this was how he needed to handle the situation. Mr. Radford added that he is not sure if they are able to evict the tenants over a barking dog. Chairperson Moore noted that the Planning Commission cannot force Mr. Radford to violate another law in terms of evicting someone. Ms. Hair added that if the Conditional Use Permit was violated, the applicant would have 30 days to come into compliance.

Mr. Cantrell asked if the lease is valid. Chairperson Moore stated that would be between the applicant and his renter. The Planning Commission can only enforce approved conditions.

Commissioner Collins asked about the family living on the property and if they would be the residents if this was passed. Mr. Radford stated the tenants have a one year lease.

Chairperson Moore asked if there has been an issue with the dog barking. Mr. Cantrell confirmed there has been a problem and that neighbors on the other side of Thorn Circle have heard the barking.

Ms. Hair clarified that noise ordinance is enforced during a specific time period.

Commissioner Collins asked if the dog is on a chain or rope. Mr. Cantrell has not seen how the dog is kept on the property.

Ms. Hair clarified the violation process for Commissioner Hedrick. If the Planning Commission were to revoke the Conditional Use Permit, the applicant would have 30 days to comply before taking legal action.

Commissioner Beasley asked how long the current tenants have been on the property. Mr. Radford believes it has been 2-3 months. The Cantrells believe it was August 1, 2014. Commissioner Collins asked if there had been a problem prior to the current tenants. Mr. Cantrell said there was not because it was unoccupied after the previous tenant's passing.

Discussion by the Planning Commission on the Conditional Use Permit request by Radford & Radford Properties for residential use at 150 Arrowhead Trail (tax parcel 528 – ((A)) – 12A) in the B-3 General Business District – (continued).

Chairperson Moore went over the proposed conditions.

1. The property shall be restricted to single family use only.
2. This permit shall be revocable for violations to the Christiansburg Town Code, including but not limited to Chapter 8 “Animals” and Chapter 24 “Nuisances”.
3. This permit shall be valid for Radford & Radford Properties, the present applicant only and is non-transferrable.

Chairperson Moore explained that the Planning Commission will make a decision at the next meeting on September 29, 2014, with the proposed conditions and asked for the applicant to be present at the next meeting. At that meeting a recommendation will be made to Town Council. He suggested the applicant be present at the Town Council public hearing to answer any questions they may have. Commissioner Huppert agreed. Ms. Hair stated the Town Council Public Hearing will be October 14, 2014. Chairperson Moore noted that the applicant has been made aware of the barking dog situation and that neighbors would need to call the police and have the nuisance put on record. He added that this is not against anyone but that a call would need to be made to track a potential ongoing problem. It would also be good for the applicant to work with the renters since they have become aware of the barking dog issue. Commissioner Huppert confirmed that this will show Town Council the applicant is taking steps to resolve the situation and that will pay off.

Discussion by Planning Commission regarding Conditional Use Permit request by Tanner Blankenship (agent for property owner Charles Hank) for residential use at 201 Roanoke Street (tax parcel 527 – ((A)) – 111) in the B-3 General Business District.

Commissioner Carter asked Mr. Barber about the dogs and if the situation has gotten better since the building has been improved. Mr. Barber has received complaints from the Carillon Clinic and the problem did not occur until the improvements had. Mr. Barber stated there have been complaints of four dogs coming onto the New River Valley Health Foundation’s property. Commissioner Carter asked Mr. Barber if he was concerned with the improvements. Mr. Barber noted that the concern is from Carillon Clinic, their tenants. Mr. Barber added there have not been complaints of a barking dog. He suggested fencing in the back yard to keep the dogs on the applicants property.

Ms. Hair noted the ordinance for dogs running at large.

Commissioner Beasley asked if the dogs belong to the applicant. Mr. Blankenship stated that he has one dog and has the dog is present when work is being done to the property. He noted there are residential properties surrounding his property. Mr. Blankenship stated his goal is to add to the area and make it more beautiful. He stated putting in an underground fence or restricting animals is not a big deal for him. Commissioner Collins asked what he will do to fix the problem. Mr. Blankenship stated he will keep his dog on his property. He added he would prefer to put an underground fence in rather than a board or chain link fence.

Discussion by Planning Commission regarding Conditional Use Permit request by Tanner Blankenship (agent for property owner Charles Hank) for residential use at 201 Roanoke Street (tax parcel 527 – ((A)) – 111) in the B-3 General Business District – (continued).

Chairperson Moore noted that a condition could be that animals are restricted to the yard. Commissioner Franusich added that the Planning Commission could condition if there are any nuisance complaints the Conditional Use Permits could be revoked.

Chairperson Moore noted that with two units on the property this would not be a single family. He asked if the Planning Commission would like to restrict the number of units on the property.

Commissioner Franusich asked if there is adequate parking for two units. Mr. Blankenship stated he has had the property striped and there are currently six parking spaces with additional room. He added that he has considered putting in an additional smaller unit, making it a three unit property, if the Planning Commission allowed it. Mr. Blankenship has spoken with the Building Department and there is enough room for three small, single apartments.

Chairperson Moore asked Mr. Blankenship to clarify the time period he is looking for. Mr. Blankenship would like to do this for no more than two years as he hopes to put his home improvement business on the property. If he was able to rent the property out for two years he would be able to purchase the property. Chairperson Moore noted that a time limit could be conditioned. He believes it should be longer than two years to give the applicant leeway but no longer than 4-5 years. Ms. Hair suggested revisiting the Conditional Use Permit in two years to see where the applicant stands.

Commissioner Hedrick asked about the monetary gains from two units verses one unit. Mr. Blankenship believes it will be beneficial for him to have two units and enable him to purchase the property quicker. He would ideally like two units and a third smaller unit. Mr. Blankenship stated the layout has been discussed with the Building Department.

Chairperson Moore asked if the Planning Commission would like to limit the number of units. Chairperson Moore added the Building and Fire Code will be applied to the units.

Commissioner Huppert asked about the parking. Mr. Blankenship stated he has six parking space, one being ADA accessible; however, there is room to add more. He did not want to crowd the property.

Commissioner Hedrick asked about the units reverting back to a business. Mr. Blankenship would like the work that would be done to allow him to convert it back to business after the two years. The perimeter of the building would not change.

Commissioner Huppert noted the need for these units in Town.

Discussion by Planning Commission regarding Conditional Use Permit request by Tanner Blankenship (agent for property owner Charles Hank) for residential use at 201 Roanoke Street (tax parcel 527 – ((A)) – 111) in the B-3 General Business District – (continued).

Mr. Blankenship stated he tried to rent the property as business first but found it difficult. When he looked into renting the property as residential he received more interest.

Commissioner Collins asked the number of units Mr. Blankenship would like and what he is going to do about the dogs. Mr. Blankenship would like three units and plans to make his neighbors happy.

Mr. Barber noted that the Foundation is not wishing to impede Mr. Blankenship's process but is concerned with the dog litter. Commissioner Carter added that Mr. Blankenship has offered to put in a fence. Commissioner Hedrick believes with three units there is a potential for three dogs, which could become a problem. Commissioner Franusich noted that the issue would be handled by the Police Department and if a nuisance persists the permit could be revocable. Commissioner Hedrick added that the applicant knows this going into the process. Mr. Blankenship would like to keep the property clean and in good shape as he hopes to use it as his business in the future.

Chairperson Moore asked the Planning Commission how many units they are comfortable with. Commissioner Sowers asked if there are enough bathrooms for three units. Mr. Blankenship stated there are currently two bathrooms but there are plans for a third bathroom. Commissioner Sowers asked if there would be two units on the main level and one upstairs. This was confirmed by Mr. Blankenship.

Commissioner Collins suggested having the Building Inspector come to the next meeting. Commissioner Franusich and Chairperson Moore clarified that the Planning Commission is not tasked with looking at the inside of the building. That is handled by the Building Department.

Commissioner Hedrick noted that the applicant has a vested interest in keeping the property in good condition as residential construction is his trade.

Many Commissioners stated they do not have a problem with three units.

Chairperson Moore went over the four proposed conditions. Ms. Hair read the proposed conditions:

1. This permit shall be revocable for violations to the Christiansburg Town Code, including but not limited to Chapter 8 "Animals.
2. The property shall be restricted to three residential units.
3. This permit shall be valid for Tanner Blankenship, the present applicant only and is non-transferrable
4. The permit will be reviewed by the Planning Commission in two years.

Discussion by Planning Commission regarding Conditional Use Permit request by Tanner Blankenship (agent for property owner Charles Hank) for residential use at 201 Roanoke Street (tax parcel 527 – ((A)) – 111) in the B-3 General Business District – (continued).

Commissioners discussed having a fence on the property and the possibility of it being an underground fence. Commissioner Franusich added that the Planning Commission cannot restrict the applicant from having pets. This was confirmed by Ms. Hair.

