

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF MARCH 4, 2008 AT 7:30 P.M.**

A REGULAR MEETING OF THE CHRISTIANSBURG TOWN COUNCIL, MONTGOMERY COUNTY, CHRISTIANSBURG, VA. WAS HELD AT THE CHRISTIANSBURG TOWN HALL, 100 EAST MAIN STREET, CHRISTIANSBURG, VA, ON MARCH 4, 2008 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Ballengee, Councilmembers Barber, Huppert, Stipes, and Wade. COUNCIL MEMBERS ABSENT: Councilmembers Canada, and Carter. Also present Town Manager Terpenny, Assistant Town Manager Helms, Town Clerk Stipes, Town Planner Hair, and Town Attorney Waddell.

PLANNING COMMISSION MEMBERS PRESENT: Commissioners Booth, Byrd, Moore, Simmons, and Vanhoozier. PLANNING COMMISSION MEMBERS ABSENT: Commissioners Carter, and Poff.

MAYOR BALLENGEE stated there was a quorum present of Council Members and Planning Commission Members.

PLEDGE OF ALLEGIANCE led by visiting Christiansburg Brownie/Girl Scouts.

JOINT PUBLIC HEARING

1. A Conditional Use Permit request by Roger Roller (agent for property owner Chambree McClure) for property at 108 Chapel Street (tax parcels 527 – ((3)) – 51A and 53) for a major home occupation (sale of small animals including reptiles) in the B-3 General Business District. Mr. Roller of Roller Exotic Wholesale, presented his request to Council for a Conditional Use Permit that would allow him to sell reptiles, exclusively the Bearded Dragon and the Veiled Chameleon, from his home. He gave each Councilmember a handout with descriptive information about these two reptiles. Mr. Roller breeds the reptiles to sell wholesale to pet stores and pet suppliers; he does not sell directly to the public from his home. The harmless reptiles are housed in handmade cages and are fed crickets, mealworms, and produce. At any given time he has approximately fifty Bearded Dragons and thirty Veiled Chameleons. All are sold. Mr. Roller has bred and sold these reptiles for seven years, and has references from approximately twenty pet stores that he has done business with currently and in the past. Delivery/shipping of the reptiles is through Federal Express. Mr. Roller said he has few losses, but when a loss does occur, he disposes of the carcass through the trash, unless he is concerned about the cause of death, in which case, he will have a local veterinarian examine the carcass before disposal. Mr. Roller said he recently learned from Town Manager Terpenny that he is required to obtain a license through the Virginia Department of Game and Inland Fisheries to possess exotic wildlife, and he plans to do so immediately. There were no public objections to the request, but local resident, Sam Bishop, had several questions at the beginning of the public hearing, which were adequately addressed by Mr. Roller. Councilman Huppert strongly suggested including a six month review as a condition, if the permit is issued.
2. A Conditional Use Permit request by C.L. Draughn for property at 655 Depot Street, N.E. (tax parcels 497 – ((A)) – 236, 237, and 239) for residential use in the B-3 General Business District. Mr. John Neel of Gay & Neel, Inc. addressed Council on behalf of the applicant, Dwayne Jennings. Pending sale, Mr. Jennings plans to develop this property adjacent to Depot Street. On this topographically challenged land, residential use seems most practical, and Mr. Neel provided Council with tentative concept plans for two different layouts for this property. The only difference between the two plans is the ingress/egress. A detailed site plan will be submitted if the CUP is issued. The concept plans indicate eleven townhouse units, and provisions for stormwater management. This property is adjacent to Hall Street, which is a twenty-foot, undeveloped right-of-way, and Mr. Neel suggested the possibility of using Hall Street as an entranceway to the development. The townhomes will be approximately twelve to fourteen hundred square feet, two-story, and in the One Hundred Fifty Thousand to One Hundred Seventy-Five Thousand dollar price range. It is planned to sell the units, but some may be rentals. Mr. Neel said that Mr. Jennings has developed many reputable properties in Christiansburg, and named several for Council. Ms. Meghan Dorsett, owner of the Cambria Emporium, said she understands the need for affordable housing, but is concerned that the development will have a negative impact on the historical Cambria district. She hopes that, if approved, there will be strict requirements as to the townhouse facade, so that the development will be in character with the surrounding historical structures. Ms. Dorsett also expressed concerns with increased traffic at the Cambria intersection. Ms. Dorsett asked Council to deny the request, but if they choose to approve, she asked that they consider approving the concept plan that diverts traffic away from Cambria Street. Ms. Carol Lindstrom, co-owner of the Toy Station, said there are significant safety issues with pedestrian and vehicle traffic near the Cambria intersection. She

