



AGENDA  
REGULAR MEETING OF TOWN COUNCIL  
CHRISTIANSBURG TOWN HALL  
100 EAST MAIN STREET  
SEPTEMBER 27, 2016 – 7:00 P.M.

- I. CALL TO ORDER
  - A. Moment of Reflection
  - B. Pledge of Allegiance
- II. ADJUSTMENT OF THE AGENDA
- III. PUBLIC HEARINGS
  - A. The Town of Christiansburg Virginia as a recipient of block grant funding is required by the U.S. Department of Housing and Urban Development (HUD) to prepare and adopt a multi-year Consolidated Plan and Annual Action Plan that solicit citizen views on proposed Community Development Block Grant (CDBG) program activities contained in these documents. The plan outlines proposed activities for CDBG funding and specific activities for the program year beginning July 1, 2016.
  - B. Conditional Use Permit amendment request for the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited Business District for a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) – 3A) by SHAH Development, LLC.
  - C. Proposed lease of land and tank space located at 1306 Buffalo Dr. (Tax Map #555-A-1), 2055 Simpson Rd. (Tax Map #499-2-8), 1525 Sherwood Drive (Tax Map #498-A-26A), and Oak Grove Tank Site (Tax Map #108-A-60A), by the Town of Christiansburg to New River Valley Unwired Ventures, LLC, for the purpose of providing broadband internet service.
- IV. CONSENT AGENDA
  - A. Meeting Minutes of September 13, 2016
  - B. Monthly Bills
- V. CITIZEN COMMENTS
- VI. INTRODUCTIONS AND PRESENTATIONS
  - A. Presentation by Mayor Barber of a Resolution in Support of Help Save the Next Girl
  - B. Christiansburg Police Department Presentation:

1. Gary Roche of the Virginia Law Enforcement Professional Standards Commission to present Police Chief Sisson with a Certificate of Reaccreditation.

C. Engineering Department Presentation:

1. Engineering Director Wayne Nelson to present on the Towne Branch Stream Restoration Project.

VII. OLD BUSINESS

A. Council Action On:

1. Conditional Use Permit request for a Commercial Garage in the B-3 General Business District at 30 Bower Street, NW [Tax Parcel No. 526 – ((A)) – 46] by George Gray. The Public Hearing was held September 13, 2016.

VIII. NEW BUSINESS

A. Council Action On:

1. Proposed lease of land and tank space located at 1306 Buffalo Dr. (Tax Map #555-A-1), 2055 Simpson Rd. (Tax Map #499-2-8), 1525 Sherwood Drive (Tax Map #498-A-26A), and Oak Grove Tank Site (Tax Map #108-A-60A), by the Town of Christiansburg to New River Valley Unwired Ventures, LLC, for the purpose of providing broadband internet service. The Public Hearing was held earlier in the meeting.
2. Council to set the personal property tax relief percentage at 37.08% as required by the Personal Property Tax Relief Act. Council is required to set the personal property tax relief percentage on an annual basis.
3. Resolution Honoring the 150<sup>th</sup> Anniversary of Schaeffer Memorial Baptist Church
4. Resolution declaring October 9 – 15, 2016 as Fire Prevention Week

IX. COMMITTEE REPORTS

A. Street Committee:

1. A request from Montgomery County for a crosswalk and "No Parking" signs on Imperial Street.
2. Subdivision Plat of Survey showing the Subdivision of Robin Hood Estates Lot 24A (Tax Map Parcel No. 498 17 24) to create 2 Lots for RWW35 LLC.

X. STAFF REPORTS

A. Town Manager Biggs:

1. Inspection and pruning plan for Constitution Oak.
2. Main Street paving bid process.

XI. COUNCIL REPORTS

XII. OTHER BUSINESS

XIII. ADJOURNMENT

*The next regular Town Council meeting will be held at Christiansburg Town Hall on Tuesday, October 25, 2016 at 7:00 P.M.*



**TOWN OF CHRISTIANSBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
PUBLIC HEARINGS

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**  
Block grant funding

**DESCRIPTION:**  
The U.S. Department of Housing and Urban Development requires the Town of Christiansburg, as a recipient of block grant funding, to prepare and adopt a multi-year Consolidated Plan and Annual Action Plan that solicit citizen views on proposed Community Development Block Grant program activities contained in the following documents.

**POTENTIAL ACTION:**  
Council action on matter requested

**DEPARTMENT:**  
Planning & Zoning

**PRESENTER:**  
Andrew Warren, Director of Planning

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



ESTABLISHED  
NOVEMBER 10, 1792

INCORPORATED  
JANUARY 7, 1833

MAYOR  
D. MICHAEL BARBER

COUNCIL MEMBERS  
SAMUEL M. BISHOP  
HARRY COLLINS  
R. CORD HALL  
STEVE HUPPERT  
HENRY SHOWALTER  
BRADFORD J. "BRAD" STIPES

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MARK SISSON

CLERK OF COUNCIL  
MICHELE M. STIPES

TOWN ATTORNEY  
GUYNN & WADDELL, P.C.

# Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Fax 540-382-7338

## Memorandum

**Date:** September 22, 2016

**Re:** Community Development Block Grant  
2016 Annual Action link

**From:** Andrew Warren, Planning Director

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Below is the link to the draft Community Development Block Grant 2016 Annual Action Plan. The public hearing is scheduled for Tuesday, September 27, 2016:

<http://www.christiansburg.org/index.aspx?NID=371>

Thank you.



**TOWN OF CHRISTIANSBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
PUBLIC HEARINGS

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**  
Conditional Use Permit amendment request for Cambria Crossing

**DESCRIPTION:**  
CUP amendment request for the Cambria Crossing planned housing development.

**POTENTIAL ACTION:**

**DEPARTMENT:**  
Planning & Zoning

**PRESENTER:**  
Andrew Warren, Planning Director

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

# 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 by Thom Rutledge, agent for SHAH Development, LLC, for single-family dwellings on a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) – 3A) in the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited 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 Conditional Use Permit (CUP) to Thom Rutledge, agent for SHAH Development, LLC, for single-family dwellings on a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) – 3A) in the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited Business District.

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

- ~~1. The property, designated as Area 1 on the Cambria Crossing Master Plan, shall be allowed to be developed as single family dwellings in accordance with the final version of the Recommended Conditions for Cambria Crossing, dated July 13, 2005 and prepared by Gay and Keese, Inc. for the original Cambria Crossing planned housing development approval.~~
- ~~2. There shall be a maximum total of 150 residential units in the planned housing development.~~
- ~~3. There shall be a maximum of six single family dwellings developed in Area 1, current tax parcel 465 – ((A)) – 3A.~~

Dated this the 19<sup>th</sup> day of September 2016.

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Craig Moore, Chairperson  
Christiansburg Planning Commission

The above Resolution was the result of Planning Commission turning down the motion to recommend approval with three conditions, made by Collins 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 August 29, 2016. 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           |             |                |               |
| David Franusich                      |             | X           |                |               |
| Hil Johnson                          |             | X           |                |               |
| Craig Moore, Chairperson             |             | X           |                |               |
| T.L. Newell                          |             |             |                | X             |
| Joe Powers                           |             | X           |                |               |
| Jennifer D. Sowers, Vice-Chairperson |             | X           |                |               |

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Craig Moore, Chairperson

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Sara Morgan, Secretary <sup>Non-voting</sup>

**From:** [Brad McCrady](#)  
**To:** [Craig Moore](#); [Harry Collins](#); [Jennifer Sowers](#); [Matthew Beasley](#); [Ann Carter](#); [David Franusich](#); [Hil Johnson](#); [Tacy Newell](#); [Virginia Peeples](#); [Joe Powers](#)  
**Cc:** [Sara Morgan](#)  
**Subject:** RE: Cambria Crossing amendment for 8/29/2016 Meeting  
**Date:** Sunday, August 28, 2016 8:20:15 PM

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August 28, 2016

RE:

Amendment request for (tax parcel – 465 – ((A)) – 3A) Cambria Crossing

Dear Town of Christiansburg Planning Commission:

We are property owners of 30 Phoenix Boulevard NW (tax parcel 465 – 38 1) which is directly across from the above parcel up for amendment. We will be unable to attend the planning commission meeting on Monday August 29, 2016 due to work obligations so this is a letter of strong disapproval for the above listed amendment. Please read our concerns listed below.

A clean, healthy, safe place to live.

The number one concern is safety. First, turning onto Phoenix Boulevard from Cambria Street is already a partially blind entrance. Adding driveways onto Phoenix at such close proximity to the neighborhood entrance from Cambria Street will ensure a hazard if there is a slowing into a driveway immediately turning onto Phoenix Boulevard from Cambria Street or from a vehicle backing out of a driveway onto Phoenix Boulevard from a blinded position.

Secondly, the first row of townhouses on the east side of Phoenix Boulevard (#95 – 245 with more under construction) already turn left out of their rear access drive (just south of #95) going against the one-way portion of Phoenix Boulevard to more easily get to the intersection of Phoenix Boulevard and Roudabush Drive. With these habits solidly in place from those individuals, the increased presence of residential buildings in the above listed parcel is a recipe for disaster.

Thirdly, and most worrisome, is the closeness of the proposed residences to the Huckleberry Trail. This sets up an easy escape for individuals to trespass, vandalize, thief, or even more horrifying, abduct from these parcels.

A model for effective land use.

There is a huge concern of need, not only within the neighborhood but also within the entire west Cambria section. With hundreds of new homes being built at Lion's Gate II and the newer section of Oak Tree (Twig Street, Twisted Oak Drive, Amber Circle, and Pin Oak Drive), there is no need for new home development at this time.

In the neighborhood itself, there are still 25 parcels still unsold and undeveloped:

- 100 – 200 Roudabush Drive (tax parcels 465 – 39 84 through 94)
- 275 Roudabush Drive (tax parcel 435 – 15 69)
- 395 and 405 Roudabush Drive (tax parcels 435 – 15 123 through 24)
- 11 parcels scattered throughout Dewdrop Lane.

Another consideration is the relationship of this parcel to the proposed connector road from Pepper's Ferry Road via the soon to be developed Truman Park.

Furthermore, the developer and homebuilders of this neighborhood hold track records of placing profits ahead of safety and esthetics. Building homes that were mostly brick in the early phase of the neighborhood, to currently building homes

that are all siding except for a small amount of brick or stone. Changing regulations on setbacks from property lines that are too close that puts other houses in danger – as most recently experienced with the horrific fire on Lion's Drive that damaged the houses bordering the property. As well as planting the less expensive callery (Bradford) pear throughout the neighborhood even though they are on multiple do not plant lists due to their risk of collapse.

A green community.

Consideration must be placed on effects to the local environment. As noted by the recent stormwater utility fee, our town already has a problem with runoff. This parcel occupies 1.21 acres of green space which when blanketed with house and concrete will add to the accumulation of run off. In addition, since this parcel is flanking the Huckleberry Trail, the development would curb the intention of keeping the trail as untouched as possible.

This amendment infringes on a right to light. At the time of purchase of our property in May 2014, the parcel in question was a greenspace that stands as a peaceful entrance into this community. There is a beautiful view eastward from our front porch that creates amazing sunrises. The proposed amendment would devastate our view and resale value, as we would not be able to look up in the mornings to see those sunrises evidenced in the attached photo.

Please consider the Town's vision and the above issues with safety, effective land use, and keeping communities green in your decision to deny this amendment.

Sincerely,

Brad and Jenn McCrady

## Will Drake

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**From:** Sara Morgan  
**Sent:** Monday, September 19, 2016 8:15 AM  
**To:** Andrew Warren; Will Drake  
**Subject:** FW: Cambria Crossing amendment for 8/29/2016 Meeting

FYI

Thank you,  
Sara

**From:** Brad McCrady [mailto:bradmcc15@gmail.com]  
**Sent:** Sunday, September 18, 2016 7:28 PM  
**To:** Craig Moore; Harry Collins; Jennifer Sowers; Matthew Beasley; Ann Carter; David Franusich; Hil Johnson; Tacy Newell; Virginia Peeples; Joe Powers  
**Cc:** Sara Morgan  
**Subject:** Re: Cambria Crossing amendment for 8/29/2016 Meeting

September 18, 2016

RE:  
Amendment request for (tax parcel – 465 – ((A)) – 3A) Cambria Crossing

Dear Town of Christiansburg Planning Commission:

Unfortunately, we will be unable to attend the meeting on Monday September 19<sup>th</sup> due to work obligations; however, we have read over the minutes from the August 29<sup>th</sup> meeting and agreed with the majority of the questions and comments from the commission.