Commissioner Huppert asked Mr. Blankenship is taking the dog home at night. Mr. Blankenship stated he is taking the dog home and talked about his dog's friendly behavior.

Commissioner Huppert asked if Mr. Blankenship would be checking on the property once it is rented. Mr. Blankenship will be checking on the property and may potentially live in one of the units.

Chairperson Moore explained that the Planning Commission will make a decision at the next meeting, September 29, 2014, with the drafted conditions and a recommendation will be made to Town Council. He asked for the applicant to be present at the next meeting and suggested he be present for the Town Council public hearing as well. The Town Council public hearing will be held on October 14, 2014. Chairperson Moore noted that Mr. Blankenship has been made aware of the issues and can be working on a solution.

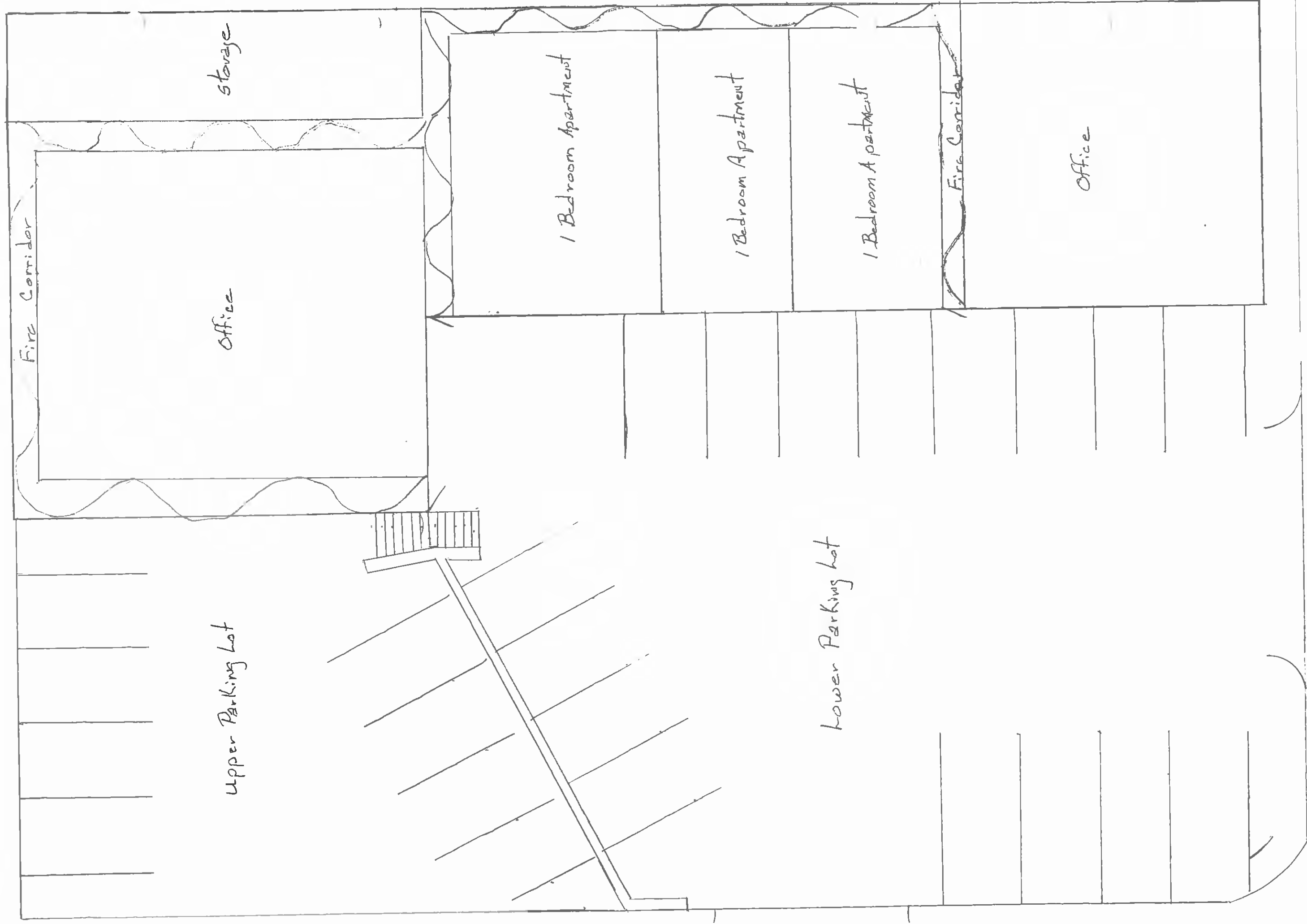
Other Business.

Ms. Hair noted that Elijah Sharp will be at the next meeting to present the MPO Bike Pedestrian plan. Brad Epperley is not able to attend the next meeting but will be at the October meeting to present the Christiansburg Parks and Rec Master Plan.

There being no more business Chairperson Moore adjourned the meeting at 7:56 p.m.

Craig Moore, Chairperson

Nichole Hair, Secretary ^{Non-Voting}



Resolution of the Town of Christiansburg Planning Commission

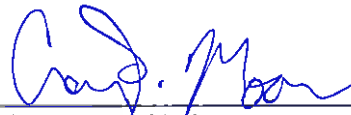
Conditional Use Permit Application

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study a Conditional Use Permit (CUP) request made by Wayne Brockenbrough for property at 302 W. Main Street (tax parcel 526 – ((A)) – 180) for residential use in the B-2 Central Business District, has found following a duly advertised Public Hearing that the public necessity, convenience, general welfare and good zoning practices (**permit / ~~do not permit~~**) the issuance of a CUP to Wayne Brockenbrough for property at 302 W. Main Street (tax parcel 526 – ((A)) – 180) for residential use in the B-2 Central Business District.

THEREFORE be it resolved that the Christiansburg Planning Commission (**recommends / ~~does not recommend~~**) that the Christiansburg Town Council approve the issuance of the Conditional Use Permit with the following condition(s):

1. The use of the building fronting on W. Main Street shall remain business.
2. Residential use of the building is not to exceed 60% or 3,765 square feet of the total square footage (6,276 square feet) of the building
3. Skylights or other similar devices shall be used for natural lighting in each residential unit.

Dated this the 2nd day of September 2014.



Craig Moore, Chairperson
Christiansburg Planning Commission

The above Resolution was adopted on motion by Dorsett seconded by Sowers at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Public Hearing on the above request on August 18, 2014. Upon a call for an aye and nay vote on the foregoing resolution, the Commission members present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:

<u>MEMBERS</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Matthew J. Beasley			X	
Ann H. Carter	X			
Harry Collins	X			
M. H. Dorsett, AICP	X			
David Franusich	X			

Jonathan Hedrick

X

Steve Huppert

X

Craig Moore, Chairperson

X

Joe Powers, Vice-Chairperson

X

Jennifer D. Sowers

X



Craig Moore, Chairperson



Nichole Hair, Secretary Non-voting



ESTABLISHED
NOVEMBER 10, 1792

INCORPORATED
JANUARY 7, 1833

MAYOR
D. MICHAEL BARBER

COUNCIL MEMBERS
SAMUEL M. BISHOP
R. CORD HALL
STEVE HUPPERT
HENRY SHOWALTER
BRADFORD J. "BRAD" STIPES
JAMES W. "JIM" VANHOOZIER

TOWN MANAGER
BARRY D. HELMS

**DIRECTOR OF FINANCE/
TOWN TREASURER**
VALERIE L. TWEEDIE

CLERK OF COUNCIL
MICHELE M. STIPES

TOWN ATTORNEY
GUINN, MEMMER &
DILLON, P.C.

Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Engineering Fax 540-381-7238

Town of Christiansburg Planning Staff Report

Planning Commission Public Hearing Date: Monday, August 18, 2014 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, September 23, 2014 at 7:00 p.m.

Application Type: Conditional Use Permit

Applicant: Wayne Bockenbrough

Location: 302 West Main Street (tax parcels 526 – ((A)) – 180)

The Town of Christiansburg has received a Conditional Use Permit amendment request by Wayne Brockenbrough for residential use at 302 W. Main Street (tax parcel 526 – ((A)) – 180) in the B-2 Central Business District.

The property does not lie within the 100-Year and 500-Year Flood Hazard Areas. The property is not located within the Historic District. The adjoining properties are zoned B-2 Central Business District. The adjoining properties contain a church, residences, and businesses.



TOWN OF CHRISTIANSBURG

100 East Main Street

Christiansburg, VA 24073

Phone (540) 382-6120 Fax (540) 381-7238

Conditional Use Permit Application

Landowner: Wayne Borkenbrough Agent: _____

Address: 605 Southview Terrace Address: _____
Christiansburg Va 24073

Phone: 382-8165 Phone: _____

I am requesting a Conditional Use Permit to allow Residential _____

on my property that is zoning classification B2 under Chapter 42: Zoning of the Christiansburg Town Code.