believes that additional traffic will create an intolerable situation, and she strongly suggested the Town improve the intersection to accommodate increased traffic, if this request is approved.

PUBLIC HEARING

1. Council's intention to adopt an ordinance in regards to the vacation of an unbuilt portion of Sunnyside Lane adjoining tax parcels 497 – (29) – 1 and 497 – (8) – 33C. Town Manager Terpenny explained that in August, 2007, Council passed a resolution vacating the north side portion of Cromer Drive up to Sunnyside Lane. The map referenced at that time omitted a small portion of Sunnyside Lane and this request will vacate that small, omitted portion. This request requires a vote by Council, since it will impact the setback.

REGULAR MEETING

MAYOR BALLENGEE welcomed visiting Girl/Brownie Scouts and their chaperones, and read a Proclamation designating the week of March 9th through March 15th as Girl Scout Week. A copy of the Proclamation is attached herewith and made a part of these minutes.

MAYOR BALLENGEE welcomed Taylor Griffith to tonight's meeting. Taylor is a Christiansburg High School government student on assignment.

MAYOR BALLENGEE called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Minutes of February 19, 2008. There being none, the minutes were approved as presented.

CITIZEN HEARINGS:

MAYOR BALLENGEE opened the Citizen Hearings for those desiring to address Council.

PLANNING COMMISSION'S RECOMMENDATIONS ON THE JOINT PUBLIC HEARING REQUESTS:

1. A Conditional Use Permit request by Roger Roller (agent for property owner Chambree McClure) for property at 108 Chapel Street (tax parcels 527 – ((3)) – 51A and 53) for a major home occupation (sale of small animals including reptiles) in the B-3 General Business District. Planning Commission Chairperson Simmons asked Secretary Terpenny to read the Planning Commission's resolutions. Secretary Terpenny read the Planning Commission's resolution recommending Town Council issue the Conditional Use Permit with six (6) conditions. The Planning Commission's vote was unanimous. A copy of the resolution is attached herewith and made a part of these minutes.
2. A Conditional Use Permit request by C.L. Draughn for property at 655 Depot Street, N.E. (tax parcels 497 – ((A)) – 236, 237, and 239) for residential use in the B-3 General Business District. Secretary Terpenny reported that the Planning Commission recommends Town Council table this Conditional Use Permit request for further review. The Planning Commission's vote was unanimous.

There being no one else to address Council, MAYOR BALLENGEE closed the Citizen Hearings.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

COUNCIL ACTION ON THE PLANNING COMMISSION'S RECOMMENDATIONS ON THE JOINT PUBLIC HEARING REQUESTS:

1. A Conditional Use Permit request by Roger Roller (agent for property owner Chambree McClure) for property at 108 Chapel Street (tax parcels 527 – ((3)) – 51A and 53) for a major home occupation (sale of small animals including reptiles) in the B-3 General Business District. Councilman Barber made a motion to issue the Conditional Use Permit with six (6) conditions. Councilman Huppert seconded the motion and Council voted as follows: Barber, Huppert, Stipes, and Wade. NAYS: None.
2. A Conditional Use Permit request by C.L. Draughn for property at 655 Depot Street, N.E. (tax parcels 497 – ((A)) – 236, 237, and 239) for residential use in the B-3 General Business District. Councilman Wade made a motion to accept the Planning Commission's recommendation to table this request for further review. Councilman Huppert seconded the motion and Council voted as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None.

