

**CHRISTIANSBURG TOWN COUNCIL
CHRISTIANSBURG, MONTGOMERY CO., VA.
MINUTES OF FEBRUARY 16, 2010 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 FEBRUARY 16, 2010 AT 7:30 P.M.

COUNCIL MEMBERS PRESENT: Mayor Richard G. Ballengee; D. Michael Barber; Bradford J. Stipes; D. Henry Showalter; James H. Vanhoozier; H. Earnest Wade. ABSENT: Vice-Mayor Ann H. Carter.

ADMINISTRATION PRESENT: Town Manager R. Lance Terpenny; Town Clerk Michele M. Stipes; Assistant Town Manager Helms; Planning Director Wingfield; Town Attorney Kai Memmer. ABSENT: None.

PLANNING COMMISSION MEMBERS PRESENT: Mike Byrd; Steve Huppert; Craig Moore. ABSENT: Ann H. Carter; Wayne Booth; Kevin Conner.

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

PLEDGE OF ALLEGIANCE.

ITEMS II (1) and II (2) OF THE AGENDA:

PRESENTATION OF CHRISTIANSBURG FIRE DEPARTMENT COLOR GUARD; PRESENTATION OF RESOLUTION TO ROY REDD. Officer Floyd Childress presented the Christiansburg Fire Department Color Guard noting the blue and gold colors in recognition of Christiansburg High School, and the forty stars of the flag indicating the forty active members of the Fire Department. Members of the Christiansburg Fire Department Color Guard, which was established in 2006, are Barry Simmons, Mike Hutchison, Floyd Childress, Potsie Smith, John Linkous, Forest Redd, Freddie Price, and Todd Chrisley. The motto of the Christiansburg Fire Department is "To Dare is to Do". Manager Terpenny then read the Resolution of Appreciation that was previously presented to retiring Fire Chief, Jimmy Epperly. Councilman Stipes then presented a Resolution of Recognition to retiring, long-time member of the Fire Department, Roy Redd. A copy of both Resolutions of Recognition are attached herewith and made a part of these minutes. Mayor Ballengee and members of Council expressed their appreciation for the Color Guard presentation and for retirees Fire Chief Epperly and Mr. Roy Redd.

JOINT PUBLIC HEARING

1. A rezoning request by Mr. and Mrs. Johnny Charlton Martin and Johnny C. Martin, Jr. for property at 3295 and 3301 Roanoke Street (an approximately 1.3 acre portion of the total 36.798 acre tax parcel 502 – ((9)) – 5C and an approximately 0.65 acre portion of the total 4.0756 acre tax parcel 502 – ((9)) – 5) from A Agricultural, R-1 Single-Family Residential, and R-1A Rural Residential to B-3 General Business. The property is scheduled as MU-1 Mixed Use: Residential - Limited Business in the Future Land Use Map of the Christiansburg Comprehensive Plan. Mr. Johnny Martin commented that proffers have been submitted and that he is available for questions. There were no other comments or questions regarding this matter.
2. Contingent on item 5, a Conditional Use Permit request by Johnny C. Martin, Jr. for property at 3295 and 3301 Roanoke Street (an approximately 1.3 acre portion of the total 36.798 acre tax parcel 502 – ((9)) – 5C and an approximately 0.65 acre portion of the total 4.0756 acre tax parcel 502 – ((9)) – 5) for contractor equipment storage in the B-3 General Business District. There was no one to speak for or against this request.

PUBLIC HEARING

1. A zoning permit request by Charles S. Wimmer for property at 895 Park Street (tax parcel 498 – ((12)) – 22) for an auto body shop in the I-2 General Industrial District. Mr. Joseph Simmons commented that he is familiar with the property and understands that it has always been utilized as industrial. Mr. Simmons asked for further clarification of the request and the intended use of the property.

MAYOR BALLENGEE called for an amendment to the agenda to include a Conditional Use Permit request by Fred W. Abbott for property at 1840 Palmer Street, N.W. (tax parcel 466 – ((1)) – 1) for a communications tower in the I-2 General Industrial District. This request was previously brought before Council at the December 1, 2009 Town Council meeting. At that time, it was realized that the request did not meet setback requirements according to *Christiansburg Town Code* and could not be approved. Since that time, the Board of Zoning Appeals met to consider a variance and has granted the variance. The Planning Commission is now prepared to make its recommendation to Town Council for approval. Councilman Barber made a motion to approve the amendment, seconded by Councilman Stipes. Council voted on the motion as follows: AYES: Barber, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

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 February 2, 2010. Councilman Showalter asked that comments made by Councilman Stipes during the Town Manager's Report at the February 2, 2010 meeting be included in the Minutes. Councilman Stipes' comments were in reference to the Community Development Block Grant application that was deemed out of date, and therefore, invalid. Councilman Barber made a motion to approve the Minutes including the addition requested by Councilman Showalter. Councilman Vanhoozier seconded the motion and Council voted on the motion as follows: AYES: Barber, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. Refer to the Town Manager's Report of the February 2, 2010 Town Council Meeting for this addition.

CITIZEN HEARINGS:

1. Certified Crime Prevention Community Certification. Mr. Rick Arrington of Virginia Department of Criminal Justice Services presented to Chief Sisson a certificate recognizing Christiansburg as a certified crime prevention community, noting that Christiansburg is only the second town in Virginia to receive this certification. The certification is the result of Christiansburg Police Department's two year effort to meet the twelve elements required by Virginia to become a crime prevention community. Recertification is necessary every three years. Chief Sisson thanked Mr. Arrington on behalf of himself and his department. Chief Sisson recognized the individuals who were instrumental in obtaining this status: Mr. Rick Arrington; Christiansburg Police Department members Captain Chris Ramsey, Lt. Donnie Cromer, Lt. Kevin Tucker, Officer Martha Spencer, and administrator Teresa Carroll; CPD Support Group members Rick Van Gorden, Carrie Owens, and Susan Marchand. Mayor Ballengee congratulated the Christiansburg Police Department on behalf of himself, Town Council, and Town Administration.
2. Planning Commission recommendation on:
 - a. A rezoning request by Community Housing Partners for property at 446 and 448 Depot Street, N.E. (tax parcels 496 – ((A)) – 21, 46, 47, and 48; 496 – ((22)) – 1 and 2; and 497 – ((A)) – 17, 18, 19, 20, and 21) from A Agricultural and R-3 Multi-Family Residential to MU-1 Mixed Use: Residential - Limited Business. Planning Commission Chair Moore read the Planning Commission's resolution recommending Town Council approve the rezoning as requested with proffers. A copy of the resolution and proffers is attached herewith. Planning Commission vote was five ayes; no nays; one absent.
 - b. Contingent on item 1, a Conditional Use Permit request by Community Housing Partners for property at 446 and 448 Depot Street, N.E. (tax parcel 496 – ((A)) – 46) for a professional office in the MU-1 Mixed Use: Residential - Limited Business District. Planning Commission Chair Moore read the Planning Commission's resolution recommending Town Council issue the Conditional Use Permit with two conditions. A copy of the resolution and conditions is attached herewith. Planning Commission vote was five ayes; no nays; one absent.
 - c. A Conditional Use Permit request by B and B Storage, LLC for property at the end of Melody Drive (tax parcels 525 – ((A)) – 15 and 26A) for a planned housing development in the R-3 Multi-Family Residential District. Planning Commission Chair Moore read the Planning Commission's resolution recommending Town Council issue the Conditional Use Permit with conditions. A copy of the resolution and conditions is attached herewith. Planning Commission vote was four ayes; one nay; one absent.
 - d. A Conditional Use Permit request by Fred W. Abbott for property at 1840 Palmer Street, N.W. (tax parcel 466 – ((1)) – 1) for a communications tower in the I-2 General Industrial District. This request was previously brought before Council at the December 1, 2009 Town Council meeting. Planning Commission Chair Moore read the Planning Commission's resolution recommending Town Council issue the Conditional Use Permit with ten (10) conditions. A

copy of the resolution and ten conditions is attached herewith. Planning Commission vote was five ayes; no nays; one absent.

3. Citizen's Comments: No comments.

DISCUSSIONS BY MAYOR AND COUNCIL MEMBERS:

1. Council action on:
 - a. A rezoning request by Community Housing Partners for property at 446 and 448 Depot Street, N.E. (tax parcels 496 – ((A)) – 21, 46, 47, and 48; 496 – ((22)) – 1 and 2; and 497 – ((A)) – 17, 18, 19, 20, and 21) from A Agricultural and R-3 Multi-Family Residential to MU-1 Mixed Use: Residential - Limited Business. Councilman Stipes made a motion to approve the rezoning request with proffers as recommending by the Planning Commission, seconded by Councilman Wade. Councilman Wade expressed his approval of this request, noting he is pleased that Community Housing Partners will continue its operation in Christiansburg. Town Clerk Stipes polled Council on the motion as follows: Barber AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade - AYE.
 - b. Contingent on item 1, a Conditional Use Permit request by Community Housing Partners for property at 446 and 448 Depot Street, N.E. (tax parcel 496 – ((A)) – 46) for a professional office in the MU-1 Mixed Use: Residential - Limited Business District. Councilman Barber made a motion to issue the Conditional Use Permit with two conditions as recommended by Planning Commission, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.
 - c. A Conditional Use Permit request by B and B Storage, LLC for property at the end of Melody Drive (tax parcels 525 – ((A)) – 15 and 26A) for a planned housing development in the R-3 Multi-Family Residential District. Councilman Wade made a motion to accept the Planning Commission's recommendation to approve the request, seconded by Councilman Vanhoozier. Councilman Stipes commented that he appreciates the efforts put into meeting the concerns with the request, but he is not satisfied with the amount of open space, deeming it inadequate. Councilman Stipes remarked that greenspace requirements are often debated with housing development requests, and he stressed that now is the time to begin requiring more from developers. Town Clerk Stipes polled Council on the motion to approve the request: Barber – AYE; Showalter – NAY; Stipes – NAY; Vanhoozier – AYE; Wade – AYE. The motion to approve is carried.
 - d. A Conditional Use Permit request by Fred W. Abbott for property at 1840 Palmer Street, N.W. (tax parcel 466 – ((1)) – 1) for a communications tower in the I-2 General Industrial District. This request was previously brought before Council at the December 1, 2009 Town Council meeting. Councilman Vanhoozier made a motion to accept the Planning Commission's recommendation, which was based on the Board of Zoning Appeals review, to issue the Conditional Use Permit with ten conditions. Councilman Stipes seconded the motion and Town Clerk Stipes polled Council on the motion as follows: Barber – AYE; Showalter – AYE; Stipes – AYE; Vanhoozier – AYE; Wade – AYE.
2. Memorandum of Understanding for Virginia Information Technology Agency Grant (VITA). Councilman Wade made a motion to adopt the Memorandum of Understanding for Virginia Information Technology Agency Grant (VITA), seconded by Councilman Barber. Council voted on the motion as follows: AYES: Barber, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. A copy of the Memorandum is attached herewith for explanation.
3. Memorandum of Understanding for Montgomery County Administration of VITA Grant. Councilman Barber made a motion to adopt the Memorandum of Understanding for Montgomery County Administration of VITA Grant, seconded by Councilman Wade. Council voted on the motion as follows: AYES: Barber, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. A copy of the Memorandum is attached herewith for explanation.
4. Councilmen Stipes and Vanhoozier – Street Committee report/recommendation on:
 - a. Plat of Boundary Line Relocation of Tax Parcels 529-(A)-4, 5 & 526-(6)-1, 2, Prepared for Shah Development, L.L.C., four lots, Roanoke Street. Councilman Stipes reported that this simple subdivision request is for the *Hills Plaza* property owned by Hash Investments. The boundary line relocation will change the configuration of the existing four lots, not the number of lots. All is in order with the plat and Councilman Stipes made a motion to approve the request, seconded by Councilman Vanhoozier. Council voted on the motion as follows: AYES: Barber, Showalter, Stipes, Vanhoozier, Wade. NAYS: None.

TOWN MANAGER REPORTS:

TOWN MANAGER TERPENNY reported that the Town has received several complaints from motorists regarding the allowable left hand turn at the intersection of East Main and North Franklin. The lanes have been modified to accommodate downtown construction and the reconfiguration is making left hand turns difficult. Mayor Ballengee turned this matter over to the Street Committee for review and recommendation. On a similar note, Councilman Wade commented that in this same area vehicles become backed up at the intersection, and in effect block the entrance/exit to a bank and the Post Office creating further traffic back-ups and making this a dangerous intersection. Councilman Wade stressed that this is an urgent matter that needs immediate attention.

COUNCIL FURTHER DISCUSSED the current parking situation downtown resulting from downtown revitalization and courthouse construction. Councilman Barber made a motion to designate four "30 minute parking" spaces along Pepper Street for citizens conducting business in Town Hall. The motion was seconded by Councilman Vanhoozier and Council voted on the motion as follows: AYES: Barber, Showalter, Stipes, Vanhoozier, Wade. NAYS: None. The Town and Montgomery County are working together to create additional parking around Town Hall and the Courthouse to be used during the time of the courthouse construction. Councilman Stipes reported that the Street Committee met today with staff of Montgomery County to further discuss a solution to the downtown parking matter. A plan is being created and the Street Committee plans to make a recommendation to Council at the March 16, 2010 Town Council meeting.

COUNCILMAN VANHOOZIER, noting an expected Aquatic Center update at the March 2, 2010 Town Council meeting, asked the Town Manager to organize a Council member walk-through of the facility during the weekend of February 27th and 28th, so that Council may gain a better understanding of the facility and be better prepared for the update. Town Manager Terpenny agreed to arrange a tour for Council.

ADJOURN:

There being no further business to bring before Council the meeting was adjourned at 8:33 P.M.

Michele M. Stipes, Clerk of Council

Richard G. Ballengee, Mayor