My property is located at 302 West Main Street

Tax Parcel(s): _____

Fee: \$750.00

dsn
7-24-15

I certify that the information supplied on this application and any attachments is accurate and true to the best of my knowledge. I understand that Conditions may be placed on my property in regards to the above mentioned use/activity. I also understand that the Conditional Use Permit may be revoked and/or additional Conditional Use Permits required should questions regarding conformity arise.

Signature of Landowner(s): Wayne Borkenbrough Date: 7-22-14
 _____ Date: _____
 _____ Date: _____

This request was approved / disapproved by a vote of the Christiansburg Town Council on _____ Any Conditions attached shall be considered requirements of the above request.

Town Manager _____

Date _____



Legend



526-((A))-180

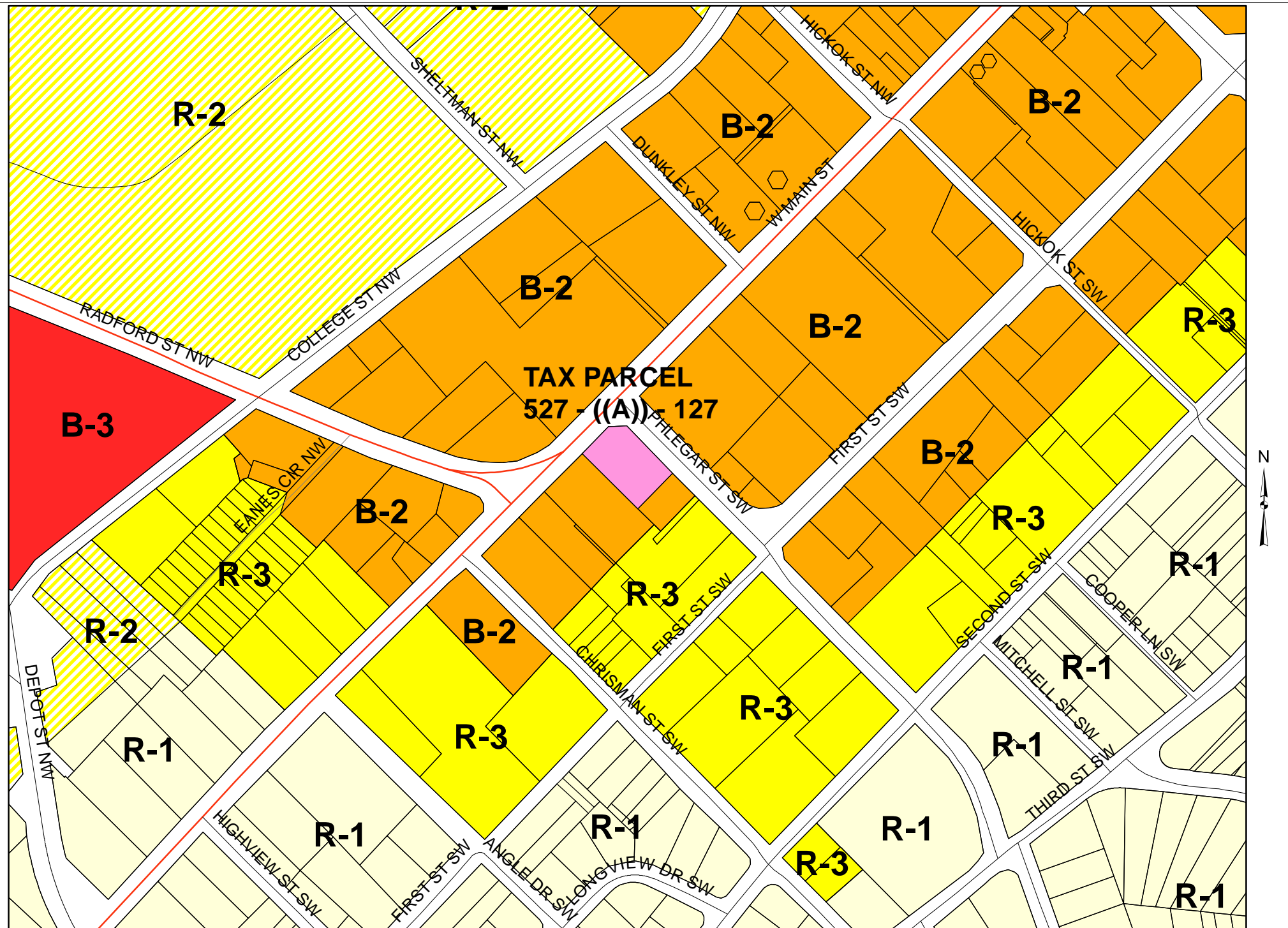
CUP REQUEST: 302 West Main Street

PC: AUGUST 18, 2014

TC: SEPTEMBER 23, 2014

0 100 200 300
Feet

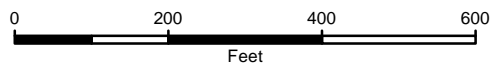




CUP REQUEST: 302 West Main Street

PC: AUGUST 18, 2014

TC: SEPTEMBER 23, 2014



CUP Request: 302 W. Main Street

<u>Tax Map #</u>	<u>Owner(s)</u>		<u>Mailing Address</u>	<u>City St Zip</u>
526- A211	ST PAULS METHODIST CHURCH		220 WEST MAIN ST	CHRISTIANSBURG VA 24073
526- A195	REN L C	ATTN JOHN W NEWCOMB	910 TRIANGLE ST	BLACKSBURG VA 24060
526- A179	DUNCAN SARAH T	DUNCAN LARRY PAUL	307 W MAIN ST	CHRISTIANSBURG VA 24073
526- A180	EARL WAYNE BROCKENBROUGH REV TRUST	C/O MR & MRS EARL WAYNE BROCKENBROUGH TR	605 SOUTHVUE TER	CHRISTIANSBURG VA 24073
526- A182,183A	BHAVANIMA LLC		304 W MAIN ST	CHRISTIANSBURG VA 24073
526- A181	CAMETAS JOHN G		2301 N PARHAM RD STE 5	RICHMOND VA 23229



TOWN OF CHRISTIANSBURG

100 East Main Street

Christiansburg, VA 24073

Phone (540) 382-6120 Fax (540) 381-7238

Conditional Use Permit Application

Landowner: Glenn & Karen Smith

Agent: RE Agent - Dan Myers

Address: 305 E. Main St

Address: _____

Christiansburg, VA 24073

Phone: 321-615-0777

Phone: _____

I am requesting a Conditional Use Permit to allow

property to be used as 4 bedroom bed and breakfast

on my property that is zoning classification

R3

under Chapter 42: Zoning of the

Christiansburg Town Code.

My property is located at

305 E. Main St. Christiansburg, VA

Tax Parcel(s):

012543

527-(A)-125

24073

Fee: 750.00

I certify that the information supplied on this application and any attachments is accurate and true to the best of my knowledge. I understand that Conditions may be placed on my property in regards to the above mentioned use/activity. I also understand that the Conditional Use Permit may be revoked and/or additional Conditional Use Permits required should questions regarding conformity arise.

Signature of Landowner(s):

Karen Smith
DM Smith

Date:

8/8/14

Date:

8/8/14

Date: _____

This request was approved / disapproved by a vote of the Christiansburg Town Council on

_____. Any Conditions attached shall be considered requirements of the above request.

Town Manager _____

Date _____

pd by C-1
8-14-14
mm



ESTABLISHED
NOVEMBER 10, 1792

INCORPORATED
JANUARY 7, 1833

MAYOR
D. MICHAEL BARBER

COUNCIL MEMBERS
SAMUEL M. BISHOP
R. CORD HALL
STEVE HUPPERT
HENRY SHOWALTER
BRADFORD J. "BRAD" STIPES
JAMES W. "JIM" VANHOOZIER

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TOWN ATTORNEY
GUYN, MEMMER &
DILLON, P.C.

Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Engineering Fax 540-381-7238

Town of Christiansburg Planning Staff Report

Planning Commission Public Hearing Date: Tuesday, September 2, 2014 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, September 23, 2014 at 7:00 p.m.

Application Type: Conditional Use Permit

Applicant: Glenn and Karen Smith

Location: 305 East Main Street (tax parcels 527 – ((A)) – 125)

The Town of Christiansburg has received a Conditional Use Permit request by Glenn and Karen Smith for a bed and breakfast inn at 305 East Main Street (tax parcel 527 – ((A)) – 125) in the R-3 Multi-Family Residential District.

The property does not lie within the 100-Year and 500-Year Flood Hazard Areas. The property is located within the East Main Historic District. The adjoining properties are zoned R-3 Multi-Family Residential. The adjoining properties contain residences and the former Montgomery County School Board office.