COUNCIL ACTION ON THE RIGHT-OF-WAY VACATION REQUEST FOR AN UNBUILT PORTION OF SUNNYSIDE LANE. Councilman Barber made a motion to adopt an ordinance vacating an unbuilt portion of Sunnyside Lane, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None.

AMENDMENT TO *CHRISTIANSBURG TOWN CODE*, CHAPTER 29, "WATER AND SEWER". Town Manager Terpenny reported that Town Attorney Guynn, at Council's direction, has drafted an ordinance that will allow Council the opportunity to waive penalty fees for late utility payments for customers in good-standing with the Town. The amendment allows a one-time waiver for customers who have gone twenty-four consecutive months with no delinquent payments, and would only be granted upon written request. Councilman Wade made a motion to adopt the amendment, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None.

GO GREEN VIRGINIA INITIATIVE. Town Council was introduced to the Go Green Virginia initiative started by Governor Kaine and sponsored by the Virginia Municipal League. The initiative is a nationwide effort to conserve energy. Localities must register with VML to participate, and participants will be recognized for success in various areas included in the program. Three information workshops have been scheduled around the State, and the workshop closest to our area will be held in Abingdon on April 22, 2008. Councilman Wade commented that he attended a seminar on the Go Green Virginia initiative at the 2007 VML conference and he learned that localities are not only saving money by participating, but it is also resulting in better treatment of the environment. Mayor Ballengee asked Council to spend some time reviewing the information they have received on the initiative and to be prepared to vote on the matter at the next Council meeting.

MR. STIPES AND MR. CANADA – Street Committee Recommendations on:

1. Plat of survey of public access easement, public utility easement, public pedestrian easement, and vacation of lot lines; Fairview Street. Councilman Stipes explained that Mr. Tim Connor of Connor's Mobile Home Park is dedicating an access easement, which will establish a turn-around through his mobile home park for garbage truck and emergency vehicle use. This dedication is consistent with the concept plan originally approved by Council. Councilman Stipes made a motion to approve the request, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None.
2. Boundary Line Adjustment of lots 12, 13, 14, 15 and open space parcel within Cambria Crossing, Phase I; Phoenix Blvd.; 4 lots. Councilman Stipes explained that this request is for minor boundary line adjustments to accommodate townhouse structures currently for sale. All is in order with the request, and Councilman Stipes made a motion to approve the request, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None.
3. Plat showing subdivision of property for Alan D. Gillis, lot 1 – section III, Sunnyside; Sunnyside Lane; 2 lots. Councilman Stipes explained that this lot line vacation request is to include the recently vacated portion of Sunnyside Lane directly adjacent to the subject property, and to vacate the previous boundary line, which will create a conforming lot for the existing duplex. Councilman Stipes made a motion to approve the request, seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None.

TOWN MANAGER REPORTS:

MONTHLY BILLS – On motion by Councilman Barber, seconded by Councilman Stipes, Council voted to approve the monthly bills to be paid 10 March, 2008, in the amount of \$1,702,461.88. AYES: Barber, Huppert, Stipes, and Wade. NAYS: None.

TAXI CAB LICENSE APPLICATION – Town Manager Terpenny submitted to Council a taxi cab license application for Sharon Lynn Vaughn to drive for Christiansburg Cab. The Police Department has investigated the applicant and recommends approval. On motion by Councilman Barber, seconded by Councilman Huppert, Council voted to approve the taxi cab license application for Sharon Lynn Vaughn as follows: AYES: Barber, Huppert, Stipes, and Wade. NAYS: None.

MANAGER TERPENNY reported that the RFP for the new website is now in electronic form and he hopes to have it finalized and sent out this week.

AT COUNCIL'S DIRECTION AT THE LAST COUNCIL MEETING, Town Manager Terpenny investigated the Conditional Use Permit issued in 1978 for a cabinet shop on South Franklin Street. The CUP was grandfathered, and has no conditions or

restrictions. Councilman Barber suggested Council consider adding an expiration date or reapplication period to Conditional Use Permits. Mayor Ballengee will ask the Planning Commission to review this suggestion and make a recommendation.

ADJOURN:

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

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor