

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
REGULAR MEETING MINUTES
OCTOBER 12, 2021 – 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, VIRGINIA, ON OCTOBER 12, 2021 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael Barber; Vice-Mayor Samuel M. Bishop; Johana Hicks; Steve Huppert; Merissa Sachs; Henry Showalter; Bradford J. Stipes.

ADMINISTRATION PRESENT: Town Manager Randy Wingfield; Assistant Town Manager Andrew Warren; Town Attorney Reid Broughton; Executive Assistant/Clerk of Council Tracy Heinline; Finance Director Valerie Tweedie.

REGULAR MEETING

I. CALL TO ORDER

- A. Moment of Reflection
- B. Pledge of Allegiance

II. ADJUSTMENT OF THE AGENDA

None.

III. PUBLIC HEARINGS

- A. Community Development Block Grant 2020 Consolidated Annual Performance and Evaluation Report (CAPER).

Assistant Town Manager Andrew Warren explained that each year included in the Community Development Block Grant there was an annual report as well as an evaluation report (CAPER). Mr. Warren stated that allocated funds would go towards infrastructure projects within the Town's designated low to moderate income area (Park District) and materials had been purchased for a waterline project on Junkin and Montague Streets.

- B. Amendments to the Planned Commercial Development in the B-3, General Business zoning district at 2705 Market Street NE by NRV Marketplace LLC to allow multi-family residential uses, increased building height, reduced onsite greenspace, and reduced residential parking requirement on Tax Parcel 436-((5))-1. The property is designated as Business/Commercial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Chris Waltz, 1370 Rigby Street, addressed Council and stated this project had been advertised since 2019 as for sale by summer 2020. Mr. Waltz expressed that this was a by right development and questioned if a public hearing was needed.

Steve Semones, Balzer & Associates, addressed Council on behalf of the Marketplace and expressed that the Planning Commission had approved the referenced amendments. Mr. Semones noted that since the original approval in 2019, several new businesses were now at the Marketplace and several under construction. Mr. Semones noted that throughout Covid and businesses shutting down, the Marketplace kept its momentum and continued to grow. He talked about the demand for residential in the Marketplace and how the planned commercial development does allow for residential uses within it. He explained there were four main items with the initial amendment proposal, one being residential use. With residential use, residential ratio square footage to commercial ratio of square footage had to be determined. He explained that the planned commercial development allows for up to thirty units per acre. Mr. Semones noted that currently the development is at approximately 11 units per acre threshold. He explained that the Planning Commission had met and recommended capping at 20 units per acre. The second request had been additional building height in several of the buildings and that in a planned commercial development you are allowed up to 75 feet in height if you have additional setback areas. Mr. Semones explained that currently they were asking for 85 feet of height for several of the buildings, as well as a parking deck as part of the Marketplace CUP request. Along with the 85-foot height request, a 187-foot and a 209-foot building were requested. He explained that at the recommendation of the Planning Commission the highest building was not recommended due to the height of the shorter buildings in the area and potential issues of building over the stormwater management pond. Mr. Semones also noted that a reduction down to 14 percent of overall green space was requested by the developer and explained that by Town Code, 20 percent of green space is required for commercial development in the B-3 District. He explained that the developer believed the reduction to be reasonable as several of the residential structures had upper levels so there would be green space on those upper levels as well as the upper level of the parking decks. Mr. Semones explained that the original conditional use permit allowed them to include upper-level open space as part of their green space. With the Planning Commission's recommendation of the removal of the hotel, the tallest building in the Marketplace, there would be enough green space to meet the nineteen percent requirement. Mr. Semones also touched on the second piece of the landscaping amendment and explained that one tree per 400 square feet of green space was required. He explained that due to stormwater management, drainage ditches, and rights-of-way, the trees were placed close together in some areas, so the developer had asked for 600 square feet instead. Mr. Semones spoke concerning the senior independent living facility and the parking reduction request of cars per unit for the facility. He explained that for an independent living facility, most residents are operating with one or no car so therefore a request of .75 per parking space per unit was requested. It was also noted that a traffic study had shown an increase in traffic for the mix of commercial and residential, but the conclusion was that the additional traffic that was generated by the current plan versus the one that was approved in 2019 was insignificant to the overall traffic plan. Mr. Semones noted that the park traffic would peak on the weekends and would add approximately two vehicles at the intersection and would not create a major issue. Mr. Semones concluded that there still would be commercial space at the bottom of the units and the residential space would be located on the upper floors. Councilman Bishop inquired about the comparison of the 187-