Legend



527-((A))-125

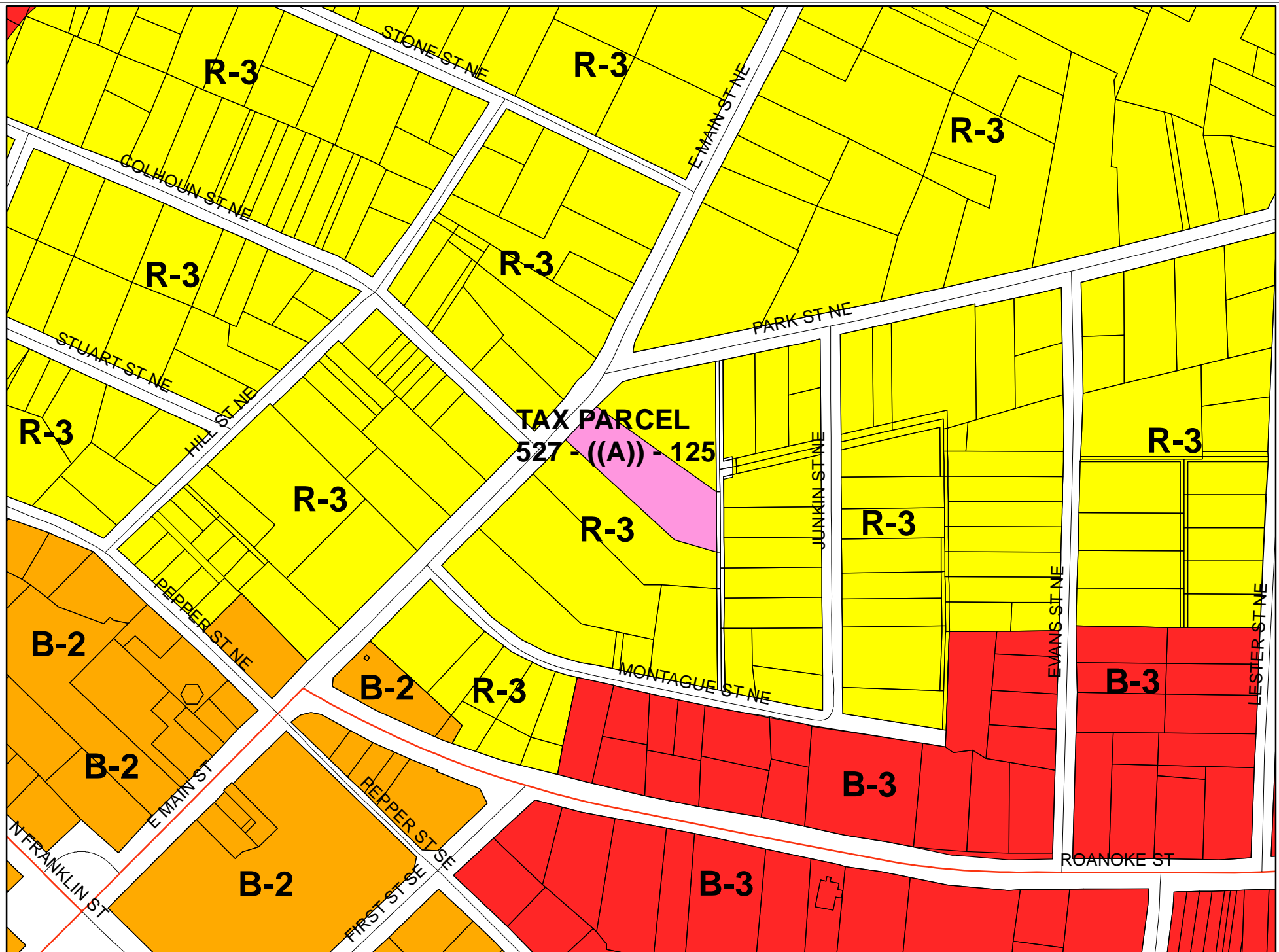
CUP REQUEST: 305 East Main Street

PC: SEPTEMBER 2, 2014

TC: SEPTEMBER 23, 2014

0 100 200 300
Feet

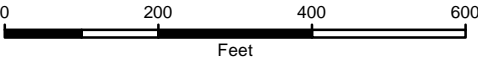




CUP REQUEST: 305 East Main Street

PC: SEPTEMBER 2, 2014

TC: SEPTEMBER 23, 2014



CUP Request: 305 E Main Street

<u>Tax Map#</u>	<u>Owner(s)</u>		<u>Mailing Address</u>	<u>City, St, Zip</u>
527- A 12	PONTONE MICHAEL E	PONTONE CAROL LYNN	304 E MAIN ST	CHRISTIANSBURG VA 24073
527- A 14	HANSON GARY E	HANSON KAY B	300 EAST MAIN ST	CHRISTIANSBURG VA 24073
527- A126	TROUT PAUL M JR	TROUT ANN V	5 PARK ST	CHRISTIANSBURG VA 24073
527- A125	ROBINSON DEBORAH M	ROBINSON STEVEN C	305 EAST MAIN ST	CHRISTIANSBURG VA 24073
527- A124	BAKER WALTER W JR	BAKER CHARLOTTE M	301 E MAIN ST	CHRISTIANSBURG VA 24073
527- 12 7,8,9	BOARD OF SUPERVISORS	COUNTY OF MONTGOMERY VA	755 ROANOKE ST STE 2F	CHRISTIANSBURG VA 24073
527- 12 7,8,9	BOARD OF SUPERVISORS	COUNTY OF MONTGOMERY VA	755 ROANOKE ST STE 2F	CHRISTIANSBURG VA 24073
527- 12 7,8,9	BOARD OF SUPERVISORS	COUNTY OF MONTGOMERY VA	755 ROANOKE ST STE 2F	CHRISTIANSBURG VA 24073



**305 E. Main Street
Inn the Park Bed & Breakfast
Site Plan
September 3, 2014**

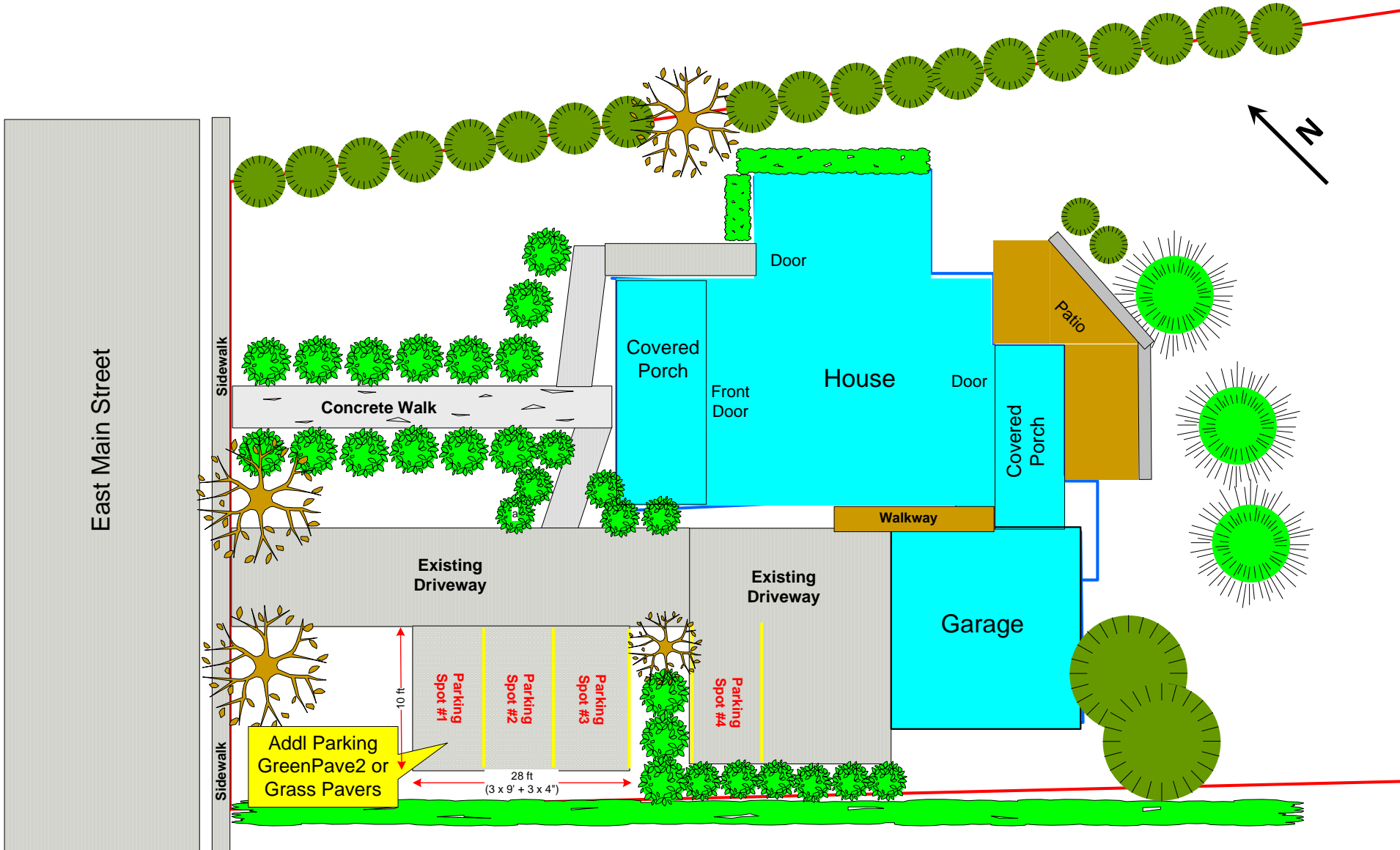
305 E Main St. Lot (Existing)