We would like to reiterate that we would love for the property to remain zoned as it currently is as we enjoy the views of the green hillside and beautiful sunrises. We also have significant concerns regarding the logistics of having driveways that close to the development entrance with the already existing issues of the townhouse residents turning the wrong way on the one way street and consistent violations of the posted stop signs.

Additionally, we are still concerned of the need for more residences as Lion's Gate II and Oak Tree continue to develop and build more houses. Mr. Rutledge commented there are 34 undeveloped lots in Cambria Crossing and Commissioner Johnson inquired why these lots are not being developed. We desire a more thorough questioning of this.

We are in agreement with Vice-Chairperson Sowers and Mr. Franklin of Welch Circle that the houses built in Phases II and III of Cambria Crossing are on different lot sizes and building exteriors that are not the same as the original Phase I construction. The response from Mr. Rutledge concerning sustaining the development through the recession may have been accurate up until 2010. However, the rest of the houses and townhouses now completed in Cambria Crossing were built after the housing recession- this argument is invalid now.

If the property were to be rezoned for single-family housing, we would prefer the newer lots and houses to exactly match those of Phase I: +10,000 sq. ft. lots with houses of essentially all brick. When we were looking for a home to purchase in Christiansburg in 2013-14, we could not find attractive, well-built, conveniently located houses in the \$300,000-\$400,000 range- this would be a perfect opportunity to have properties in that price range that would surely fulfill a desire for future homebuyers. Allowing the property to be divided as proposed by Mr. Rutledge would play into the development placing profits ahead of esthetics.

Thank you for your time in addressing our concerns.

Brad and Jenn McCrady  
30 Phoenix Boulevard NW

On Sun, Aug 28, 2016 at 8:20 PM, Brad McCrady <[bradmcc15@gmail.com](mailto:bradmcc15@gmail.com)> wrote:  
August 28, 2016

RE:  
Amendment request for (tax parcel – 465 – ((A)) – 3A) Cambria Crossing

Dear Town of Christiansburg Planning Commission:

We are property owners of 30 Phoenix Boulevard NW (tax parcel 465 – 38 1) which is directly across from the above parcel up for amendment. We will be unable to attend the planning commission meeting on Monday August 29, 2016 due to work obligations so this is a letter of strong disapproval for the above listed amendment. Please read our concerns listed below.

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Secondly, the first row of townhouses on the east side of Phoenix Boulevard (#95 – 245 with more under construction) already turn left out of their rear access drive (just south of #95) going against the one-way portion of Phoenix Boulevard to more easily get to the intersection of Phoenix Boulevard and Roudabush Drive. With these habits solidly in place from those individuals, the increased presence of residential buildings in the above listed parcel is a recipe for disaster.

Thirdly, and most worrisome, is the closeness of the proposed residences to the Huckleberry Trail. This sets up an easy escape for individuals to trespass, vandalize, thief, or even more horrifying, abduct from these parcels.

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There is a huge concern of need, not only within the neighborhood but also within the entire west Cambria section. With hundreds of new homes being built at Lion's Gate II and the newer section of Oak Tree (Twig Street, Twisted Oak Drive, Amber Circle, and Pin Oak Drive), there is no need for new home development at this time.

In the neighborhood itself, there are still 25 parcels still unsold and undeveloped:

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Another consideration is the relationship of this parcel to the proposed connector road from Pepper's Ferry Road via the soon to be developed Truman Park. Furthermore, the developer and homebuilders of this neighborhood hold track records of placing profits ahead of safety and esthetics. Building homes that were mostly brick in the early phase of the neighborhood, to currently building homes that are all siding except for a small amount of brick or stone. Changing regulations on setbacks from property lines that are too close that puts other houses in danger – as most recently experienced with the horrific fire on Lion's Drive that damaged the houses bordering the property. As well as planting the less expensive callery (Bradford) pear throughout the neighborhood even though they are on multiple do not plant lists due to their risk of collapse.

A green community.

Consideration must be placed on effects to the local environment. As noted by the recent stormwater utility fee, our town already has a problem with runoff. This parcel occupies 1.21 acres of green space which when blanketed with house and concrete will add to the accumulation of run off. In addition, since this parcel is flanking the Huckleberry Trail, the development would curb the intention of keeping the trail as untouched as possible.

This amendment infringes on a right to light. At the time of purchase of our property in May 2014, the parcel in question was a greenspace that stands as a peaceful entrance into this community. There is a beautiful view eastward from our front porch that creates amazing sunrises. The proposed amendment would devastate our view and resale value, as we would not be able to look up in the mornings to see those sunrises evidenced in the attached photo.

Please consider the Town's vision and the above issues with safety, effective land use, and keeping communities green in your decision to deny this amendment.

Sincerely,

Brad and Jenn McCrady





# Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Fax 540-382-7338

## Town of Christiansburg Planning Staff Report - ADDENDUM

ESTABLISHED  
NOVEMBER 10, 1792

INCORPORATED  
JANUARY 7, 1833  
MAYOR

D. MICHAEL BARBER  
COUNCIL MEMBERS

SAMUEL M. BISHOP  
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TOWN ATTORNEY  
GUYNN & WADDELL, P.C.

Planning Commission Public Hearing Date: Monday, August 29, 2016 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, September 27, 2016 at 7:00 p.m.

Application Type: Conditional Use Permit

Applicant: Thom Rutledge, agent for SHAH Development, LLC

Location: intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W.

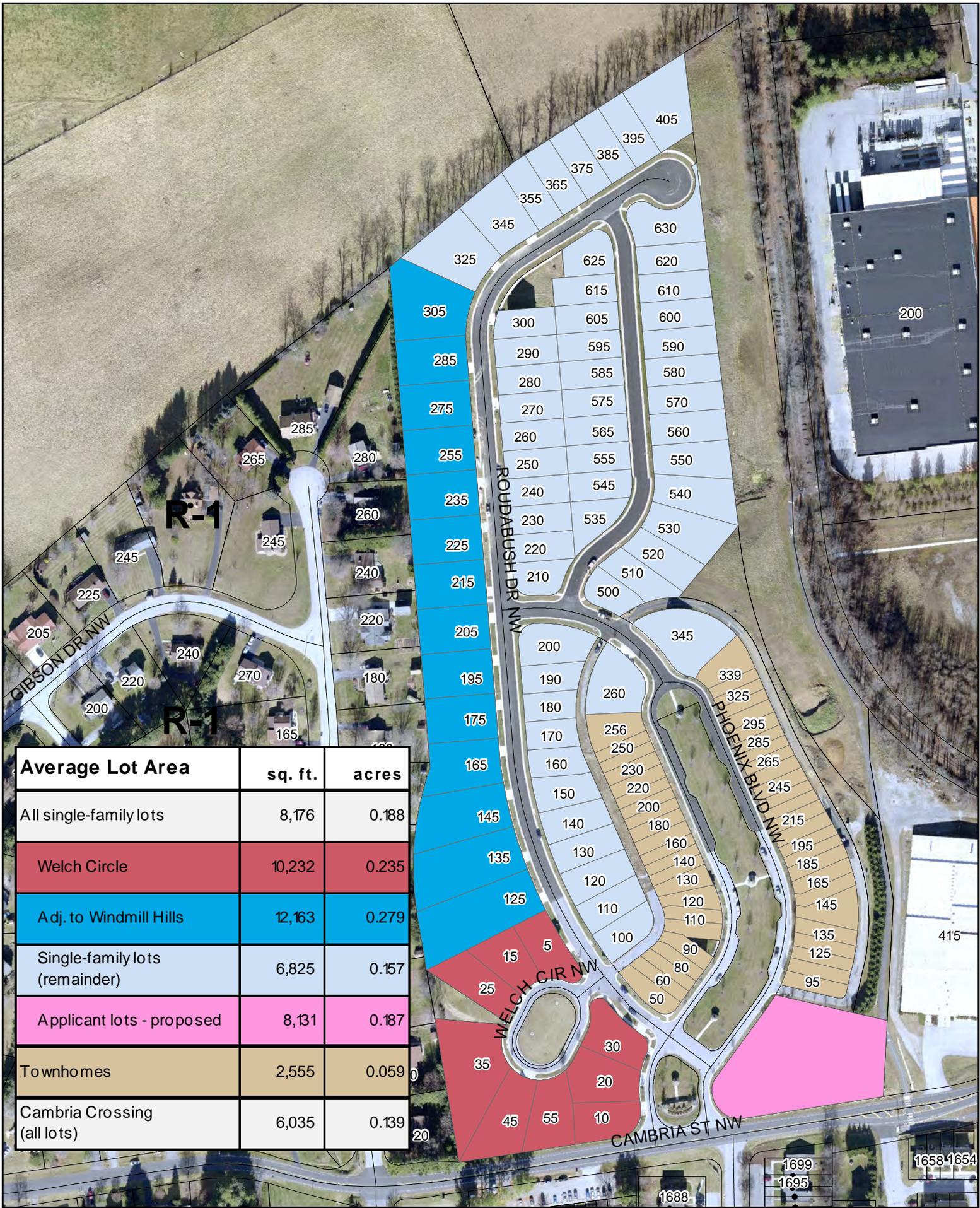
During the August 29, 2016 Planning Commission meeting, the Planning Commission discussed the area of the lots proposed by the applicant in relation to the existing lots in Cambria Crossing. Table 1 summarizes the area of each proposed lot. The applicant is proposing six single-family lots on a 1.12 acre parcel. The average area for these six lots would be 8,131 sq. ft.

| <b>Table1. Proposed Lot Area</b> | <b>sq. ft.</b> | <b>acres</b> |
|----------------------------------|----------------|--------------|
| Lot 1                            | 6,098          | 0.14         |
| Lot 2                            | 4,792          | 0.11         |
| Lot 3                            | 4,792          | 0.11         |
| Lot 4                            | 6,534          | 0.15         |
| Lot 5                            | 15,682         | 0.36         |
| Lot 6                            | 10,890         | 0.25         |
| <b>Average</b>                   | <b>8,131</b>   | <b>0.187</b> |
| <b>Total</b>                     | <b>48,788</b>  | <b>1.12</b>  |

Table 2 provides a summary of the average lot area in Cambria Crossing for various sections of the development. A map with a color-coded version of the table is provided on the following page.

| <b>Table 2. Cambria Crossing - Average Lot Area</b> | <b>sq. ft.</b> | <b>acres</b> |
|---|----------------|--------------|
| All single-family lots                              | 8,176          | 0.188        |
| Welch Circle  | 10,232         | 0.235        |
| Adjacent to Windmill Hills                          | 12,163         | 0.279        |
| Single-family lots (remainder)                      | 6,825          | 0.157        |
| Applicant lots - proposed                           | 8,131          | 0.187        |
| Townhomes   | 2,555          | 0.059        |
| Cambria Crossing (all lots)                         | 6,035          | 0.139        |

The average area of all single-family lots in Cambria Crossing is 8,176 sq. ft. The single-family lots along Welch Circle, N.W. average 10,232 sq. ft. and the single-family lots adjacent to Windmill Hills average 12,163 sq. ft. The average area of the single-family lots not along Welch Circle, N.W. or adjacent to Windmill Hills is 6,825 sq. ft.



| Average Lot Area               | sq. ft. | acres |
|--------------------------------|---------|-------|
| All single-family lots         | 8,176   | 0.188 |
| Welch Circle                   | 10,232  | 0.235 |
| Adj. to Windmill Hills         | 12,163  | 0.279 |
| Single-family lots (remainder) | 6,825   | 0.157 |
| Applicant lots - proposed      | 8,131   | 0.187 |
| Townhomes                      | 2,555   | 0.059 |
| Cambria Crossing (all lots)    | 6,035   | 0.139 |

CUP REQUEST: CAMBRIA STREET NW/PHOENIX BOULEVARD NW

**Cambria Crossing: Average Lot Area Summary**





# TOWN OF CHRISTIANSBURG

100 East Main Street  
Christiansburg, VA 24073  
Phone (540) 382-6120 Fax (540) 381-7238

## Conditional Use Permit Application

Landowner: SHOH Development LLC Agent: THOM RUTENBERG, Project Manager

Address: P.O. Box 1499 Address: P.O. Box 1499  
CHRISTIANSBURG, VA. 24068 CHRISTIANSBURG, VA. 24068

Phone: 540.260.9952 Phone: 540.239.2998

I am requesting a Conditional Use Permit to allow amendment of Cambria Crossing planned housing development for single-family dwellings in Area 1 of Master Plan on my property that is zoning classification MU-1 under Chapter 42: Zoning of the Christiansburg Town Code.

My property is located at THE INTERSECTION OF Cambria St. N.W. & Phoenix Blvd., N.W.

Tax Parcel(s): 465-A-3A (1.121 acres | parcel ID: 025958)

Fee: \$750.<sup>00</sup>

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): X [Signature] Date: 08.01.14  
DAVID L. HAGAN, MANAGING MEMBER  
SHOH DEVELOPMENT LLC 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 \_\_\_\_\_

Scanned to Will 8/16/16 BK



# Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Fax 540-382-7338

ESTABLISHED  
NOVEMBER 10, 1792

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## Town of Christiansburg Planning Staff Report

Planning Commission Public Hearing Date: Monday, August 29, 2016 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, September 27, 2016 at 7:00 p.m.

Application Type: Conditional Use Permit

Applicant: Thom Rutledge, agent for SHAH Development, LLC

Location: intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W.

The Town of Christiansburg has received a Conditional Use Permit amendment request by Thom Rutledge, agent for SHAH Development, LLC, for a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) – 3A) for the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited Business District. The amendment is to allow for single-family dwellings in the area labeled as Area 1 on the Cambria Crossing Master Plan. The master plan designation for Area 1 is limited business. The Zoning Regulations for Cambria Crossing, accepted as conditions of approval in 2005 for the planned housing development describe Area 1 as “future B-1 Limited Business Uses” and note Area 1 will be developed with a Conditional Use Permit at a later date.

A Conditional Use Permit amendment was approved in 2011 to allow 14 townhome lots to be developed as 11 single-family lots and the single-family dwelling standards for these lots were amended to allow for reduced lot area, lot width, and front yard greenspace. A second Conditional Use Permit amendment was approved in 2014 to amend the setback requirements for façade variation and detached garages for select townhome units. A third Conditional Use Permit amendment was approved in 2015 to reduce the side setback requirements for corner lots and to allow projections into the side yard up to two feet. The three Conditional Use Permit amendments did not apply to Area 1, tax parcel 465 – ((A)) – 3A.

The property is not located within the 100-Year and 500-Year Flood Hazard Areas. The property does not lie within a Historic District. The adjoining properties are zoned R-3 Multi-Family Residential, MU-1 Mixed Use: Residential – Limited Business, and MU-2: Residential-Limited, Business-Limited Industrial. The adjoining properties contain residences, open space, and a vacant commercial building.

The following suggested conditions are based on previously approved Conditional Use Permits related to this request. The conditions are provided to Planning Commission for discussion purposes.

1. The property, designated as Area 1 on the Cambria Crossing Master Plan, shall be allowed to be developed as single-family residences in accordance with the final version of the Recommended Conditions for Cambria Crossing, dated July 13, 2005 and prepared by Gay and Keese, Inc. for the original Cambria Crossing Planned Housing Development approval.
2. There shall be a maximum total of 150 residential units in the planned housing development.
3. There shall be a maximum of six single-family dwellings developed in Area 1.

List of attachments included with staff report

1. Correspondence from Kevin Conner, Gay and Neel, Inc
2. Proposed lot layout sketch
3. Cambria Crossing Master Plan
4. Aerial map
5. Zoning map
6. Recommended Conditions for Cambria Crossing, dated July 13, 2005 and prepared by Gay and Keese, Inc. for the original Cambria Crossing Planned Housing Development approval.
7. Conditional Use Permit, July 2005
8. Conditional Use Permit, August 2011 and “Revised Suggested Amendments to CUP at Cambria Crossing, Phase 1, lots 33-46.”
9. Conditional Use Permit, March 2014
10. Conditional Use Permit, August 2015
11. Adjoining properties

**Will Drake**

---

**From:** Kevin Conner <kconner@gayandneel.com>  
**Sent:** Friday, August 26, 2016 8:42 AM  
**To:** Andrew Warren; Will Drake  
**Cc:** Thom Rutledge (trutledge@shelor.com)  
**Subject:** JN 1598.8 Cambria Crossing CUP

We are requesting the CUP on Tax Parcel 465-A-3a containing a total of 1.121 acres. When the property was originally rezoned in 2005, our hopes for this parcel was for a future business use. However, as of today, we have had zero interest for any business use on the parcel. With that being said, we are requesting to develop this parcel with the same residential standards as Cambria Crossing Phases 1, 2, and 3. We feel these additional 6 lots will be an asset to the existing development.

**Kevin Conner**

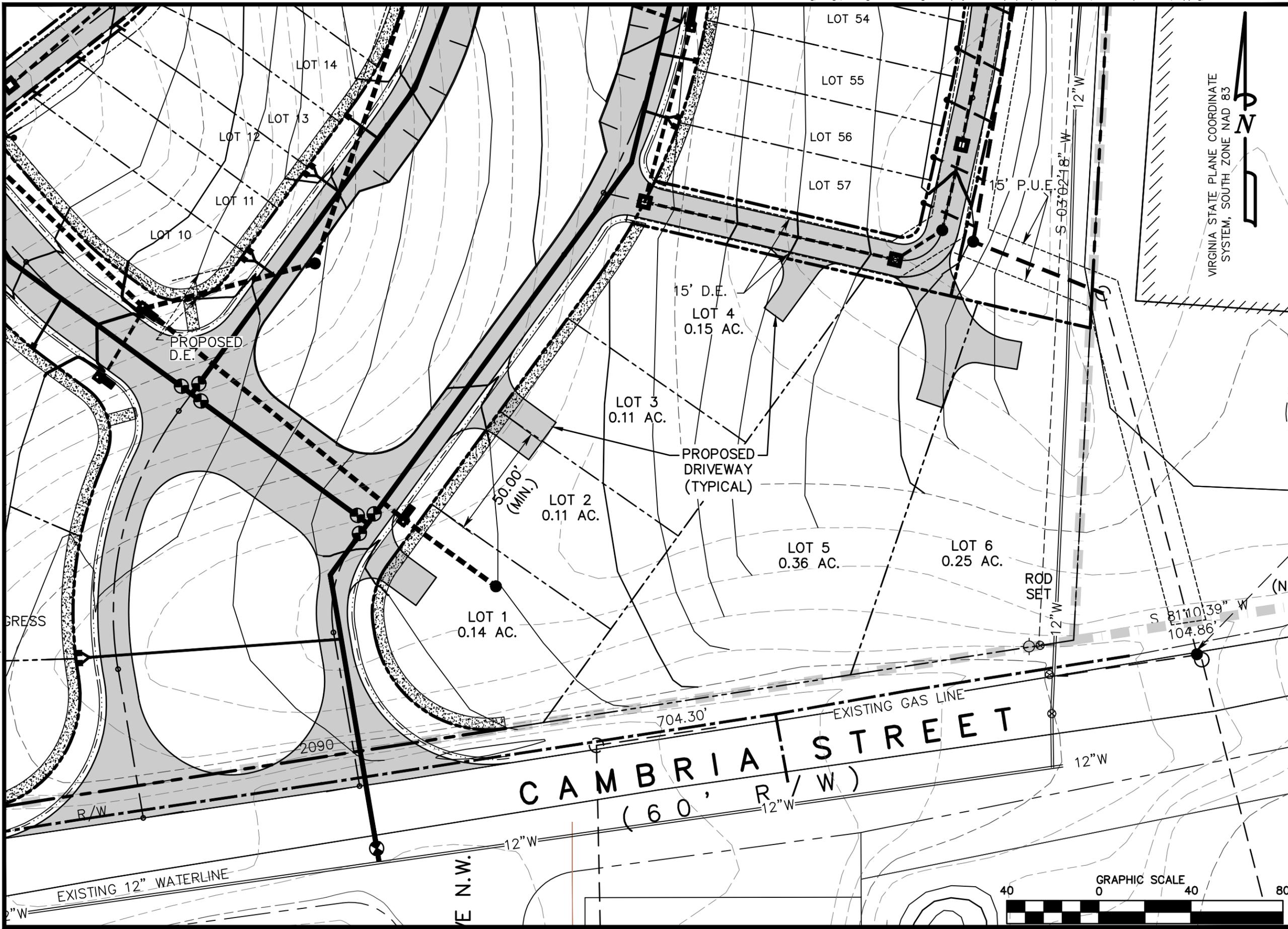
Landscape Architect/Senior Project Manager

[kconner@gayandneel.com](mailto:kconner@gayandneel.com)

 **GAY AND NEEL, INC.**  
ENGINEERING ♦ LANDSCAPE ARCHITECTURE ♦ SURVEYING  
1260 Redford Street • Christiansburg, Virginia 24073  
540.381.6011 office • 540.381.2773 fax  
[www.gayandneel.com](http://www.gayandneel.com) • [info@gayandneel.com](mailto:info@gayandneel.com)



X:\Drawings\1598-7\ENGINEERING\Design\Plans\2016-08-01\_CDMERCIAL\_LOTS-PHASE1.dwg  
 UTILITY PLAN, 08/02/2016 11:39:55 AM, Lhs, DWG To PDF.pc3, 1:1



VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE NAD 83

**GAY AND NEEL, INC.**  
 ENGINEERING ♦ LANDSCAPE ARCHITECTURE ♦ SURVEYING

1260 Radford Street  
 Christiansburg, Virginia 24073

Phone: (540) 381-6011  
 Fax: (540) 381-2773  
 Email: info@gayandneel.com  
 Web: www.gayandneel.com

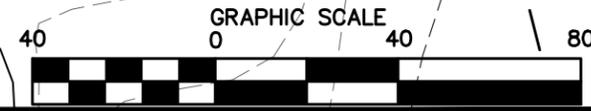


**PROPOSED LOT LAYOUT**

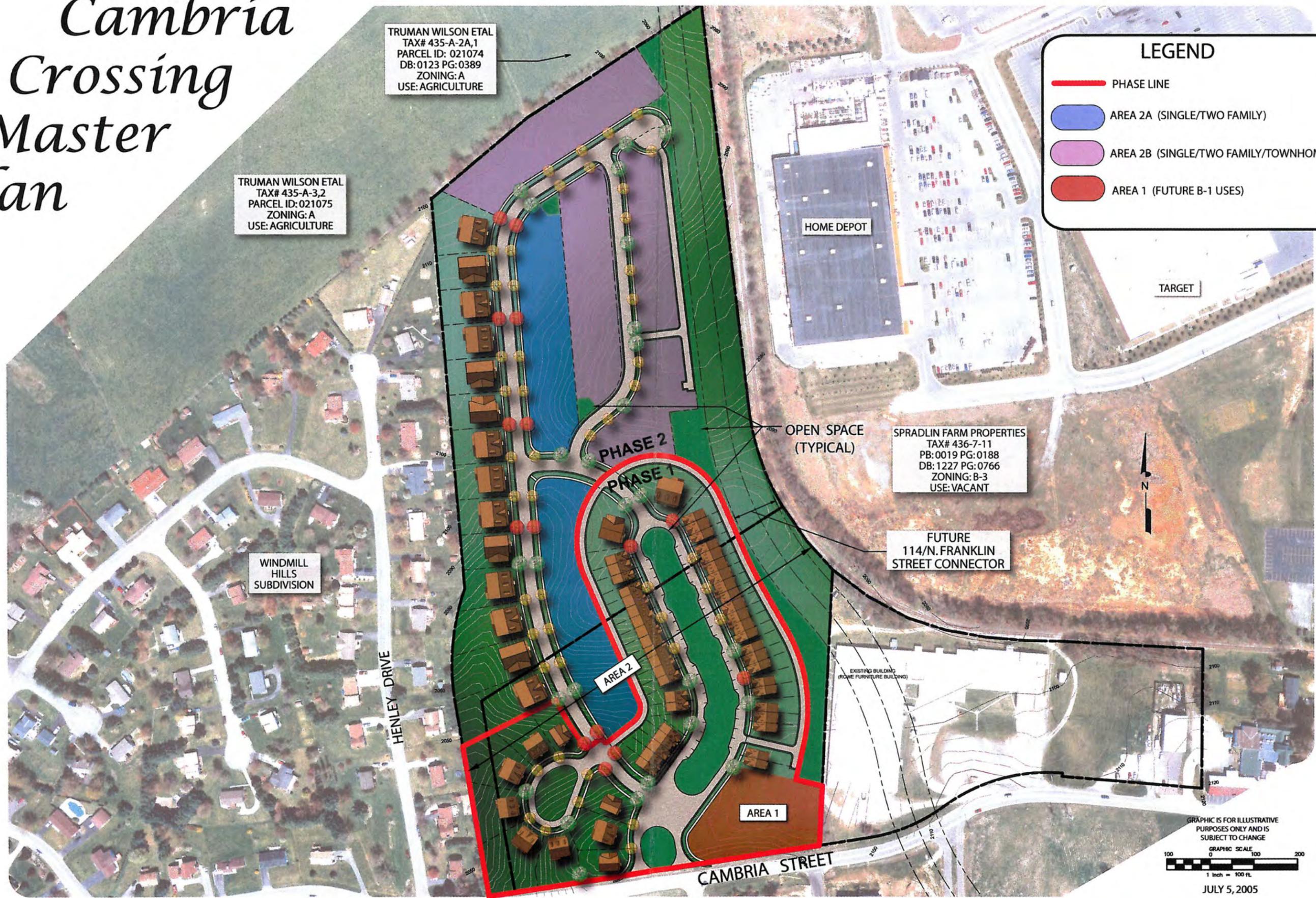
C.U.P. EXHIBIT FOR  
 SHAH DEVELOPMENT, LLC  
 TAX PARCEL 465-A-3A  
 CAMBRIA CROSSING - PHASE IV  
 TOWN OF CHRISTIANSBURG, VIRGINIA

| REVISIONS |          |      |
|-----------|----------|------|
| NO.       | COMMENTS | DATE |
|           |          |      |
|           |          |      |
|           |          |      |
|           |          |      |

| PROJECT TEAM |                       |
|--------------|-----------------------|
| PIC          | JOHN T. NEEL, P.E.    |
| PM           | KEVIN D. CONNER, L.A. |
| DESIGN       | LHS                   |
| GNI JOB NO.  | ISSUE DATE            |
| 1598.3       | 08/02/2016            |
| SHEET NUMBER |                       |
| 1 OF 1       |                       |



# Cambrria Crossing Master Plan



TRUMAN WILSON ETAL  
TAX# 435-A-3,2  
PARCEL ID: 021075  
ZONING: A  
USE: AGRICULTURE

TRUMAN WILSON ETAL  
TAX# 435-A-2A,1  
PARCEL ID: 021074  
DB: 0123 PG: 0389  
ZONING: A  
USE: AGRICULTURE

SPRADLIN FARM PROPERTIES  
TAX# 436-7-11  
PB: 0019 PG: 0188  
DB: 1227 PG: 0766  
ZONING: B-3  
USE: VACANT

FUTURE  
114/N. FRANKLIN  
STREET CONNECTOR

### LEGEND

- PHASE LINE
- AREA 2A (SINGLE/TWO FAMILY)
- AREA 2B (SINGLE/TWO FAMILY/TOWNHOMES)
- AREA 1 (FUTURE B-1 USES)

GRAPHIC IS FOR ILLUSTRATIVE PURPOSES ONLY AND IS SUBJECT TO CHANGE  
GRAPHIC SCALE  
1 inch = 100 ft.  
JULY 5, 2005

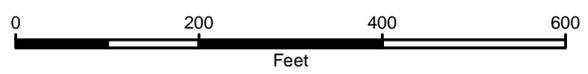


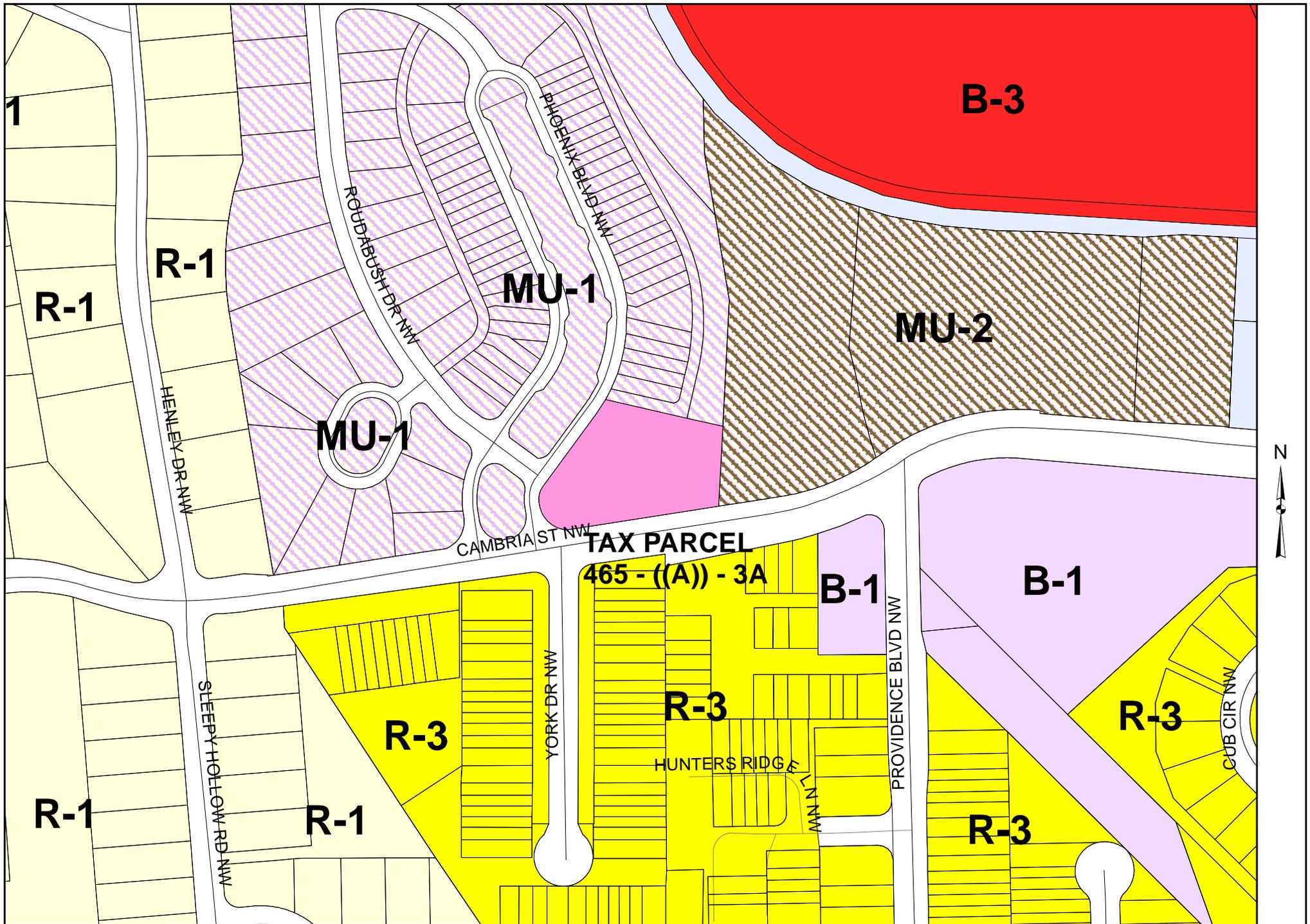
**Legend**

- 465-((A)-3A
- Parcels

CUP REQUEST: CAMBRIA STREET NW/PHOENIX BOULEVARD NW

PC: AUGUST 29, 2016  
 TC: SEPTEMBER 27, 2016





CUP REQUEST: CAMBRIA STREET NW/PHOENIX BOULEVARD NW

PC: AUGUST 29, 2016  
 TC: SEPTEMBER 27, 2016



**RECOMMENDED CONDITIONS  
FOR  
CAMBRIA CROSSING**

**SUPPLEMENTING A  
CONDITIONAL USE PERMIT (CUP) APPLICATION  
FOR  
TAX PARCELS  
465-A-3, 465-A-3a**

**CHRISTIANSBURG, VIRGINIA**

**PREPARED BY:**



**GAY AND KEESEE, INCORPORATED**

**1260 RADFORD STREET  
CHRISTIANSBURG, VA 24073  
(540) 381-6011  
(540) 381-2773 FAX  
info@gayandkeese.com**

**July 13, 2005**

*Third and final draft*



# ZONING REGULATIONS FOR CAMBRIA CROSSING

---

## I. AREAS

For the purposes of this Development, Tax Parcels 465-A-3 and 465-A-3a is divided into the following areas:

- **Area 1:** B-1 Limited Business District
- **Area 2:** Single-Family, Two-Family, and Townhouse Dwellings (Planned Housing Development)

Reference is hereby made to the Preliminary Master Plan for Cambria Crossing, dated July 5, 2005, latest revision, for the location of each area.

## II. AREA 1: Future B-1 Limited Business Uses

1. Area 1 will be developed with a Conditional Use Permit at a later date.

## III. AREA 2: Single Family, Two Family, and Townhouse Dwellings (Planned Housing Development)

### 1. Permitted Uses

In Area 2, structures to be erected or land to be used shall be one or more of the following:

- (A) Single-Family Dwellings
- (B) Two Family Dwellings
- (C) Townhouses
- (D) Open Space, including park, playgrounds, trails, and similar recreational uses.
- (E) Home Occupation as defined by the Town of Christiansburg Zoning Ordinance.
- (F) Off-street Parking and Loading as required by The Town of Christiansburg Zoning Ordinance.
- (G) Public Utilities such as poles, lines, transformers, pipes, meters, and other facilities necessary for the provision and maintenance of Public utilities including water and sewage facilities.
- (H) Accessory buildings such as separate garages or carports, workshops, toolsheds and greenhouses; provided, that garages or other accessory buildings such as carports, attached to the main building shall be

considered part of the main building; provided further, that no accessory building shall be closer than three feet to any property line.

- (I) Construction trailers on active construction sites.
- (J) Signs in accordance with the Sign Ordinance (Chapter 3, Advertising, of the Town of Christiansburg Code).
- (K) Planned housing development subject to special regulations of Section 30-57 of the Town Zoning Ordinance.

## **SINGLE FAMILY DWELLING STANDARDS**

### 1. Area And Density

- (A) The minimum lot area for a Single-Family Dwelling shall be 4,500 square feet, except that:
  - a. lots adjacent to Windmill Hills, Phase 1 on the Preliminary Master Plan shall be a minimum of 10,000 square feet.

### 2. Setbacks And Yards

#### (A) Front Setback

- a. Minimum front setback shall be ~~18~~ 10 feet (including steps and porches i.e., point of construction.)

#### (B) Side Yards

- a. The minimum side yard shall be ten-feet for lots adjacent to Windmill Hills, Phase I and five-feet for all others.
- b. No main building, or part of a main building, shall be constructed within an easement.

#### (C) Rear Yard

Each dwelling unit shall have a minimum rear yard of 15 feet, except:

- a. Detached garages shall have a minimum rear yard of five-feet and detached garages adjacent to Windmill Hills shall have a minimum rear yard of Forty-Five (45) feet.
- b. Dwellings adjacent to Windmill Hills Phase I shall have a rear yard of forty five-feet, as adopted on June 7, 2005 in a rezoning request on Tax Parcels 465-A-3 and 465-A-3a.

~~(D) Front Porches and Stoops~~

~~Front porches and stoops (excluding steps) may extend into the front yard eight feet.~~

- ~~a. "Front Porch" shall be defined as a constructed exterior surface, covered or uncovered, attached to a front street side of a dwelling, at the front door, that is not enclosed by walls on at least two sides.~~

3. Frontage and Lot Depth

- (A) The minimum lot width measured at the right-of-way shall be 50 feet and be maintained, at a minimum, for the entire depth of the lot. Lots that front a cul-de-sac shall be a minimum of 50 feet wide at the 10 foot minimum setback line, and may be less than 50 feet wide at the street line. Lots adjacent to Windmill Hills, Phase I shall have a minimum width of 80 feet at the front setback line and street line.
- (B) Minimum lot depth shall be 125 feet for lots adjacent to Windmill Hills and 90 feet for all others.

4. Height

Buildings may be erected up to 35 feet in height from street grade or lot grade at the front facade whichever is greater, except that:

- (A) Accessory buildings shall not exceed the main structure in height except that when the accessory building is located at a lower ground elevation. Then the elevation of the roofline of the accessory building shall not be higher than the elevation of the roofline of the main structure, but not to exceed two stories in height.

5. Corner Lots

The following provisions shall apply to corner lots:

- (A) Of the two sides of a corner lot the front shall be deemed the shorter of the two sides fronting on the streets.
- (B) The side yard on the side facing the side street shall be a minimum 15 feet or more for both main and accessory buildings.

## 6. Accessory Buildings

- (A) The minimum setback for accessory buildings, regardless of height, is three feet from any interior or back lot line and a minimum of 15 feet from any side street right-of-way line, except:
  - a. Accessory buildings on a permanent foundation shall not be constructed inside of, or on any portion of, any easement.
- (B) The front façade of any accessory structure shall be set back a minimum of eight feet from the primary front façade of the principle structure.

## 7. Miscellaneous Provisions

### (A) Driveways

- a. Driveways terminating at a two-car garage shall have a maximum width of 24 feet.
- b. Driveways terminating at a one-car garage shall have a maximum width of 18 feet.
- c. Lots with no garage shall provide a driveway a maximum of 18 feet wide.
- d. All lots with a rear alley, shall have the driveway located off the alley.
- e. Driveways shall have a minimum width of 9 feet.

### (B) Walkways

All principal structures shall be provided with a minimum ~~five~~ three feet wide hard surface walkway connected to the sidewalk adjacent to the street right-of-way, or alternatively, to the driveway.

### (C) Lamps

Prior to the issuance of an occupancy permit, each lot shall have installed a six foot tall post type lamp adjacent to (and inside of) the front lot line. This lamp shall be photocell controlled and, wired and metered through the dwelling's electrical system in accordance with applicable codes. Photocells shall be set to remain on during nighttime hours. Gas lamps are permitted in accordance with applicable codes.

## TWO FAMILY DWELLING STANDARDS

### 1. Area And Density

- (A) The minimum lot area for a Two-Family Dwelling shall be 9,000 square feet with each single unit having a lot area of at least 4,500 sq. feet.

### 2. Setbacks And Yards

#### (A) Front Setback

Minimum front setback shall be 18 10 feet (including steps and porches, i.e. point of construction).

#### (B) Side Yards

- a. The minimum side yard shall be five-feet.
- b. There shall be no side yard setback required on the common property line.
- c. No main building, or part of a main building, shall be constructed within an easement.

#### (C) Rear Yard

Each dwelling unit shall have a minimum rear yard of 15 feet, except:

- a. Detached garages shall have a minimum rear yard of 5 feet.

#### ~~(D) Front Porches and Stoops~~

~~Front porches and stoops (excluding steps) may extend into the front yard 8 feet.~~

- ~~b. "Front Porch" shall be defined as a constructed exterior surface, covered or uncovered, attached to a front street side of a dwelling, at the front door, that is not enclosed by walls on at least two sides.~~

### 3. Frontage and Lot Depth

- (A) The minimum lot width measured at the right-of-way shall be 100 feet and be maintained, at a minimum, for the entire depth of the lot. Lots that front a cul-de-sac shall be a minimum of 100 feet wide at the 10 foot minimum setback line, and may be less than 100 feet wide at the street line.
- (B) Minimum lot depth shall be 90 feet.

#### 4. Height

Buildings may be erected up to 35 feet in height from street grade or lot grade at the front façade whichever is greater, except that:

- (A) Accessory buildings shall not exceed the main structure in height except that when the accessory building is located at a lower ground elevation. Then the elevation of the roofline of the accessory building shall not be higher than the elevation of the roofline of the main structure, but not to exceed two stories in height.

#### 5. Corner Lots

The following provisions shall apply to corner lots:

- (A) Of the two sides of a corner lot the front shall be deemed the shorter of the two sides fronting on the streets.
- (B) The side yard on the side facing the side street shall be 15 feet or more for both main and accessory buildings.

#### 6. Accessory Buildings

- (A) The minimum setback for accessory buildings, regardless of height, is three feet from any interior or back lot line and a minimum of 15 feet from any side street right-of-way line, except:
  - a. Accessory buildings on a permanent foundation shall not be constructed inside of, or on any portion of, any easement.
- (B) The front facade of any accessory structure shall be set back a minimum of eight feet from the primary front façade of the principle structure.

#### 7. Miscellaneous Provisions

- (A) Driveways
  - a. Driveways terminating at a two-car garage shall have a maximum width of 24 feet.
  - b. Driveways terminating at a one-car garage shall have a maximum width of 18 feet.
  - c. Lots with no garage shall provide a driveway a maximum of 18 feet wide.
  - d. All lots with a rear alley, shall have the driveway located off the alley.
  - e. Driveways shall have a minimum width of 9 feet.

(B) Walkways

All principal structures shall be provided with a minimum ~~five~~ three feet wide hard surface walkway connected to the sidewalk adjacent to the street right-of-way, or alternatively, to the driveway.

(C) Lamps

Prior to the issuance of an occupancy permit, each lot shall have installed a six-foot tall post type lamp adjacent to (and inside of) the front lot line. This lamp shall be photocell controlled and, wired and metered through the dwelling's electrical system in accordance with applicable codes. Photocells shall be set to remain on during nighttime hours. Gas lamps are permitted in accordance with applicable codes.

## TOWNHOUSES

1. Area And Density

- (A) The minimum lot area for a Townhouse Dwelling shall be 1,800 square feet.

2. Setbacks And Yards

(A) Front Setback

- a. Minimum front setback shall be ~~13~~ 10 feet (including porches and steps, i.e. point of construction).
- ~~b. There shall be no required variation in setback for individual townhouse facades within a townhouse group.~~
- b. The facades of individual Townhouse units within a Townhouse group structure shall be varied by changed front yard setbacks and variations in materials or designs so that a minimum of three and a maximum of five abutting Townhouses will have the same front yard setback. Variations in setback shall be at least three feet.

(B) Side Yards

- a. The minimum side yard for end units shall be five-feet.
- b. No main building, or part of a main building, shall be constructed within an easement.

(C) Rear Yard

Each dwelling unit shall have a minimum rear yard of 15 feet, except:

- a. Detached garage shall have a minimum rear yard of 5 feet.

~~(D) Front Porches and Stoops~~

~~Front porches and stoops including steps may extend into the front yard 8 feet.~~

- ~~a. "Front Porch" shall be defined as a constructed exterior surface, covered or uncovered, attached to a front street side of a dwelling, at the front door, that is not enclosed by walls on at least two sides.~~

3. Frontage and Lot Depth

- (A) The minimum lot width measured at the right-of-way shall be 20 feet and be maintained, at a minimum, for the entire depth of the lot. Lots that front a cul-de-sac shall be a minimum of 20 feet wide at the 10 foot minimum setback line, and may be less than 20 feet wide at the street line.
- (B) Minimum lot depth shall be 90 feet.

4. Height

Buildings may be erected up to 35 feet in height from street grade or lot grade at the front façade whichever is greater, except that:

- (A) Accessory buildings shall not exceed the main structure in height except that when the accessory building is located at a lower ground elevation. Then the elevation of the roofline of the accessory building shall not be higher than the elevation of the roofline of the main structure, but not to exceed two stories in height.

5. Corner Lots

The following provisions shall apply to corner lots:

- (A) Of the two sides of a corner lot the front shall be deemed the shorter of the two sides fronting on the streets.
- (B) The side yard on the side facing the side street shall be a minimum 10 feet or more for both main and accessory buildings.

## 6. Accessory Buildings

- (A) The minimum setback for accessory buildings, regardless of height, is three feet from any interior or back lot line and a minimum of 15 feet from any side street right-of-way line, except:
- a. Accessory buildings on a permanent foundation shall not be constructed inside of, or on any portion of, any easement.
- (B) The front façade of any accessory structure shall be set back a minimum of eight feet from the primary front façade of the principle structure.

## 7. Miscellaneous Provisions

### (A) Driveways

- a. Driveways shall have a maximum width of 14 feet where it meets a private alley or right-of-way.
- b. All lots with a rear alley, shall have the driveway located off the alley.
- c. Driveways shall have a minimum width of 9 feet.

### (B) Walkways

All principal structures shall be provided with a minimum ~~five~~ three feet wide hard surface walkway connected to the sidewalk adjacent to the alley right-of-way.

## IV. GENERAL PROVISIONS

Unless otherwise indicated or modified by this document and/or related materials associated with this ordinance, reference shall be made to Chapter 26, *Subdivisions* and Chapter 30, *Zoning*: Article I (In General); Article IV (Single Family District); Article V (Two Family District), Article VI (Multiple Family District), Article VIII (Mixed Use I District), Article XIX (Provisions for Appeal), Article XX (Townhouses), and Article XXII (Miscellaneous Provisions) of the Town of Christiansburg Code where applicable.

## ADDITIONAL CONDITIONS

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### *Additional Conditions for the whole of Tax Parcel Numbers 465-A-3 and 465-A-3a.*

1. A minimum of one shade tree from the "Approved List of Street Trees for Cambria Crossing" (Chart A) shall be installed at a minimum of 50 feet and a maximum of 100 feet apart along all public street rights-of-way. Minimum size at installation shall be 2 ½" – 3" caliper and shall be installed in the area between the back of curb and sidewalk and a minimum 3 feet from the back of curb.
2. A Homeowners' Association will be established (see the attached "Generalized Statement of Establishment of a Homeowners' Association).
3. Residential uses in Area 2A as shown on the Preliminary Master Plan, dated July 5, 2005 shall be limited to single family and/or two family dwellings only.
4. Residential uses in Area 2B as shown on the Preliminary Master Plan, dated July 5, 2005 shall consist of single family dwellings, two family dwellings, and/or townhouses, in accordance with the zoning regulations for Cambria Crossing.
5. The proposed Preliminary Master Plan intends to promote pedestrian friendly design and low impact development by utilizing reduced pavement widths and right-of-way widths with approval from Virginia Department of Transportation and Town of Christiansburg Staff.
6. Sidewalks will be at a minimum on one side of all public rights-of-way or as shown on the Master Plan.
7. A minimum of 10% open space shall be dedicated to the homeowners' association.
8. Single Family Lots shall have a minimum of 30% greenspace. Two-Family Lots shall have a minimum of 20% greenspace. Townhouse Lots shall have a minimum of 10% greenspace. All lots shall have a minimum of 20% greenspace in the front yard. Greenspace is defined as any grassed areas or landscaped areas.
9. Townhouse Lots shall have a minimum of 20% greenspace in the rear yard. In the event that an attached garage is constructed on the rear of the primary dwelling structure, no privacy type fencing or wall is required.

**APPROVED LIST OF STREET TREES  
FOR  
CAMBRIA CROSSING**

**CHART A**

Approved Deciduous Trees (Street Trees)

| COMMON NAME           | BOTANICAL NAME                           | MINIMUM SIZE    |
|-----------------------|--|-----------------|
| Chinese Elm           | <i>Ulmus parvifolia</i>                  | 2.5"-3" caliper |
| Japanese Zelkova      | <i>Zelkova serrata</i>                   | 2.5"-3" caliper |
| Littleleaf Linden     | <i>Tilia cordata</i>                     | 2.5"-3" caliper |
| Ginko (male)          | <i>Ginko biloba (male)</i>               | 2.5"-3" caliper |
| Seedless Green Ash    | <i>Fraxinus pennsylvanica</i>            | 2.5"-3" caliper |
| Thornless Honeylocust | <i>Gleditsia triacanthos var.inermis</i> | 2.5"-3" caliper |
| Willow Oak            | <i>Quercus phellos</i>                   | 2.5"-3" caliper |
| Norway Maple          | <i>Acer platanoides</i>                  | 2.5"-3" caliper |
| Red Maple             | <i>Acer rubrum</i>                       | 2.5"-3" caliper |

## GENERALIZED STATEMENT OF ESTABLISHMENT OF A HOMEOWNERS' ASSOCIATION

---

The following is a generalized statement of the methods and agreements necessary to govern the maintenance of common open space prepared in accordance with applicable provisions of the Code of the Town of Christiansburg, Virginia.

A property owner's association ("Association") will be established pursuant to the Virginia Property Owners' Association Act, § 55-508 et seq. of the Code of Virginia of 1950 as amended. The Association shall have responsibility and authority to operate and maintain the common areas of the Project, including all open spaces, sidewalks, and any other amenities contained within the common areas and open spaces, which are not publicly dedicated (collectively the "Common Area").

The Association will have the power to adopt a budget and to establish and collect dues from the property owners. The dues will be the individual obligation of the owners and will constitute a lien upon the property of the individual owners to assure payment. The Association will also have the authority to adopt rules and regulations with regard to the use of the Common Area.

The obligations and powers of the Association will be provided for in the Declaration of Covenants, Conditions and Restrictions (the "Declaration") to be recorded in the Clerk's Office of the Circuit Court of Montgomery County, Virginia. The Declaration shall be binding upon the Association and the owners within the Project. The Declaration will contain provisions to assure that the community is developed, maintained, and managed in a coordinated manner with compatible architecture and landscaping.

Among other things, the Declaration will also provide:

- For the conveyance of the Common Area to the Association to be maintained, preserved, and operated by the Association for the use and enjoyment of its members.
- That those portions of the Common Area designated as open space shall remain and be preserved as open space.

- That the Association will be empowered and obligated to meet applicable proffered conditions.
- That all residential lots must be occupied in accordance with rules and regulations established by the Association. In addition, occupants of Single-Family lots must be a Single-Family comprised of any of the following persons or groups of persons:
  - a) One or more person related by blood, marriage and/or adoption, and/or under approved foster care, or
  - b) One or more persons related by blood, marriage and/or adoption and/or under approved foster care plus one adult not related in any of the foregoing respects, or
  - c) Two adult persons living together as a single housekeeping unit, and at the option of such adult person, any children, natural or by adoption or approved foster care, of such adult persons.
- For the inclusion of provisions for the maintenance of open space by the Homeowners' Association.

The complete Declaration, as well as the Articles of Incorporation and Bylaws of the Homeowners' Association, will be provided for review in accordance with the applicable provisions of the Christiansburg Code prior to approval of the Phase One Subdivision Plat of Cambria Crossing.

# Resolution of the Town of Christiansburg Planning Commission

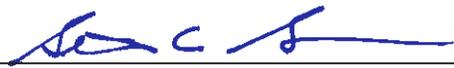
## *Conditional Use Permit Application*

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study a request made by Hash Investments, L.L.C. (agent for Rowe Properties, L.L.C.) for a Conditional Use Permit (CUP) for property located at 603 and 605 Cambria Street, NW (tax parcel 526 - ((A)) - 201) for a Planned Housing Development in the MU-1 Mixed Use: Residential - Limited Business and MU-2 Mixed Use: Residential - Limited Business - Limited Industrial Districts, has found following a duly advertised Joint Public Hearing with Council that the public necessity, convenience, general welfare and good zoning practices (**permit / do not permit**) the ~~renewal~~ of a CUP to Hash Investments, L.L.C. for a Conditional Use Permit (CUP) for a Planned Housing Development at 603 and 605 Cambria Street, NW.

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

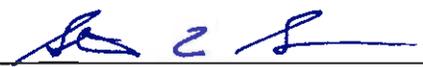
1. The suggested conditions prepared by the Gay and Keese, Inc. for Cambria Crossing Planned Housing Development shall be considered as conditions of approval.
2. There shall be a maximum total of 150 residential units in the Planned Housing Development.

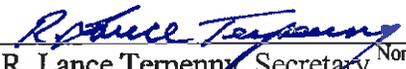
Dated this the 18<sup>th</sup> day of July 2005.  
19th

  
\_\_\_\_\_  
Steven C. Simmons, Chairperson  
Christiansburg Planning Commission

The above Resolution was adopted on motion by Canada seconded by Poff at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Joint Public Hearing on the above request on July 5, 2005. 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> |
|--------------------------------------|-------------|--------------|----------------|---------------|
| Wayne E. Booth                       | X           | <del>X</del> |                |               |
| Dan R. Canada                        | X           |              |                |               |
| Ann H. Carter                        | X           |              |                |               |
| Bob Poff                             | X           |              |                |               |
| Steven C. Simmons, Chairperson       | X           |              |                |               |
| Bradford J. Stipes, Vice-Chairperson | X           |              |                |               |

  
\_\_\_\_\_  
Steven C. Simmons, Chairperson

  
\_\_\_\_\_  
R. Lance Terpenning, Secretary Non-voting

~~\* Commissioner Booth stated that he supported approval of the Planned Housing Development without the provision of a maximum total of 150 residential units (Condition 2).~~

# 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 request made by Cambria Crossing, L.L.C. for amendment of a Conditional Use Permit (CUP) for property on the eastern side of Phoenix Boulevard (tax parcels 465 – ((38)) – 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, and 46) for a planned housing development in the MU-1 Mixed Use: Residential - Limited Business District, has found following a duly advertised Joint Public Hearing with Council that the public necessity, convenience, general welfare and good zoning practices (~~permit / do not permit~~) the amendment of a Conditional Use Permit (CUP) for Cambria Crossing, L.L.C. for property on the eastern side of Phoenix Boulevard (tax parcels 465 – ((38)) – 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, and 46) for a planned housing development in the MU-1 Mixed Use: Residential - Limited Business District.

THEREFORE be it resolved that the Christiansburg Planning Commission (**recommends / does not recommend**) that the Christiansburg Town Council approve the Conditional Use Permit amendment with the following conditions:

1. The final version of the suggested conditions prepared by Gay and Keese, Inc. for the original Cambria Crossing Planned Housing Development approval shall remain as conditions of approval for the entire development with the exception of tax parcels 465 – ((38)) – 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, and 46, which shall be allowed to be developed as single-family residences in accordance with the revisions as shown on the “Revised Suggested Amendments to CUP at Cambria Crossing, Phase I, Lots 33-46” (varying only minimum lot area, lot width, and front yard greenspace for single-family residences only).
2. There shall be a maximum total of 150 residential units in the planned housing development.
3. New units shall be in general conformance with the renderings presented at the August 8, 2011 Planning Commission meeting.
4. There shall be a 1600 square foot minimum floor area per unit.

Dated this the 8th day of August 2011.



Joe Powers, Acting Chairperson  
Christiansburg Planning Commission

The above Resolution was adopted on motion by Dorsett seconded by Vanhoozier at a meeting of the Planning Commission following the posting of a public hearing notice upon the property and a duly advertised Joint Public Hearing on the above request on July 5, 2011. 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> |
|-----------------------------------|-------------|-------------|----------------|---------------|
| Barry Akers                       |             |             |                | X             |
| Mark M. Caldwell, III             |             |             |                | X             |
| Ann H. Carter                     | X           |             |                |               |
| Kevin D. Conner, Vice-Chairperson |             |             | X              |               |
| M. H. Dorsett, AICP               | X           |             |                |               |
| Craig Moore, Chairperson          |             |             |                | X             |
| Joe Powers                        | X           |             |                |               |
| Jennifer Sowers                   |             |             |                | X             |
| James W. “Jim” Vanhoozier         | X           |             |                |               |



Joe Powers, Acting Chairperson



Randy Wingfield, Secretary Non-voting

# Revised Suggested Amendments to CUP at Cambria Crossing, Phase I, Lots 33-46

## SINGLE FAMILY DWELLING STANDARDS:

1. Area And Density:
  - (A) The minimum lot area for a Single-Family Dwelling shall be 4,500 square feet, except that:
    - a. Lots adjacent to Windmill Hills, Phase 1 on the Preliminary Master Plan shall be a minimum of 10,000 square feet.
    - I am requesting to amend this section as follows:**
      - b. The minimum lot area of the original "Cambria Crossing Phase I, Lot's 33 – 46 as shown on plat prepared by Gay & Neel, Inc. Dated 1/18/06 entitled Plat of Subdivision of Cambria Crossing Phase I prepared for DECLYN Development, Inc., designated as Job Number 1598.0, and recorded in Plat Book 26 at pages 205 – 217" to a minimum lot size of 2,700 square feet.
2. Setbacks And Yards:
  - (A) Front Setback
    - a. Minimum front setback shall be 10 feet (including steps and porches i.e., point of construction.)
  - (B) Side Yards
    - a. The minimum side yard shall be 10 feet for lots adjacent to Windmill Hills, Phase I and five feet for all others.
    - b. No main building, or part of a main building, shall be constructed within an easement.
  - (C) Rear Yard
    - Each dwelling unit shall have a minimum rear yard of 15 feet, except:
      - a. Detached garages shall have a minimum rear yard of five feet and detached garages adjacent to Windmill Hills shall have a minimum rear yard of 45 feet.
      - b. Dwellings adjacent to Windmill Hills Phase I shall have a rear yard of 45 feet, as adopted on June 7, 2005, in a rezoning request on Tax Parcels 465-A-3 and 465-A-3A.
3. Frontage and Lot Depth:
  - (A) The minimum lot width measured at the right-of-way shall be 50 feet and be maintained, at a minimum, for the entire depth of the lot. Lots that front a cul-de-sac shall be a minimum of 50 feet wide at the 10 foot minimum setback line, and may be less than 50 feet wide at the street line. Lots adjacent to Windmill Hills, Phase I shall have a minimum width of 80 feet at the front setback line and street line.
  - (B) Minimum lot depth shall be 125 feet for lots adjacent to Windmill Hills and 90 feet for all others.
  - I am requesting to amend this section as follows:**
    - (C) The minimum lot width measured at the right-of-way shall be 30 feet and be maintained, at a minimum, for the entire depth of the lot for of the original "Cambria Crossing Phase I, Lot's 33 – 46 as shown on plat prepared by Gay & Neel, Inc. Dated 1/18/06 entitled Plat of Subdivision of Cambria Crossing Phase I prepared for DECLYN Development, Inc., designated as Job Number 1598.0, and recorded in Plat Book 26 at pages 205 – 217".
4. Height:

Buildings may be erected up to 35 feet in height from street grade or lot grade at the front facade whichever is greater, except that:

  - (A) Accessory buildings shall not exceed the main structure in height except that when the accessory building is located at a lower ground elevation. Then the elevation of the roof line of the accessory building shall not be higher than the elevation of the roof line of the main structure, but not to exceed two stories in height.
5. Corner Lots:

The following provisions shall apply to corner lots:

(A) Of the two sides of a corner lot the front shall be deemed the shorter of the two sides fronting on the streets.

(B) The side yard on the side facing the side street shall be a minimum 15 feet or more for both main and accessory buildings.

6. Accessory Buildings:

(A) The minimum setback for accessory buildings, regardless of height, is three feet from any interior or back lot line and a minimum of 15 feet from any side street right-of-way line, except:

a. Accessory buildings on a permanent foundation shall not be constructed inside of, or on any portion of, any easement.

(B) The front facade of any accessory structure shall be set back a minimum of eight feet from the primary front facade of the principle structure.

7. Miscellaneous Provisions:

(A) Driveways

a. Driveways terminating at a two-car garage shall have a maximum width of 24 feet.

b. Driveways terminating at a one-car garage shall have a maximum width of 18 feet.

c. Lots with no garage shall provide a driveway a maximum of 18 feet wide.

d. All lots with a rear alley, shall have the driveway located off the alley.

e. Driveways shall have a minimum width of nine feet.

(B) Walkways

All principal structures shall be provided with a minimum three feet wide hard surface walkway connected to the sidewalk adjacent to the street right-of-way, or alternatively, to the driveway.

(C) Lamps

Prior to the issuance of an occupancy permit, each lot shall have installed a six foot tall post type lamp adjacent to (and inside of) the front lot line. This lamp shall be photocell controlled and, wired and metered through the dwelling's electrical system in accordance with applicable codes.

Photocells shall be set to remain on during nighttime hours. Gas lamps are permitted in accordance with applicable codes.

Additional Conditions

**I am requesting to amend this section as follows:**

8. Single-family lots shall have a minimum of 30% greenspace. Two-family lots shall have a minimum of 20% greenspace. Townhouse lots shall have a minimum of 10% greenspace. All lots shall have a minimum of 20% greenspace in the front yard **with the exception of original "Cambria Crossing Phase I, Lot's 33 – 46 as shown on plat prepared by Gay & Neel, Inc. Dated 1/18/06 entitled Plat of Subdivision of Cambria Crossing Phase I prepared for DECLYN Development, Inc., designated as Job Number 1598.0, and recorded in Plat Book 26 at pages 205 – 217" which shall have a minimum of 10% greenspace in the front yard.** Greenspace is defined as grassed areas or landscaped areas.

# Resolution of the Town of Christiansburg Planning Commission

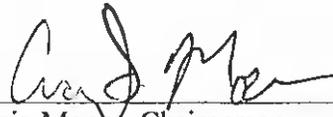
## *Conditional Use Permit Application*

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study a request made by Stateson Home, L.L.C. and Cambria Crossing, L.L.C. for amendment of a Conditional Use Permit (CUP) for property on Phoenix Boulevard (tax parcels 465 – ((38)) – 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 27A, 28, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 49A) for a planned housing development in the MU-1 Mixed Use: Residential - Limited 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 amendment of a Conditional Use Permit (CUP) to Stateson Home, L.L.C. and Cambria Crossing, L.L.C. for property on Phoenix Boulevard (tax parcels 465 – ((38)) – 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 27A, 28, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and 49A) for a planned housing development in the MU-1 Mixed Use: Residential - Limited Business District.

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

1. The facades of individual townhouse units within a townhouse group structure shall be varied by changed front yard setbacks and variations in materials or designs so that a maximum of five abutting townhouses will have the same front yard setback. Variations in setback shall be at least two feet.
2. Detached garages located on a townhouse lot may be constructed on the lot line. Adjoining townhome lots may have a detached garage that shares a common wall.
3. Townhome – all principle structures shall be provided with a minimum of a three foot wide hard surfaced walkway connected to the sidewalk adjacent to the public right of way.

