

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
MINUTES OF JUNE 17, 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 JUNE 17, 2008 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Ballengee, Councilmembers Barber, Canada, Carter, Huppert, Stipes, and Wade.  
COUNCIL MEMBERS ABSENT: None. Also present Town Manager Terpenney, Assistant Town Manager Helms, Town Clerk Stipes, Planning Director Wingfield, and Town Attorney Dillon.

PLANNING COMMISSION MEMBERS PRESENT: Commissioners Booth, Byrd, Carter, Moore, Poff, Simmons, and Vanhoozier. PLANNING COMMISSION MEMBERS ABSENT: None.

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

PLEDGE OF ALLEGIANCE led by Planning Commissioner Bird.

**JOINT PUBLIC HEARING**

1. Council's intention to adopt an ordinance in regards to a rezoning request by Rita Irvin and Glen Holmes for property at 310 Holmes Street (tax parcels 497 – ((A)) – 33, 34 and 35) from A Agricultural to R-3 Multi-Family Residential. The property contains approximately 1.0 acre and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. Ms. Debbie Irvin was present and addressed Council on behalf of the applicants. She explained that the property owners plan to build three townhouses, in addition to the existing house. Christiansburg resident, Carol Lindstrom, voiced her support for the request.
2. A Conditional Use Permit request by Dwelling Place Christian Fellowship for property located at 3325 N. Franklin Street (tax parcel 406 – ((A)) – 13) for a private school in the B-3 General Business District. There was no one to speak for or against the request.
3. A Conditional Use Permit request by Bishop Townhomes, Inc. for property located at 65 Salem Lane (tax parcel 498 – ((19)) – 27) for a professional office in the R-3 Multi-Family Residential District. Mr. Robert Fralin, developer of Bishop Townhomes, and owner of House Smart, explained that he will soon be moving his business to Roanoke, which is where he resides. This request is to open a temporary House Smart sales/rental office in an existing, empty model home in the Bishop Townhomes subdivision, until the townhomes are completed and sold. Mr. Fralin introduced Britney Seagal, who will manage the Christiansburg House Smart sales office. Ms. Seagal explained that it is House Smart's intent to sell each townhome, with the possibility of renting in the meantime. Two parking spaces are assigned to each unit. At Council's questioning, Mr. Fralin agreed to not sell the model home until the subdivision is completed. Mr. David Bertrand, a resident of Bishop Townhomes, is concerned that if this business is allowed, even on a temporary basis, it will open the door to future businesses in the neighborhood. He would like the property to remain strictly residential. Ms. Debbie Phillips expressed her concern about the probable increase in traffic, both vehicular and pedestrian, in the small parking lot. Mr. Jason Adkins agreed, commenting that there are approximately twenty-five units and fifty parking spaces. He is against this request because of the potential traffic issues. One elderly resident complained that the subdivision has stormwater maintenance problems that affects her property, and also that the ground has been damaged by heavy equipment use. Mr. Adam Edwards commented that it is appropriate to use a model home as a sales office during the development of a subdivision. However, his concern is the lack of a viable stormwater run-off plan, which has resulted in stormwater run-off in his front yard. Britney Seagal commented that she has spoken with many of the residents and understands that traffic is a big concern. She reassured them that there will be no House Smart traffic to the model home; it will only be used as a sales office. Rent will be collected at the site, but only for that subdivision. Manager Terpenney pointed out that the CUP is not transferable, and will expire if used in a manner not outlined in the CUP. Manager Terpenney further commented that it is not unusual for a model home to be used as a sales office and it has been done before in Christiansburg, without incident.

## **REGULAR MEETING**

MAYOR BALLENGEE called the Regular Meeting of Council to order and asked if there were any additions or corrections to the Minutes of June 3, 2008. Councilman Wade made a motion to approve the minutes as presented, seconded by Councilman Barber. Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