- Note: All dimensions approximate using GIS web tool
 - No recorded lot size or description exists in city/county archives
- The following 2 pages describe parking space upgrades to be implemented
- No building changes that would alter the outside appearance are planned
- Lot green space upgrades limited to plant growth control
 - No green space coverage reductions
 - No large shrubs or trees to be removed or locations changed
 - We do intend to implement additional backyard landscaping in the form of small paver walkways and additional plants to enhance outdoor living space (including a small self supporting garden)

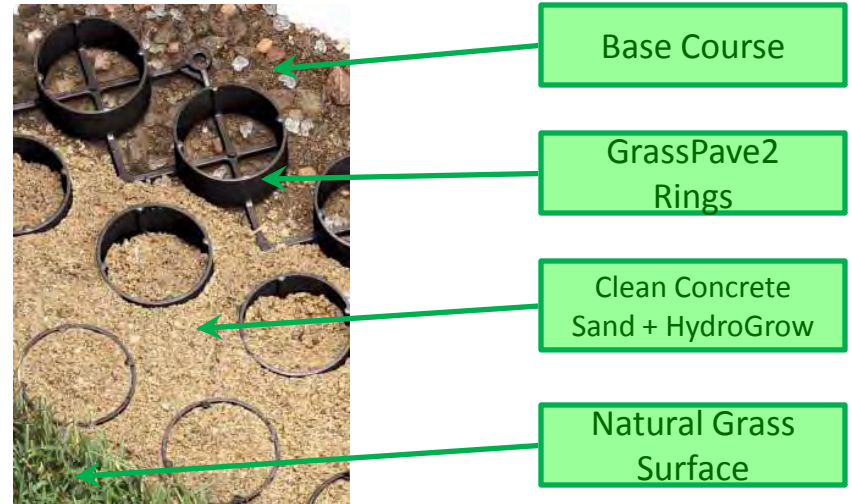
- * Lot Size: ~ 1 acre
- * House, Garage & Porch
Footprint: ~2100 sq ft
- * House Living Space:
~3500 sq ft
- * Existing Driveway: ~1800 sq ft
- * Additional Parking (to add)
~500 sq ft
3 ea, 9' x 18' parking spaces
4" wide marking stripes
>> 15 ft from Public Sidewalk

305 E Main St. Front Detail (Showing Additional Parking Improvement)

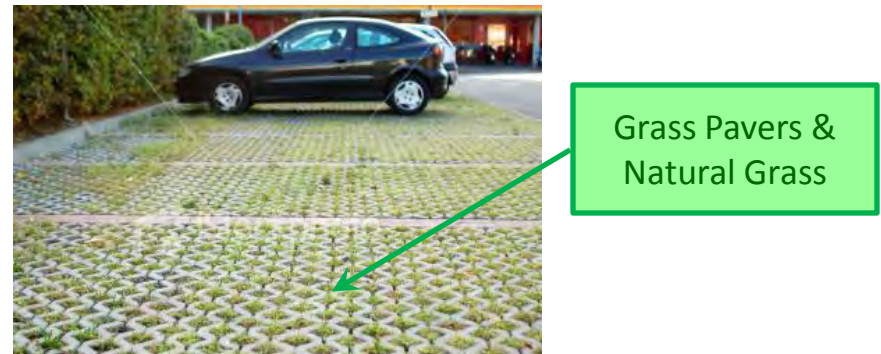


Additional Parking Construction

- We propose GrassPave2 Porous Pavement or Grass Pavers
 - <http://www.invisiblestructures.com/grasspave2.html>
- GrassPave2 Benefits
 - Pervious Load Bearing Surface
 - 5,721 psi Compressive Strength
 - Stronger than 2 inches of Concrete
 - 100% Real Grass Coverage
 - Stormwater Pollution Filtration and Treatment
 - Airborne Dust Capture and Retention
 - Heat Energy Reflection Reduction, “Cool” Surface
 - Lasts Longer (60 years) than Concrete or Asphalt
- Similar benefits from Grass Pavers Implementation
- We have discussed this plan with Christiansburg City Environmental Program Manager, John Burke
 - He is very supportive of this parking area approach



OR



Resolution of the Town of Christiansburg Planning Commission

Conditional Use Permit Application

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study a Conditional Use Permit (CUP) request made by Glenn and Karen Smith for a bed and breakfast inn at 305 E. Main Street (tax parcel 527 – ((A)) – 125) in the R-3 Multi-Family Residential District, has found following a duly advertised Public Hearing that the public necessity, convenience, general welfare and good zoning practices (**permit / ~~do not permit~~**) the issuance of a CUP to Glenn and Karen Smith for a bed and breakfast inn at 305 E. Main Street (tax parcel 527 – ((A)) – 125) in the R-3 Multi-Family Residential District.

THEREFORE be it resolved that the Christiansburg Planning Commission (**recommends / ~~does not recommend~~**) that the Christiansburg Town Council approve the issuance of the Conditional Use Permit with the following condition(s):

1. The bed and breakfast inn shall be in conformance with the “305 E. Main Street Inn the Park Bed and Breakfast Site Plan”, dated September 3, 2014.
2. This permit shall be valid for the applicant only and is nontransferable.
3. No commercial lighting of any kind is to be placed anywhere on the property.
4. The building shall be in conformance with state and local Building and Fire Regulations to the satisfaction of the Christiansburg Building Official and Fire Marshall.
5. The bed and breakfast inn is limited to 6 guest rooms.
6. Breakfast is only to be served.
7. This permit shall be revocable for violations of Chapter 4 “Advertising” of the Christiansburg Town Code occurring on the property.
8. The Planning Commission shall review this permit in one year.

Dated this the 15th day of September 2014.

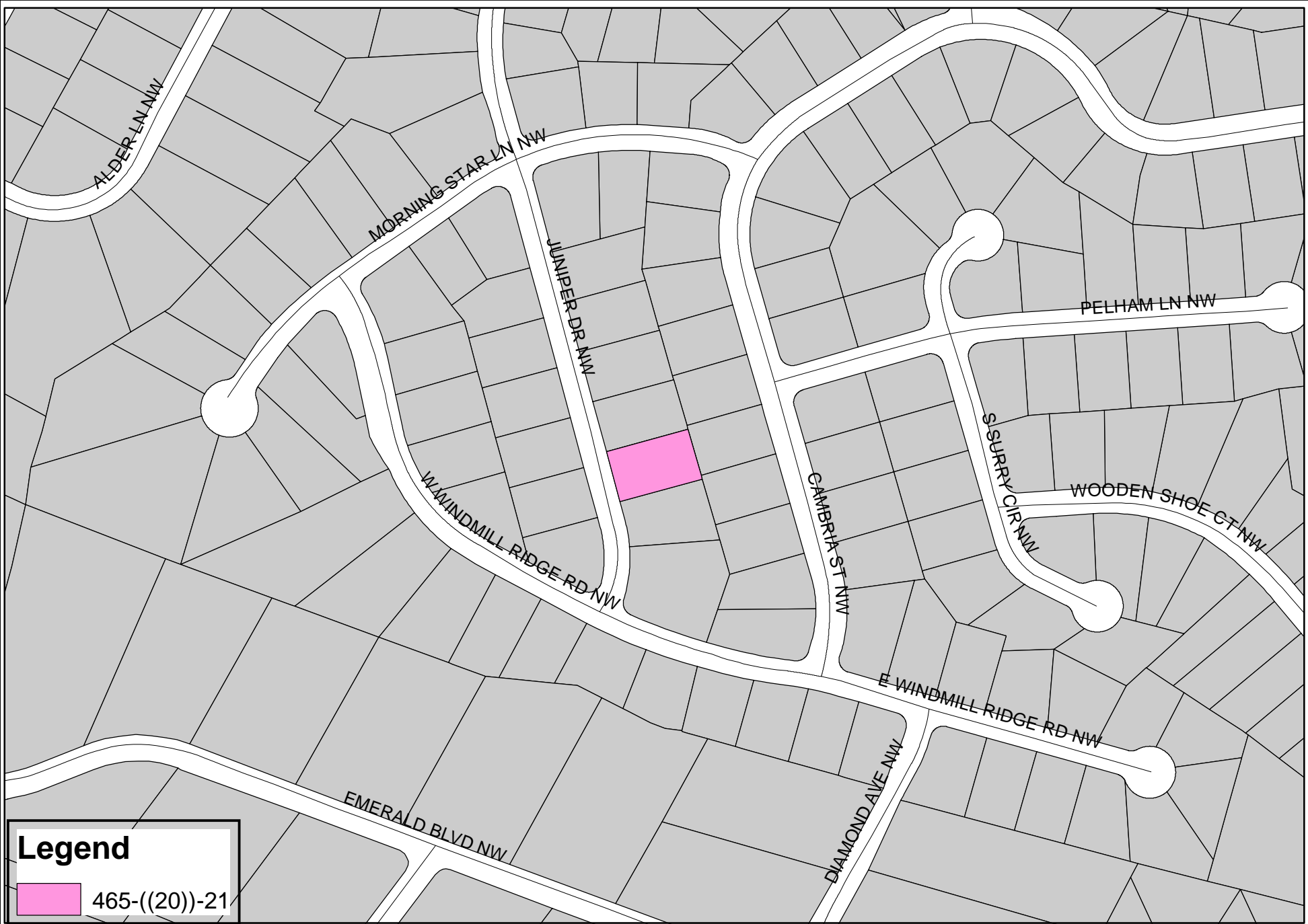
Craig Moore, Chairperson
Christiansburg Planning Commission