Dated this the 17<sup>th</sup> day of March 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 March 17, 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           |             |                |               |
| Ashley Cowen                 | 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

# Resolution of the Town of Christiansburg Planning Commission

## *Conditional Use Permit Amendment*

WHEREAS the Christiansburg Planning Commission, acting upon a request by the Christiansburg Town Council to study an amendment to a Conditional Use Permit (CUP) request by Kevin D. Conner, agent for Stateson Homes, LLC and Cambria Crossing, LLC, for property at 355, 365, 375, 385, 395 Roudabush Drive, 500, 510, 520, 530, 535, 540, 545, 550, 555, 560, 565, 570, 575, 580, 585, 590, 595, 600, 605, , 610, 615, 620, 625, 630 Dewdrop Lane, and 130, 140, 150, 160, 170, 180, 190, 200, 210, 215, 220, 225, 235, 245, 255, 265, 275, 285, 295, 305, 315, 325, 335, 339 Phoenix Boulevard N.W. (tax parcels 435 – ((15)) – 98-123, 465 – ((38)) – 18-27, 33-46, and 465 – ((39)) – 95-97) for a planned housing development in the MU-1 Mixed Use: Residential - Limited 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 amendment of a Conditional Use Permit (CUP) to Kevin D. Conner, agent for Stateson Homes, LLC and Cambria Crossing, LLC, for property at 355, 365, 375, 385, 395 Roudabush Drive, 500, 510, 520, 530, 535, 540, 545, 550, 555, 560, 565, 570, 575, 580, 585, 590, 595, 600, 605, , 610, 615, 620, 625, 630 Dewdrop Lane, and 130, 140, 150, 160, 170, 180, 190, 200, 210, 215, 220, 225, 235, 245, 255, 265, 275, 285, 295, 305, 315, 325, 335, 339 Phoenix Boulevard N.W. (tax parcels 435 – ((15)) – 98-123, 465 – ((38)) – 18-27, 33-46, and 465 – ((39)) – 95-97) for a planned housing development in the MU-1 Mixed Use: Residential - Limited 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 conditions:

1. For corner lots, the side yard on the side facing the side street shall be a minimum of 10 feet or more for both main and accessory structures.
2. For all dwellings (single family or townhomes) projections such as eaves, cornices, fireplaces, and window sills may project into the yard (setback) by a maximum of two (2) feet, excluding the left side yard of 355 Roudabush Drive (tax parcel 435 – ((15)) – 119).
3. The left side yard of 355 Roudabush Drive (tax parcel 435 – ((15)) – 119) may have a projection into the left yard (setback) by a maximum of eight (8) inches.

Dated this the 17<sup>th</sup> day of August 2015.



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Joe Powers, Acting Chairperson  
Christiansburg Planning Commission

The above Resolution was adopted on motion by Collins seconded by Franusich 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 3, 2015. 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:



Attachment 1

Tax Parcel Nos. & Addresses:

| Lot No. | Tax Parcel No. | Address                |
|---------|----------------|------------------------|
| 18      | 465-(38)-18    | 130 Phoenix Blvd, N.W. |
| 19      | 465-(38)-19    | 140 Phoenix Blvd, N.W. |
| 20      | 465-(38)-20    | 150 Phoenix Blvd, N.W. |
| 21      | 465-(38)-21    | 160 Phoenix Blvd, N.W. |
| 22      | 465-(38)-22    | 170 Phoenix Blvd, N.W. |
| 23      | 465-(38)-23    | 180 Phoenix Blvd, N.W. |
| 24      | 465-(38)-24    | 190 Phoenix Blvd, N.W. |
| 25      | 465-(38)-25    | 200 Phoenix Blvd, N.W. |
| 26      | 465-(38)-26    | 210 Phoenix Blvd, N.W. |
| 27      | 465-(38)-27    | 220 Phoenix Blvd, N.W. |
| 33      | 465-(38)-33    | 339 Phoenix Blvd, N.W. |
| 34      | 465-(38)-34    | 335 Phoenix Blvd, N.W. |
| 35      | 465-(38)-35    | 325 Phoenix Blvd, N.W. |
| 36      | 465-(38)-36    | 315 Phoenix Blvd, N.W. |
| 37      | 465-(38)-37    | 305 Phoenix Blvd, N.W. |
| 38      | 465-(38)-38    | 295 Phoenix Blvd, N.W. |
| 39      | 465-(38)-39    | 285 Phoenix Blvd, N.W. |
| 40      | 465-(38)-40    | 275 Phoenix Blvd, N.W. |
| 41      | 465-(38)-41    | 265 Phoenix Blvd, N.W. |
| 42      | 465-(38)-42    | 255 Phoenix Blvd, N.W. |
| 43      | 465-(38)-43    | 245 Phoenix Blvd, N.W. |
| 44      | 465-(38)-44    | 235 Phoenix Blvd, N.W. |
| 45      | 465-(38)-45    | 225 Phoenix Blvd, N.W. |
| 46      | 465-(38)-46    | 215 Phoenix Blvd, N.W. |
| 95      | 465-(38)-95    | 500 Dewdrop Lane       |
| 96      | 465-(38)-96    | 510 Dewdrop Lane       |
| 97      | 465-(38)-97    | 520 Dewdrop Lane       |
| 98      | 465-(38)-98    | 530 Dewdrop Lane       |
| 99      | 465-(38)-99    | 540 Dewdrop Lane       |
| 100     | 465-(38)-100   | 550 Dewdrop Lane       |
| 101     | 465-(38)-101   | 560 Dewdrop Lane       |
| 102     | 465-(38)102    | 570 Dewdrop Lane       |
| 103     | 465-(38)-103   | 580 Dewdrop Lane       |
| 104     | 465-(38)-104   | 590 Dewdrop Lane       |
| 105     | 465-(38)-105   | 600 Dewdrop Lane       |
| 106     | 465-(38)-106   | 610 Dewdrop Lane       |
| 107     | 465-(38)-107   | 620 Dewdrop Lane       |

Attachment 2

Revised Conditions Single Family Dwelling Standards

5. Corner Lots:

The following provisions shall apply to corner lots:

- (B) The side yard on the side facing the side street shall be a minimum ~~15~~ 10 feet or more for both main and accessory buildings.

Revised Conditions Additional Conditions:

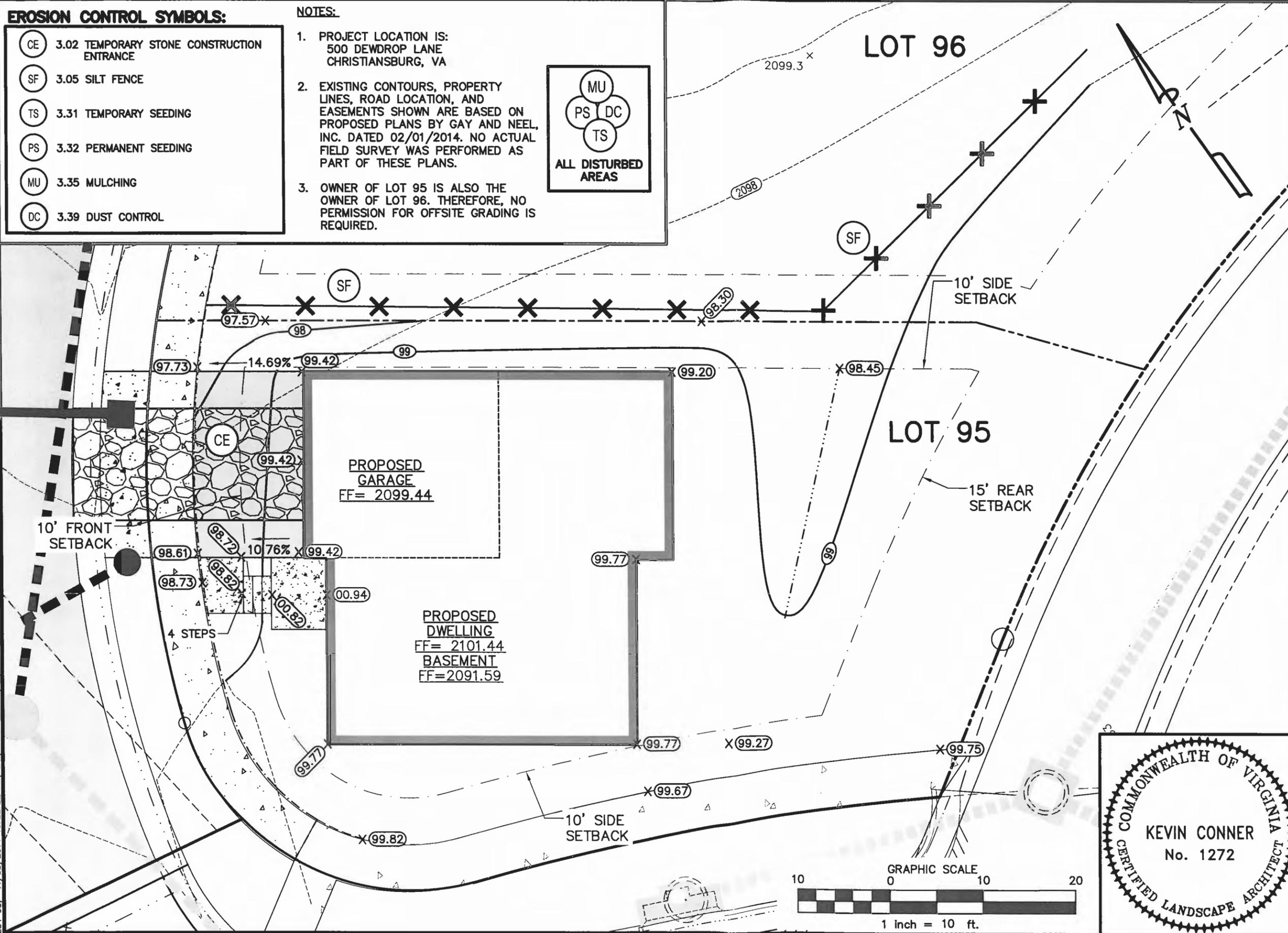
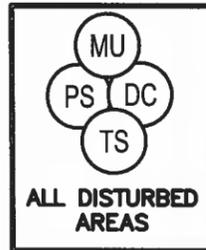
- 10. For all dwellings (single family or townhomes) projections such as eaves, cornices, fireplaces, and window sills may project into the yard (setback) by a maximum of two (2) feet.

**EROSION CONTROL SYMBOLS:**

-  3.02 TEMPORARY STONE CONSTRUCTION ENTRANCE
-  3.05 SILT FENCE
-  3.31 TEMPORARY SEEDING
-  3.32 PERMANENT SEEDING
-  3.35 MULCHING
-  3.39 DUST CONTROL

**NOTES:**

1. PROJECT LOCATION IS:  
500 DEWDROP LANE  
CHRISTIANSBURG, VA
2. EXISTING CONTOURS, PROPERTY LINES, ROAD LOCATION, AND EASEMENTS SHOWN ARE BASED ON PROPOSED PLANS BY GAY AND NEEL, INC. DATED 02/01/2014. NO ACTUAL FIELD SURVEY WAS PERFORMED AS PART OF THESE PLANS.
3. OWNER OF LOT 95 IS ALSO THE OWNER OF LOT 96. THEREFORE, NO PERMISSION FOR OFFSITE GRADING IS REQUIRED.