foot building and the Atlantic Union Bank on Market Street. Councilwoman Hicks agreed with the Planning Commission's decision to not allow the tallest building in the Marketplace. She inquired about the number of apartments in total for the development. Mr. Semones stated there would be 320 units in total, 160 of those units for senior living. Councilwoman Hicks expressed concern there would not be sufficient parking for the new development and explained that she would like to see the same amount of parking spaces for all businesses in the Town to make it fair for everyone. Mr. Semones and Marketplace representative Attorney Jim Cowan explained there was still excess total parking space above what the Town's code states at the Marketplace. Mr. Semones also touched on the storm drainage issues in the earlier phases of the development and explained that piping had been installed and directed to the storm water management to take care of those issues. Councilman Stipes reiterated that when this development was built years ago, there was insufficient water collection by today's standards so now the developer is managing the stormwater. He also touched on the concern of the height of the 209-foot building in the development. Mr. Semones explained that to cover the cost of the stormwater that would be underneath the building there needed to be a high-density hotel there. Councilman Stipes felt it was a great idea to have residential included in the development. Councilwoman Hicks expressed concern about green space and the height of the trees. Town Manager Wingfield explained the Town Code required a six-foot minimum planting height for commercial development. Councilwoman Hicks inquired about a space for a bus stop for the residents in the Marketplace and asked if the developer would pay the expenses of that bus route. Mr. Semones explained that a private shuttle service had been talked about for residents to use for running errands, medical appointments, etc.

IV. CONSENT AGENDA

- A. Approval of Minutes of September 28, 2021.
- B. Approval of purchase of two Henderson Dump Bodies in the amount of \$203,140.
- C. Schedule a public hearing on December 14, 2021 for a Conditional Use Permit for R-3 Multi-Family Residential District uses in the B-3 General Business District by MFF Holdings, LLC at 95 Patricia Lane (Tax Parcel 501 – ((1)) – 26B). The proposal is to reconfigure the former daycare building into seven (7) multifamily units. The property is designated as Business/ Commercial on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.

Councilman Stipes made a motion to approve the Consent Agenda as presented. The motion was seconded by Councilwoman Sachs. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes - Aye.

V. INTRODUCTIONS AND PRESENTATIONS

VI. CITIZEN COMMENTS

Chris Waltz, 1370 Rigby Street, expressed concern over campaign signs and felt that Town staff were removing the signs from the properties without permission. Mr. Waltz spoke about the Town

ordinance and the right-of-way definition and stated that Town staff had explained to him that in order to determine where the right-of-way is, a land surveyor was needed.

Mayor Barber stated that the campaign signs were removed from properties due to being in the Town right-of-way and placed at Town Hall. He explained the candidates have mostly picked up their signs.

Dan Maderic, 595 Arrowhead Trail, spoke about the candidate signs and expressed there were signs being placed on properties without permission. Mr. Maderic also mentioned he had met with Councilwoman Hicks and now questioned why she wanted to become Mayor. He explained that he felt Mrs. Hicks attends Council meetings with stacks of paperwork, but it appeared she was not prepared at the meetings. He stated that Councilwoman Hicks had made statements before concerning schools in Colombia were better than in the Christiansburg area. Mr. Maderic questioned if Mrs. Hicks enjoyed living in Christiansburg. He noted that her candidate signs stated "Leadership that Listens" but felt she interrupted others at the meetings.

VII. COMMITTEE REPORTS

VIII. DISCUSSION AND ACTION BY MAYOR AND COUNCIL

- A. Major Home Occupation Conditional Use Permit for a single-chair salon in the Agricultural zoning district at 725 Stafford Drive NW on Tax Parcel 405 – ((A)) – 8. The property is designated as Residential on the Future Land Use Map of the 2013 Christiansburg Comprehensive Plan.
No one spoke against the application at the last meeting.

Councilman Bishop made a motion to approve the Conditional Use Permit for a single-chair salon at 725 Stafford Drive. The motion was seconded by Councilwoman Sachs. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- B. Rezoning from R-3, Multi-Family Residential and B-3, General Business to B-3, General Business by the Montgomery Museum & Lewis Miller Regional Art Center (Montgomery Museum of Art and History) at 300 Pepper Street SE on Tax Parcel 527 – ((A)) - 235. The property is designated as Parks/Open Space Map of the 2013 Christiansburg Comprehensive Plan.

Councilwoman Sachs made a motion to approve the rezoning at 300 Pepper Street SE. The motion was seconded by Councilwoman Hicks. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- C. Discussion of Opioid Release.
Town Manager Wingfield explained to Council that a resolution had been drafted for the Opioid Release. He expressed that the Town would not be eligible for any funds but the Town signing the waiver would increase the pool of money Montgomery County would receive. Councilwoman Sachs noted that she felt this was a great opportunity to support the County.

Councilman Stipes made a motion to approve the drafted resolution for Opioid Release. Councilwoman Sachs seconded the motion. Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

- D. Consideration of Ordinance Creating New River Valley Passenger Rail Station Authority and Authorizing Execution of Agreement Setting Forth Rights and Obligations of Authority Members.

Councilman Stipes made a motion to approve the Ordinance above and Authorized Execution of Agreement Setting Forth Rights and Obligations of Authority Members. Councilman Showalter seconded the motion.