The above Resolution was adopted on motion by Franusich seconded by Beasley at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Public Hearing on the above request on September 2, 2014. Upon a call for an aye and nay vote on the foregoing resolution, the Commission members present throughout all deliberations on the foregoing and voting or abstaining, stood as indicated opposite their names as follows:


<u>MEMBERS</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Matthew J. Beasley	X			
Ann H. Carter	X			
Harry Collins	X			
M. H. Dorsett, AICP				X
David Franusich	X			
Jonathan Hedrick	X			
Steve Huppert	X			
Craig Moore, Chairperson	X			
Joe Powers, Vice-Chairperson				X
Jennifer D. Sowers	X			

Craig Moore, Chairperson

Nichole Hair, Secretary ^{Non-voting}



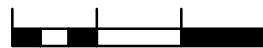
Legend

 465-((20))-21

1170 Juniper Drive NW: Tax Parcel 465-((20))-21

Easement Vacation
September 23, 2014

0 110 220 330

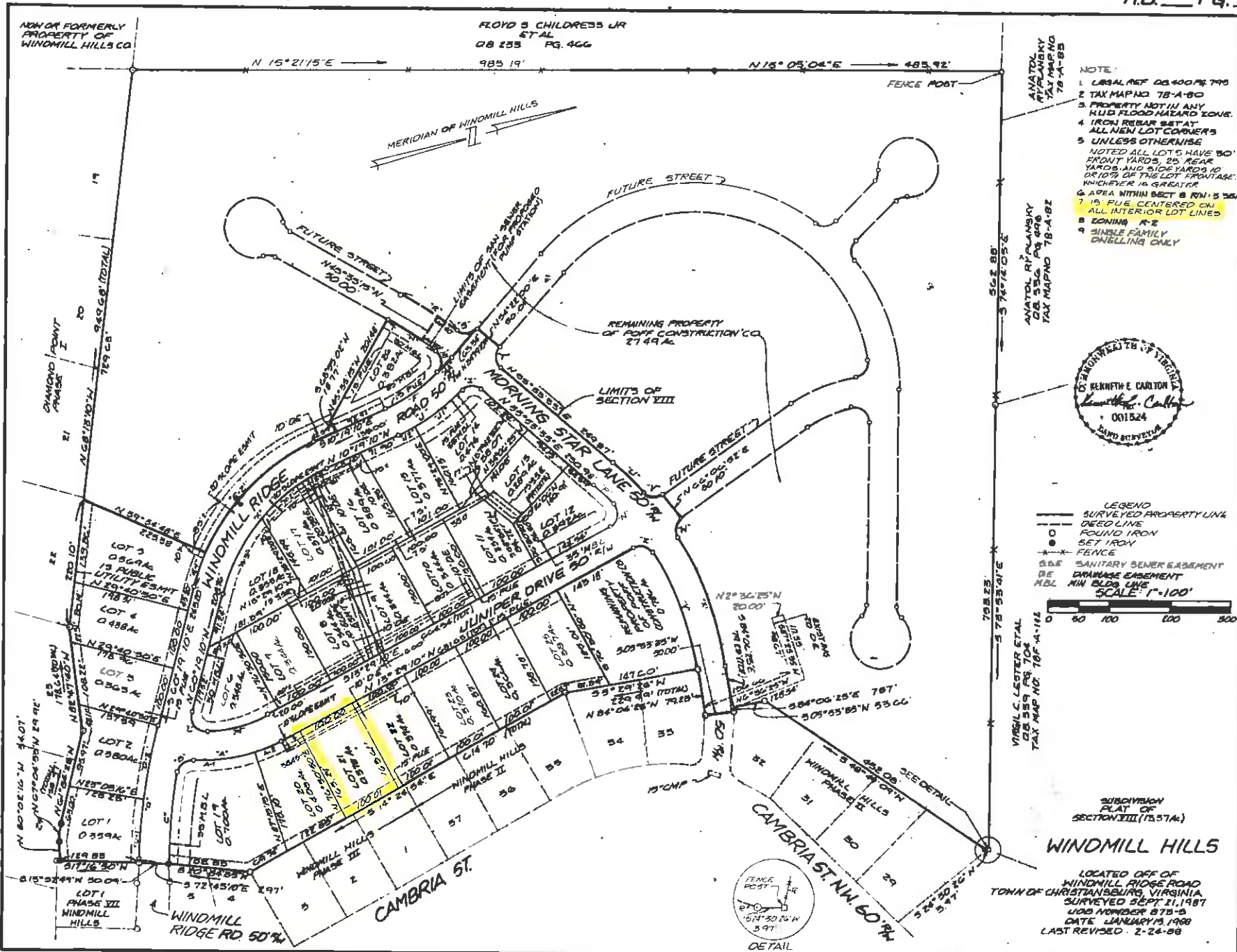


Feet



Easement Vacation: 1170 Juniper Drive NW

<u>Tax Map #</u>	<u>Owner(s)</u>		<u>Mailing Address</u>	<u>City, St, Zip</u>
465- 20 22	SMITH JERRY W	SMITH JENNIFER B	1150 JUNIPER DR	CHRISTIANSBURG VA 24073
465- 13 1	POFF RODNEY L		1205 CAMBRIA ST NW	CHRISTIANSBURG VA 24073 5805
465- 20 8	COSTA GARY	COSTA JEANNINE	1155 JUNIPER DR	CHRISTIANSBURG VA 24073
465- 20 21	WILKINSON STANLEY J	WILKINSON LORETTA	1170 JUNIPER DR	CHRISTIANSBURG VA 24073
465- 13 2	DEAN CURTIS D	DEAN MARIANNE B	1225 CAMBRIA ST NW	CHRISTIANSBURG VA 24073
465- 20 7	DOAK SAMUEL O	DOAK JANET M	1175 JUNIPER DR	CHRISTIANSBURG VA 24073
465- 20 20	POTTER DAVID G		6820 CRESCENT MOON CT	RALEIGH NC 27606





TOWN OF CHRISTIANSBURG FALL CLEAN UP WEEKS

The Town of Christiansburg has set the semi-annual Fall Clean Up for a two-week period beginning October 4, 2014 through October 18, 2014. During this time, residents of the Town desiring special trash pick-up must place these materials with their garbage on the regular pick-up day. Special trucks will pick up extra items not appropriate for normal weekly pick-up. While there is no charge for items picked up during this time, there will be a charge assessed for items placed out after October 18, 2014.

Items must be placed within 10 feet of the street pavement and must be placed in piles separate from normal trash. Loose materials, except for leaves, must be placed in containers not exceeding 32 gallons. **Place piles at least 3 feet from green trash carts.**

During Fall Clean Up, ALL residents are strongly encouraged to move any items placed at or near the street that are not intended for pick-up (i.e. basketball goals, lawn and gardening equipment, etc.). It can be difficult for clean up crews to determine which items are intended for pick-up and which are not, so please move all personal property back from the street during clean up. The Town will not be responsible any items left at or near the street that residents did not intend to have hauled away.