### **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. Council's intention to adopt an ordinance in regards to a rezoning request by Rita Irvin and Glen Holmes for property at 310 Holmes Street (tax parcels 497 – ((A)) – 33, 34 and 35) from A Agricultural to R-3 Multi-Family Residential. The property contains approximately 1.0 acre and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. At Chairperson Simmons request, Secretary Terpenney read the Planning Commission's resolution recommending Town Council approve the rezoning as requested. The Planning Commission's vote was unanimous.
2. A Conditional Use Permit request by Dwelling Place Christian Fellowship for property located at 3325 N. Franklin Street (tax parcel 406 – ((A)) – 13) for a private school in the B-3 General Business District. Secretary Terpenney read the Planning Commission's resolution recommending Town Council issue the Conditional Use Permit with two conditions. The Planning Commission's vote was unanimous.
3. A Conditional Use Permit request by Bishop Townhomes, Inc. for property located at 65 Salem Lane (tax parcel 498 – ((19)) – 27) for a professional office in the R-3 Multi-Family Residential District. Secretary Terpenney read the Planning Commission's resolution recommending Town Council issue the CUP with five conditions. The Planning Commission's vote was unanimous, with one abstention.

MR. JEREMY ALLEN of the Montgomery County Chamber of Commerce presented Council with a letter of opposition to the proposed cap on the Tourism Initiative funding provided by the additional 1% transient lodging tax added in 2005. The letter is signed by Chairman Jeremy Allen; Chair-Elect Dawn Bryant; Treasurer Mike Soriano; Membership Officer Ray Williams; and members of the Executive Committee: Joe Meredith, Jim McAlister, and William King. The Chamber supports the Town's efforts to self promote and help fund its own special community events, but 6% of the transient lodging tax, and 6% of the meals tax, currently goes directly into the Town's General Fund for these promotion purposes.

LISA LUCAS GARDNER addressed Council regarding the lack of response from the Town on concerns she previously brought to Council, such as obtaining a water meter for her private use, downtown parking, and gas usage by Town employees. Mayor Ballengee commented that both he and the Town Manager make notes of citizen concerns during meetings and every effort is made to follow-up on concerns.

PLANNING COMMISSIONER BOOTH expressed his appreciation for the Cruisin' Christiansburg festivities and thanked Steve Huppert, Ernie Wade, Shane Guynn, Tacy Newell-Foutz, and the many others who had a part in bringing this event together. Mr. Booth reported that on June 27<sup>th</sup> and 28<sup>th</sup>, Christiansburg will host the annual Backyard Brawl. Over forty basketball teams will participate in the tournaments held at the recreation center, Christiansburg high school, and Auburn high school. Mr. Booth commended Shane Guynn for organizing this event. Mayor Ballengee commented on the success of the Backyard Brawl held in Christiansburg last year.

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. Council's intention to adopt an ordinance in regards to a rezoning request by Rita Irvin and Glen Holmes for property at 310 Holmes Street (tax parcels 497 – ((A)) – 33, 34 and 35) from A Agricultural to R-3 Multi-Family Residential. The property contains approximately 1.0 acre and is scheduled as Residential in the Future Land Use Map of the Christiansburg Comprehensive Plan. Councilman Stipes made a motion to accept the Planning Commission's recommendation to approve the rezoning request, seconded by Councilman Huppert. Councilman Barber, noting the lack of plans for this site,

recommended tabling the request until plans are available. Mayor Ballengee pointed out that plans are typically not required at this point for a rezoning request. Attorney Memmer concurred noting that there will be an opportunity to view development plans at a later time. Town Clerk Stipes polled Council as follows: Barber – AYE; Canada – AYE; Carter – AYE; Huppert – AYE; Stipes – AYE; and Wade – AYE.

2. A Conditional Use Permit request by Dwelling Place Christian Fellowship for property located at 3325 N. Franklin Street (tax parcel 406 – ((A)) – 13) for a private school in the B-3 General Business District. Councilman Barber made a motion to accept the Planning Commission's recommendation to issue the CUP with two conditions. Councilman Wade seconded the motion and Council voted as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.
3. A Conditional Use Permit request by Bishop Townhomes, Inc. for property located at 65 Salem Lane (tax parcel 498 – ((19)) – 27) for a professional office in the R-3 Multi-Family Residential District. Councilman Barber made a motion to accept the Planning Commission's recommendation to issue the CUP with five conditions, seconded by Councilman Stipes. Town Clerk Stipes polled Council on the motion as follows: Barber – AYE; Canada – AYE; Carter – AYE; Huppert – AYE; Stipes – AYE; and Wade – AYE.