Councilman Stipes explained this ordinance provided equal representation and it was very similar to every other authority. Councilwoman Hicks inquired that since the study had not been completed, they did not know where it would be located, and she felt it should not be voted on at this time. Mayor Barber explained that the Town would have to have an authority in order to build the rail station, so the location is not an issue at this time. Councilman Huppert explained that this ordinance starts the process. Mr. Wingfield explained the ownership shares would be weighted for the votes of the members according to the financial participation on the committee. He stated that the service had to be located on the Virginia line and the station could be located on the Virginia line or along the line that comes from Cambria and crosses N. Franklin Street and Peppers Ferry Road NW. Councilman Showalter inquired if Mrs. Hicks would support the authority if it were located elsewhere.

Council voted on the motion as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.

Councilman Showalter inquired why Councilwoman Hicks voted “Aye” for the ordinance since she objected to voting given a location had not been chosen. Councilwoman Hicks explained that she knew the Town could exit the authority if needed.

IX. STAFF REPORTS

- A. Town Manager

Mr. Wingfield reported that the Blacksburg Transit Working Group was contemplating eliminating the Commuter Route and suspending service November 1, 2021. He explained that the Two-Town Trolley would be utilized and advertised for that service and the Go Anywhere bus would go back to pre-Covid levels. Mr. Wingfield updated Council on the College Street drainage and explained that discussion of grant possibilities had taken place. He stated that the Town currently had \$150,000 in the budget for design and was eligible for a resiliency plan that would help secure grant opportunities. Mr. Wingfield stated that he would like to budget for a capital project beginning next fiscal year but would recommend delaying another year if grant funding could be obtained. Mr. Wingfield suggested allocating for capital needs next fiscal year and placing in reserves as a match if there was a year delay to secure significant grant funding. He explained the College Street project would be an expensive project no matter what avenue was chosen. He also noted that Town staff would be reaching out again to property owners on College Street to discuss easement opportunities. Mr. Wingfield reminded Council of the upcoming Council meetings coinciding

with the upcoming holidays and asked Council if they would like to cancel those two meetings. Council agreed to cancel both the November 23rd and the December 28th Council meetings due to holidays.

B. Town Attorney
No report.

C. Other Staff
No report.

X. COUNCIL REPORTS

Councilman Stipes recognized the family of Fire Chief Billy Hanks and the loss of their son, Dylan Hanks. Mr. Stipes stated that this was a big loss to the community.

Councilman Showalter inquired about ordinances for development and the last time Council acted on those ordinances. Mr. Showalter explained that Councilwoman Hicks seemed interested in increasing green space, parking, and stormwater requirements. Mr. Showalter recommended a work session in January with the new Council members to discuss those interests. Councilwoman Hicks explained she did not want to increase those things but wanted everyone to follow the ordinances that are in place currently and those ordinances be fair to everyone.

Councilman Huppert reminded everyone that the 2021 Mayor Candidates Forum would be Thursday, the 14th at 7:00 p.m. Mr. Wingfield stated that if anyone was interested in commenting on the forum, they could visit the League of Women Voters webpage. He also explained that the Town of Christiansburg would have a livestream of the forum on the Town's Facebook page. Councilman Huppert concluded that the newly poured sidewalks at the square downtown looked very nice.

Councilman Bishop
No report.

Councilwoman Sachs reported that she had talked to a few employees from Parks and Recreation and wanted to commend them for the work they perform on the weekends. She explained that these employees stayed busy on most Saturdays setting up for events and helping the community.

Councilwoman Hicks expressed her condolences concerning Dylan Hanks as well. She mentioned the passenger rail was a benefit to the Town and would help free traffic in the area. She explained she would like to see it come through Cambria. Mrs. Hicks also expressed concern about negative comments towards her and referenced a conversation with the Mayor's wife concerning Town bills. Mayor Barber stated that the Town's bills for May, June, and July had Gates Flowers appear in the same place every month, but Mrs. Hicks still questioned the item at the last Council meeting.

XI. OTHER BUSINESS

A. Closed Meeting:

1. Councilman Bishop made a motion to enter into a Closed Meeting under Code of Virginia § 2.2-3711(A)(3), for the discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. The Closed Meeting is being held for discussion of potential acquisition of property in the downtown area. The motion was seconded by Councilman Showalter and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
2. Reconvene in Open Meeting.
3. Certification.
Councilman Bishop moved to certify that the Town Council of the Town of Christiansburg, meeting in Closed Meeting, to the best of each member's knowledge, discussed only the matters lawfully exempt from open meeting requirements by Virginia Law and only such matters as are identified in the Resolution to enter into Closed Meeting. The motion was seconded by Councilwoman Hicks and Council voted as follows: Bishop – Aye; Hicks – Aye; Huppert – Aye; Sachs – Aye; Showalter – Aye; Stipes – Aye.
4. Council action on the matters.

Mayor Barber explained that no action would be taken on the closed meeting matters at that time.

XII. ADJOURNMENT

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 8:45 p.m.

Tracy Heinline, Clerk of Council

D. Michael Barber, Mayor