Examples of items the Town **WILL** pick-up during fall clean up includes:

- Furniture • Appliances including sinks and tubs (limit 2 per household)
- Passenger car & truck tires (limit 4 per household; no larger than 20-inches) • Tire rims (no limit)
- Tree limbs, trimmings, brush • Tree stumps • Leaves (loose, do not bag) • Landscape timbers
- Paint cans and sealer cans (only if open and dry)
- Barrels/drums (only if dry, ends are removed and did not contain hazardous material)
- Railroad Ties/timbers (limit 5 per household)

Separate materials into piles by material type. Pile loose leaves, tree limbs and trimmings in separate piles. Pile tree limbs, 4-inches in diameter and smaller, separate from logs and tree limbs larger than 4-inches. Logs must have a maximum length of 4 feet. Please remove all limbs. Do not block drainage ditches, gutters and sidewalks, water meters and sewer cleanouts.

Examples of items the Town **WILL NOT** pick-up during fall clean up include:

- Construction and demolition materials (including but not limited to wood, metal, concrete, stone, etc., except as noted above.)
- Heavy machinery • Automobile parts or accessories • Kerosene heaters • Fuel oil tanks of any size
- Commercial truck, tractor/trailer tires
- Hazardous household wastes such as paint, pesticides and cleaning chemicals
- Tree/brush materials associated with land/lot clearing for construction
- Electronic components such as televisions and computers. See note below.

Citizens are encouraged to call the Public Works Department at 382-1151 for clarification before placing out questionable items.

Information can also be found on Town website at www.christiansburg.org or by calling Town Hall at 382-6120.

Hazardous Household Waste and Electronic Waste can be disposed of through the Montgomery Regional Solid Waste Authority (MRSWA). Please contact MRSWA at 381-2820 or visit their website at www.mrswa.com for further information.

-Barry D. Helms, Town Manager

MONTGOMERY COUNTY SHERIFF'S OFFICE

-HAS APPROXIMATELY 70-80 TAKE HOME VEHICLES

-NONE OF THEIR VEHICLES ARE ALLOWED OUTSIDE OF MONTGOMERY COUNTY TO TAKE HOME.

•

Sept 2014



**COMMONWEALTH OF VIRGINIA
MONTGOMERY COUNTY SHERIFF'S OFFICE
CHRISTIANSBURG, VA**



GENERAL ORDER NO. 32b

OFF-DUTY USE OF COUNTY VEHICLES

Reviewed: 07/01/2013

Revised: 05/23/2001

POLICY

The purpose of this general order is to establish guidelines concerning the use of a Sheriff's Office vehicle by a sworn employee while off-duty.

PROCEDURE

1. All Sheriff's Office vehicles will be driven in a safe and proper manner, with the driver remaining in control of the vehicle at all times, and acting in full compliance with all traffic laws and regulations. Sheriff's Office vehicles are conspicuous symbols of authority on the streets, and the actions of drivers are observed by many. This places the responsibility on each deputy of the Sheriff's Office to set a visible example of good driving behavior and habits.
2. Sworn employees while traveling to and from educational facilities and physical fitness activities within the area/county may use their issued vehicles while off-duty, provided the distance does not exceed 35 miles one way from the employee's residence and provided that the employee has obtained approval by his/her immediate supervisor.
3. All Sheriff's Office vehicles shall be on official business when traveling to and from approved educational and physical fitness activities while off-duty.
4. Sworn employees operating their issued vehicle shall be ever mindful of their operation, appearance and conduct.
5. Whenever using their issued vehicle, all police radios must be turned on with sufficient volume to be clearly audible.
6. Sworn employees shall have their sidearm accessible when operating a marked or unmarked vehicle.
7. Sworn employees will be properly attired, should it become necessary to perform a law enforcement function. It is recommended that suitable attire is available for all types of weather conditions.
8. Sworn employees are expected to handle law enforcement situations when encountered or requested by the on-duty shift. Assistance may include handling and/or standing by until the on-duty deputy arrives, should the situation require immediate attention.
9. For the purpose of this policy, the following definitions shall apply:

- a. **Educational Facility:** A state approved institution of higher learning above High School level. The sworn employee must be taking courses contributing towards a degree or course directly related to your primary job assignment.
- b. **Physical Fitness Activity:** The sworn employee must be engaged in an individual physical fitness program or workout; this shall not include team sports such as softball, volleyball, bowling etc.

RADFORD CITY POLICE DEPARTMENT

- HAS APPROXIMATELY 22 TAKE HOME VEHICLES**
- ABOUT 10 OF THOSE STAY WITHIN THE CITY LIMITS AND ARE ALL MARKED VEHICLES**
- THEY HAVE ABOUT 12 THAT LEAVE THE CITY LIMITS EVERY DAY, 6 MARKED AND 6 UNMARKED. THESE ARE ADMIN/DETECTIVE/K-9 VEHICLES.**

Sept 2014

RADFORD DEPARTMENT OF POLICE		GENERAL ORDERS	
SUBJECT: PERSONAL POLICE VEHICLE PROGRAM		NUMBER: GO-52	
EFFECTIVE DATE: 6 MAR 2009		REVIEW DATE: JULY 2011	
AMENDS/SUPERSEDES: GO 52, 4 JULY, 2007		APPROVED: _____ Chief of Police	
VLEPSC STANDARDS:			

NOTE

This order is for internal use only, and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third-party claims. Violations of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

I. POLICY:

Issuance of personally assigned marked take home vehicles shall be limited to sworn personnel whose normal duty assignment requires utilization of a marked vehicle. The individual assignment of a marked police vehicle shall be construed as a privilege and not an automatic fringe benefit or employee right.

II PURPOSE:

To establish eligibility guidelines, assignment criteria and program administration of a take home marked vehicle fleet. The take home marked police vehicle program has been implemented to increase the visibility of marked police vehicles throughout the City of Radford, enhancing neighborhood security and providing a crime deterrent effect.

III. ELIGIBILITY CRITERIA:

Participants in the take home vehicle program must be full time sworn law enforcement officers of the Radford Department of Police living in the City of Radford with the exception of Command Staff. Command Staff living within the thirty minute response time required by City policy are allowed personal vehicles because they are subject to call out with short notice in any emergency situation. Eligible officers must have been released from a training status. Members of specialized units may be assigned take home vehicles at the discretion of the Chief of Police. Any officer eligible for an assigned vehicle may decline to accept it.

IV. PROGRAM ADMINISTRATION:

- A. Officers participating in the program must agree to park their assigned vehicle during normal off-duty time at their residence. Reasonable measures shall be taken to ensure the vehicle is secured and parked in a non-hazardous highly visible location. Vehicle assignments will be based upon seniority in each rank. An eligibility list will be established and reviewed annually.
- B. Personnel violating the provisions of this or associated directives, orders or procedures may lose the privilege of a personally assigned take home vehicle.
- C. No unauthorized passenger (civilian, family member, etc.) shall be permitted to ride in the police vehicle; however, two or more officers performing the same approved police related function may ride together for that purpose. Use of a take-home vehicle shall be limited to transportation to and from:
 - 1. departmental facilities (duty, meetings, administrative work, physical training, etc.); or
 - 2. off-duty court appearance; or
 - 3. vehicle maintenance and cleaning; or
 - 4. staff activities; or
 - 5. in-service approved training courses. (car pooling may be required); or
 - 6. the Radford Recreation Center or other fitness

facility located in the City, if immediately before or after a regular tour of duty.

- D. Officers are authorized to operate their personally assigned vehicle en-route to and from police related off-duty work assignments within the City limits. Any motorized off-duty employment using the take home marked vehicle must be approved by the Patrol Operations Lieutenant or his/her designee.
- E. Personnel who are unable to report for normal duty shall notify their immediate supervisor who will determine whether the assigned vehicle will be relinquished until the employee returns to normal duties.
- F. Any damages to, or crashes involving a take home vehicle shall be reported immediately to the Communications Center and the on-duty supervisor. Any traffic accident involving a Department vehicle and/or personnel should be investigated by the Virginia State Police. In the event that the Virginia State Police will not investigate the incident, the on-duty supervisor shall investigate the crash. If any employee is involved in a crash in another jurisdiction while operating a PPV, they must request that the local jurisdiction investigate the crash as a reportable accident and explain that this is in accordance with City policy. Regardless of who investigates the accident, a report will be forwarded to the City Manager's Office through the chain of command. Any employee involved in a vehicle crash while operating a City vehicle shall be subject to immediate testing for the presence of alcohol and/or drugs in accordance with City policy (See General Order #20 for further guidance). In addition, a three member panel composed of members of the Department's Traffic Crash Reconstruction Team will review all the facts related to the accident and determine only if the accident was an at fault accident. The Patrol Operations Lieutenant, the Deputy Chief, or the Chief of Police will determine what, if any, disciplinary actions are to be imposed.
- G. Officers shall adhere to General Order #9, Operation of Police Vehicles while operating their personally assigned vehicle off-duty. Should a pursuit or other situation requiring the response of an on-duty

supervisor occur, the on-duty supervisor shall respond and assume supervisory responsibilities.