HUCKLEBERRY TRAIL EXTENSION UPDATE. Councilman Stipes reported that he recently learned that the Town's application for a federal grant through the Transportation Enhancement Act (TEA) was denied for the Huckleberry Trail Extension. Councilman Stipes commented that projects already underway are first priority for federal funding through TEA, and that he hopes this setback will not keep the project from moving forward. The deadline for the 2009 application process is November 1 and Councilman Stipes said it is important to reorganize the project and determine how to move forward this year in preparation for the funding application for next year. Councilman Stipes then introduced John Neel and Kevin Connor of Gay and Neel, Inc., who have been working with Friends of the Huckleberry on the trail extension from the New River Valley Mall to the Recreation Center. Currently, the firm has been studying bridge concepts for crossing Route 114, and they showed Council a power point presentation of various bridge options to consider, including cost. The bridge has been designed to accommodate the future widening of Route 114. At the close of the presentation, Manager Terpenney asked Mr. Neel to make a copy of the presentation for each Councilmember to review before deciding on a design.

MAYOR BALLENGEE took a moment to comment on the success of Saturday's Cruisin' Christiansburg festivities, in spite of the rain. He thanked Steve Simmons, Dale Echols, Tacy Newell-Foutz, Steve Huppert, and Ernie Wade for the time and energy they put into organizing this event, and commended them on behalf of Town Council. There are two more downtown festivities to look forward to this summer. Mayor Ballengee commented on the positive coverage the Roanoke Times gave the Cruisin' Christiansburg event and presented reporter Donna Alvis-Banks with a Cruisin' Christiansburg t-shirt on behalf of Council. Councilman Huppert thanked Mayor Ballengee, Planning Commissioner Booth, and Charlton McCoy, Parks and Recreation Events Coordinator, for their involvement in organizing the events. Town Manager Terpenney expressed his appreciation for Art Price and the staff of the Parks and Recreation Department for devoting much time and energy into helping to organize the festival.

RESOLUTION FOR REVENUE SHARING AGREEMENT WITH MONTGOMERY COUNTY. Town Manager Terpenney explained that the Town spent a year in discussions with Montgomery County concerning the boundary line adjustment for property located behind Kmart. The County agreed to a "friendly" boundary line adjustment, sharing in the lodging and meals revenue for a period of ten years. Attorney Jim Guynn has drafted, with the County's attorney, a resolution requesting the Commission on Local Government review the agreement. A copy of this resolution is attached herewith and made a part of these minutes. Councilman Barber made a motion to adopt the resolution, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

#### TOWN MANAGER REPORTS:

PUBLIC HEARING REQUEST – Town Manager Terpenney presented the following request and recommended setting the Public Hearing for July 15, 2008:

1. Conditional Use Permit request, commercial garage, towing, and storage, 940 Radford St., B-3 General Business District.
2. Partial subdivision vacation, Scott Street, common area, Cornerstone Townhomes.
3. Conditional Use Permit for major home occupation, R-1 Single-Family Residential, Howry Street, lawn care.

On motion by Councilman Barber, seconded by Councilwoman Carter, Council voted to set the Public Hearing for July 15, 2008. Council voted on the motion as follows: AYES: Barber, Canada, Carter, Huppert, Stipes, and Wade. NAYS: None.

AQUATIC CENTER UPDATE – Manager Terpenney reported that the large pool has been excavated and concrete pouring began today. Good progress has been made on the access road, much of it not visible from North Franklin Street.

TOWN MANAGER TERPENNEY reported that during recent cell tower negotiations, one particular cell company requested a twenty year lease instead of the typical five year lease. The company has offered to pay several thousand dollars for this consideration, and is asking for confirmation that the Town will consider this request. The Town Manager and Barry Helms have extensively reviewed this request and recommend Town Council's consideration. They also recommend the funds be used for Town recreational purposes such as completion of the skatepark, construction of a local park, the aquatic center, etc. Mayor Ballengee turned this matter over to the Recreation Commission for review and recommendation. Manager Terpenney commented that he needs a consensus from Council to continue negotiations. It is the consensus of Council to consider this request.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 9:45 P.M.

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Michele M. Stipes, Clerk of Council

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Richard G. Ballengee, Mayor