- H. If additional vehicles are required to meet manpower demands for a tour of duty or major special event, take-home vehicles will be recalled as directed by the Patrol Operation Lieutenant or his/her designee.
- I. Unattended police vehicles shall be locked at all times.
 - 1. Officers shall not store any of their issued equipment in the passenger area of their take home vehicle while parked at their residence.
 - 2. Officers shall not leave any issued or seized firearms (revolver, semi-automatic pistol, shotgun, etc.,) unattended inside the passenger compartment of the vehicle. However, shotguns may be left in locked electronic shotgun carriers. Officers may store their issued or approved weapons in the trunk area while parked at their residence provided the vehicle's trunk is equipped to be double locked and the locking mechanisms are activated.
- J. As representatives of the Department of Police, off-duty officers utilizing their take-home vehicles must be in a position to take police action at any time if it is necessary. Accordingly, each officer when driving their assigned take home vehicle shall:
 - 1. be appropriately attired to conduct police business should the occasion arise;
 - 2. have all of their issued equipment in their vehicle; and
 - 3. possess their assigned radio and monitor the radio frequency assigned to the sector being traveled.
- K. Whenever an off-duty officer in their take-home vehicle becomes aware of a call for service to which their immediate response may prevent loss of life or serious injury or would assist in securing the scene of a serious crime in progress, the officer, shall, after advising Communications of their proximity to the incident, respond to the call. Officers shall notify the Communications Center of off-duty activities using the following radio procedure;

Field Unit: Radford - 256, OD (off-duty).
C.O.: 256...

The OD unit will proceed with radio traffic once he/she has been acknowledged by using the appropriate ten and signal codes.

1. All response codes shall be followed as if the officer were on duty.
2. Off-duty personnel who have been canceled by a supervisor shall not respond to the scene.
3. Off-duty personnel in their take-home vehicle encountering a traffic accident, stranded motorist or other traffic hazard shall notify Communications and render whatever assistance is required until an on-duty unit arrives. Appropriate safety equipment including reflective vests shall be worn during traffic assignments consistent with current on-duty policy.

V. VEHICLE MAINTENANCE:

- A. Cleanliness of a police take home vehicle is the responsibility of the assigned officer.
 1. All assigned vehicles shall be waxed at least annually.
 2. Routine maintenance shall be accomplished while off-duty, on an appointment basis at the City shop. All routine scheduled maintenance shall be approved in advanced by the employee's immediate supervisor.
 3. Time expended off-duty on emergency repairs is to be reported immediately after return to duty to the employee's immediate supervisor.
- B. Officers shall ensure that emergency repairs are made as soon as feasible after the problem arises by the City Shop personnel.
- C. Mechanical and/or electrical alterations to take-home vehicles, and unauthorized addition or removal of equipment are specifically prohibited. Decals and

other markings are prohibited without approval from the Chief of Police.

- D. Off-duty personnel shall inspect their vehicles to determine cleanliness, state of repair, proper functioning and maintenance of equipment, safety hazards, etc., prior to the vehicle's use, as if the officers were on duty. Inspection practices specified in General Order #4 shall be followed.

VI. PROHIBITED PRACTICES:

- A. Off-duty officers are prohibited from stopping at any commercial establishment to conduct personal business while operating their take-home vehicle. Exceptions will be brief stops at banks, dry cleaners and other locations for emergencies while traveling to and from duty.
- B. Police vehicles shall not be used at any time for the purchase or transportation of alcoholic beverages (other than items of evidence) or after the operator has consumed alcoholic beverages.
- C. Take-home vehicles shall be driven only to the officers' residence and shall not be driven outside the city limits except on authorized business as allowed by Department directives.

*****End*****

BLACKSBURG POLICE DEPARTMENT

-16 take home vehicles

-0 in Blacksburg, 3 in Roanoke County, 2 in Pulaski, 1 in Radford and 1 in Giles County

Sept 2014

6.10 OPERATION OF TOWN-OWNED MOTOR VEHICLES AND MOTORIZED EQUIPMENT

1. All individuals assigned the use of a Town-owned vehicle are responsible for complying with the following requirements:

A. Town owned vehicles assigned to an employee shall only be used by that employee in the performance of the duties of his/her department.

B. All employees are required to take every precaution in the prevention of accidents to himself/herself, his/her fellow employees, and the public.

C. All drivers of motor vehicles owned or used by the Town of Blacksburg shall be legally licensed to operate the motor vehicles, shall maintain physical fitness standards required to operate the vehicle, shall obey all traffic rules and regulations prescribed by law, and shall use every safety measure possible to prevent accidents.

D. An employee must notify his/her supervisor on the next workday concerning any change in the status of his/her driver's license.

E. If an employee's drivers license is restricted, i.e., must wear glasses when driving or is only allowed to drive to and from work, the employee must comply with the restrictions when he/she is at work. The employee also must notify his/her supervisor of the restriction on the next workday.

F. At the end of each workday, all Town-owned vehicles that are permitted to be taken home will be driven to the individual's place of residence and parked until the individual returns to work or is called out on departmental business. Occasional stops to and from work for private business will be allowed; however, discretion should be used in all cases. At no time will the employee be allowed to transport alcoholic beverages in a Town-owned vehicle unless approved in advance by the Town Manager. Employees who are authorized to take a vehicle home must leave the vehicle at the place of work when they are on annual leave or otherwise absent from work for a non-job related purpose, unless otherwise approved by the Department Head.

G. All individuals assigned Town-owned vehicles are responsible for coordinating routine maintenance and repair of the vehicle with the Department of Public Works.

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H. Whenever possible, all vehicles will be shared with other Town employees in need of a vehicle for official Town business. In all cases, however, the individual assigned the vehicle will have preference.

2. In January of each year, or whenever changes occur during the year, each Department Head must supply the Director of Financial Services with the names of all employees who commute to and from work in Town-owned vehicles.

3. It shall be the duty and responsibility of any operator of light or heavy motorized equipment to immediately report to his/her supervisor any defect in the mechanical equipment and to use every precaution to prevent additional property loss, expense, or recurrence of the condition.

4. Operators of all vehicles and other motorized equipment used in the service of the Town government who violate these requirements or who become involved in any accident will be the subject of an investigation. If it is determined that the employee is responsible for the violation or accident, or through carelessness or recklessness contributed to the cause of the accident, appropriate action will be taken by the employee's Department Head.

5. In order to protect the Town from potential liability, the following actions will occur if an employee's drivers license is revoked or suspended:

A. The employee shall not be allowed to operate any Town-owned vehicle until proof is presented to the Department Head that a valid Virginia license has been reissued to the employee. An employee charged with DUI/DWI or other serious traffic offenses will not be allowed to drive on Town business while the charge is pending, unless the facts and circumstances are such that the employee's driving would not create a potential liability for the Town.

B. An employee whose essential job functions require regular operation of Town-owned vehicles may be assigned to a position for which driving is not required, with a possible cut in pay, if such a position is available and if, in the judgment of the department head and Town Manager, the transfer will not interfere with Town operations.

C. If the employee cannot perform his/her essential job functions and no transfer is available, the employee shall be (1) terminated if his license is revoked, or (2) if his license is suspended, placed on leave-without-pay status for the suspension period or terminated if the leave would interfere with Town operations. To determine if the employee can still perform his/her essential job functions with a restricted or suspended operator's license, the department head shall, in consultation with the Town Manager or the Manager's designee, review the employee's job description and the

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potential impact of the employee's being unable to operate Town-owned vehicles. However, no employee convicted of a second or subsequent offense DUI/DWI or who has been determined or adjudicated an habitual offender shall remain employed in a position that has any requirement for driving.

D. If the employee can perform his/her essential job functions with a restricted or suspended license, the employee shall not drive on Town business for an appropriate period of time. The period of time will be determined by the department head, in consultation with the Town Manager and the Town Attorney, based on (i) the circumstances and nature of the license restriction or suspension and (ii) the best interests of the Town.

E. The provisions of A and B above shall apply if an employee who, as part of his/her job duties, operates a Town-owned vehicle, the operation of which is regulated by the Commercial Vehicle Safety Act of 1986, as amended, has his/her eligibility to operate such vehicles revoked or suspended under

Federal law. The requirement for an employee in his/her job description to have a commercial driver's license creates the presumption that he or she cannot perform his/her essential job functions without a valid commercial driver's license.