**GAY AND NEEL, INC.**  
ENGINEERING ♦ LANDSCAPE ARCHITECTURE ♦ SURVEYING

1260 Radford Street  
Christiansburg, Virginia 24073

Phone: (540) 381-6011  
Fax: (540) 381-2773  
Email: info@gayandneel.com  
Web: www.gayandneel.com



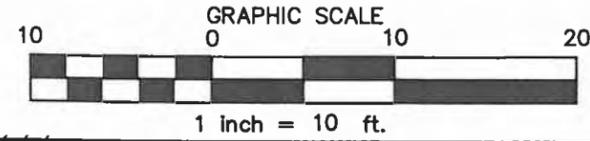
500 DEWDROP LANE

CAMBRIA CROSSING PHASE III  
GRADING PLAN FOR LOT 95

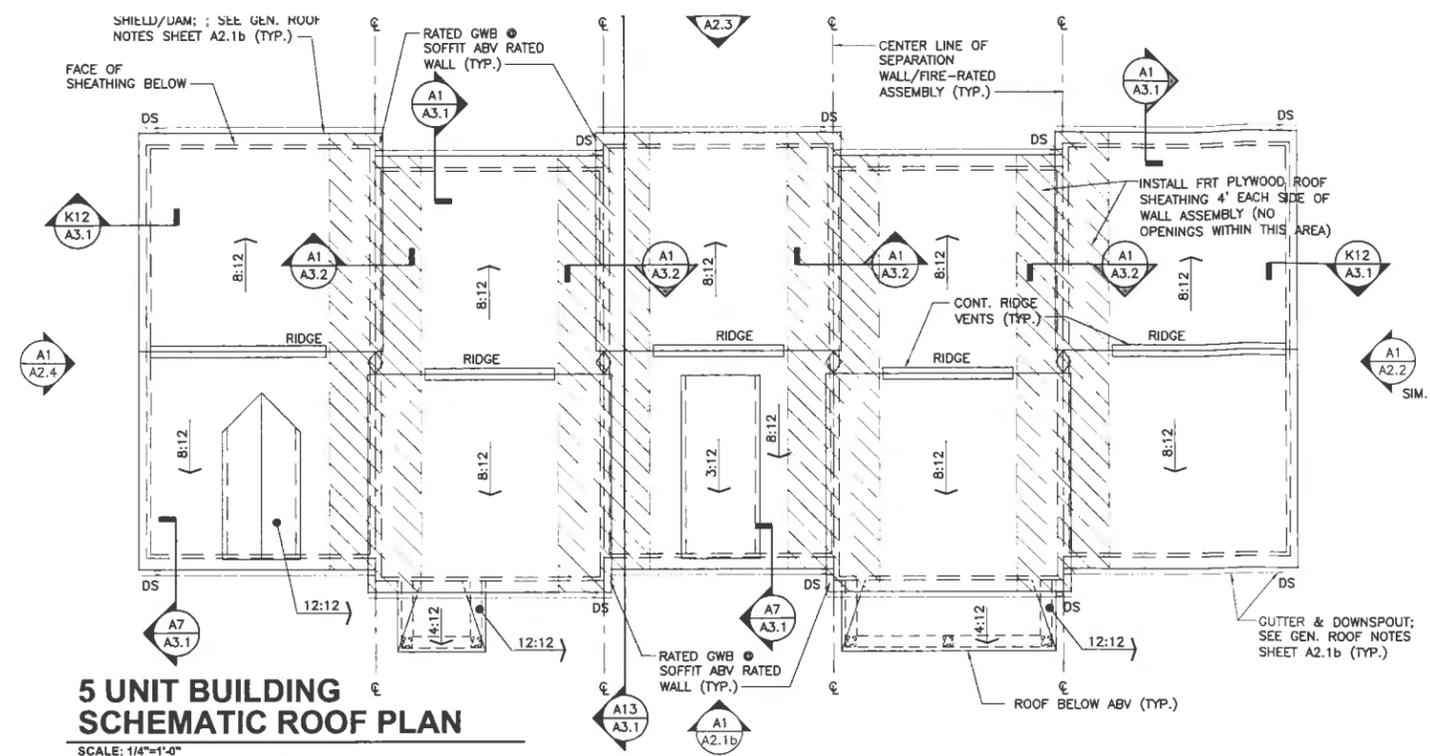
TOWN OF CHRISTIANSBURG, VIRGINIA

| REVISIONS |          |      |
|-----------|----------|------|
| NO.       | COMMENTS | DATE |
|           |          |      |
|           |          |      |
|           |          |      |
|           |          |      |

| PROJECT TEAM |                       |
|--------------|-----------------------|
| PIC          | JOHN T. NEEL, P.E.    |
| PM           | KEVIN D. CONNER, L.A. |
| DESIGN       | TES, LHS              |
| GNI JOB NO   | ISSUE DATE            |
| 1598.8       | 11/05/2014            |
| SHEET NUMBER |                       |
| 1 OF 1       |                       |



X:\Drawings\1598-8\ENGINEERING\Design\1598.8 Cambria Xing-PH3\_Lot Grading Plans.dwg  
LOT 95\_11/05/2014 10:22:22 AM, Lhs, DWG To PDF.pc3, 1:1

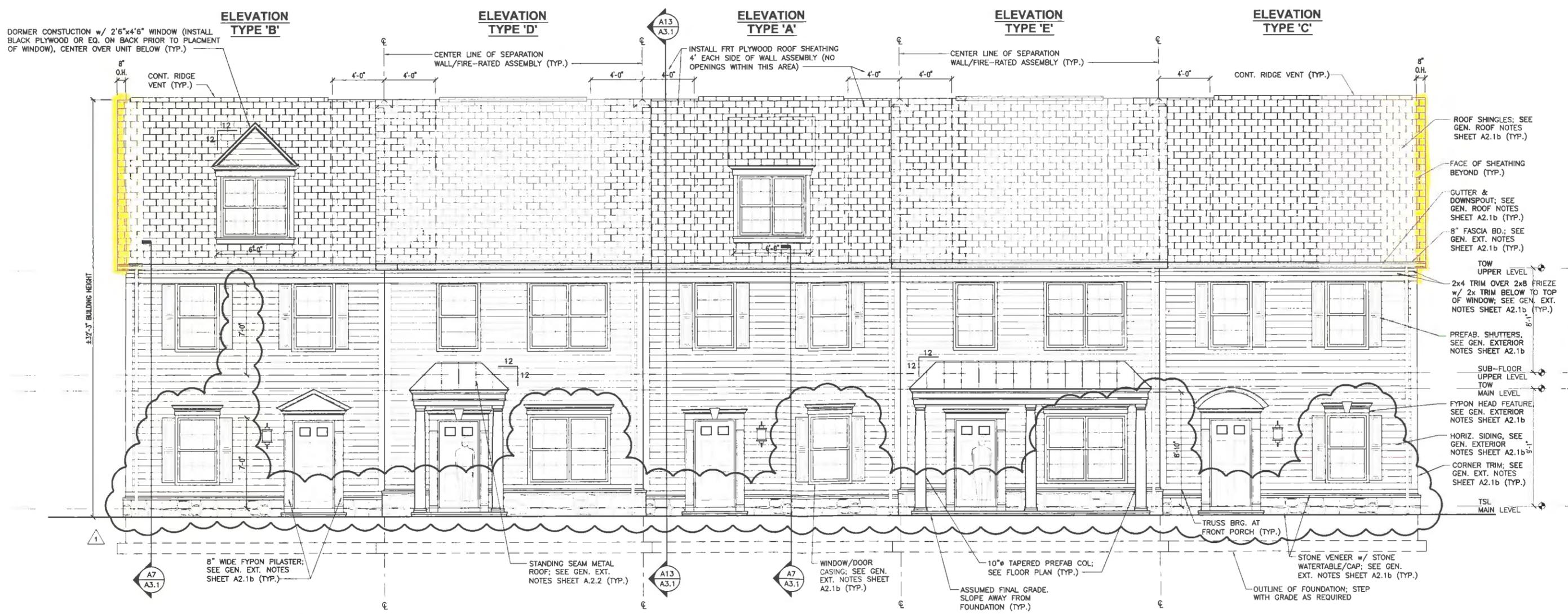


**5 UNIT BUILDING SCHEMATIC ROOF PLAN**  
SCALE: 1/4"=1'-0"

1. ALL SHINGLE ROOFING TO BE ARCHITECTURAL GRADE ASPHALT OR FIBERGLASS SHINGLES OVER MIN. 15# ASPHALT ROOFING FELT. COLOR TO BE FROM MFR. STANDARD FULL RANGE AS SELECTED BY OWNER. ALL ROOFING, UNDERLAYMENTS, ETC. REQUIREMENTS SHALL COMPLY WITH USBC SECTION 905.2 AND ALL SUBSEQUENT SECTIONS. MATERIAL INSTALLATIONS SHALL BE PER MANUFACTURER INSTRUCTIONS. (TYP.)
2. ALL METAL ROOFING TO BE STANDING SEAM METAL ROOFING OVER MIN. 15# ASPHALT ROOFING FELT. COLOR TO BE FROM MFR. STANDARD FULL RANGE AS SELECTED BY OWNER. ALL ROOFING, UNDERLAYMENTS, ETC. REQUIREMENTS SHALL COMPLY WITH USBC SECTION 905.2 AND ALL SUBSEQUENT SECTIONS. MATERIAL INSTALLATIONS SHALL BE PER MANUFACTURER INSTRUCTIONS. (TYP.)
3. ALL GUTTERS TO BE "K" STYLE PREFINISHED SEAMLESS ALUM. WITH DOWNSPOUTS AND HAVE POSITIVE DRAINAGE LEADERS. SEE SCHEMATIC ROOF PLAN, SHEET A2.1 FOR DOWNSPOUT LOCATIONS. COLOR TO BE SELECTED BY OWNER. (TYP.)
4. PROVIDE ATTIC VENTING PER IRC R806.2, 1/150 OF THE AREA VENTILATED WITH NO LESS THAN 50% OF THE REQUIRED VENTILATING AREA LOCATED IN THE UPPER PORTION OF THE SPACE. PROVIDE ATTIC VENTILATION THROUGH SOFFITS & RIDGE ROOF VENTS; REFER TO INSTALLATION INSTRUCTIONS TO ENSURE THE RIGHT AMOUNT OF INLET AREA VENTILATION IS INSTALLED AND THE ATTIC CEILING IS ADEQUATELY SEALED TO PREVENT PULLING AIR FROM THE CONDITIONED SPACE. ALL VENTS SHALL HAVE INSECT SCREENS. PROVIDE BOX VENTS (ON REAR ROOFS ONLY) IN ADDITION TO RIDGE & SOFFIT VENTING AS REQUIRED TO MAINTAIN NET FREE VENT AREA.
5. INSTALL CONTINUOUS ICE AND WATER SHIELD/DAM; EXTEND FROM EAVE FACE TO AT LEAST 24 INCHES INSIDE EXTERIOR WALL LINE AND IN ALL ROOF VALLEYS 36" WIDE. ICE DAM AS MFR. BY "W.R. GRACE, INC."
6. PROVIDE ALUMINUM DRIP EDGE (2" X 1-1/2" X 0.032") AT ALL ROOF EDGES
7. PROVIDE "CRICKETS" AROUND ALL MECHANICAL VENTS, ETC. AS REQ.

**GENERAL EXTERIOR MATERIAL NOTES:**

1. EXTERIOR SIDING, VENTED SOFFIT, WINDOW/DOOR CASING, & CORNER TRIM AS SHOWN ON ELEVATIONS TO BE VINYL; COLOR TO BE FROM MFR. STANDARD FULL RANGE AS SELECTED BY OWNER. INSTALL PER MFR. INSTRUCTIONS.
2. ALL TRIM WORK (FASCIA BD., RAKE BD., & FRIEZE BD.) AS SHOWN ON ELEVATIONS TO BE ALUMN. WRAPPED, U.N.O.; G.C. COORDINATE WITH OWNER FOR APPROVAL.
3. SHUTTERS SHALL BE 14" PREFAB. PANEL SHUTTERS; COLOR TO BE FROM MFR. STANDARD FULL RANGE AS SELECTED BY OWNER. INSTALL PER MFR. INSTRUCTIONS.
4. SIMULATED STONE VENEER STYLE & COLOR TO BE DETERMINED. G.C. COORDINATE WITH OWNER FOR APPROVAL. INSTALL PER MANUFACTURER INSTRUCTIONS.
5. OPTIONAL BRICK VENEER (MAY BE PROVIDE IN LIEU OF SIMULATED STONE VENEER, PROVIDE 4" LEDGE FOR BRICK BEARING AT FOUNDATION; SEE FOUNDATION PLAN, SHEET A1.0), CORBEL OUT AS REQ. TO PROVIDE MIN. 1" AIR SPACE MIN., EXTEND BELOW GRADE; PROVIDE MASONRY VENEER ANCHORS @ 24" O.C. HORIZ., 16" O.C. VERT.; STYLE & COLOR TO BE DETERMINED. G.C. COORDINATE WITH OWNER FOR APPROVAL.



**5 UNIT BUILDING FRONT ELEVATION**

**BVI**  
REFLECTING  
www.ba  
New Rive  
Richr  
Roan  
Staur  
Harriso

RESIDENTIAL LAND DEVL.  
SITE DEVELOPED  
LAND USE PLAN  
LANDSCAPE ARCH.  
LAND SURV.  
ARCHITECT  
STRUCTURAL  
TRANSPORTATION  
ENVIRONMENTAL  
WETLAND DELINEATIONS

**Balzer and As**  
448 Peppers Fe  
Christiansburg  
540-381  
FAX 540-3

COMMONWEALTH  
ROBERT W.  
L.C. No.  
10/10/10

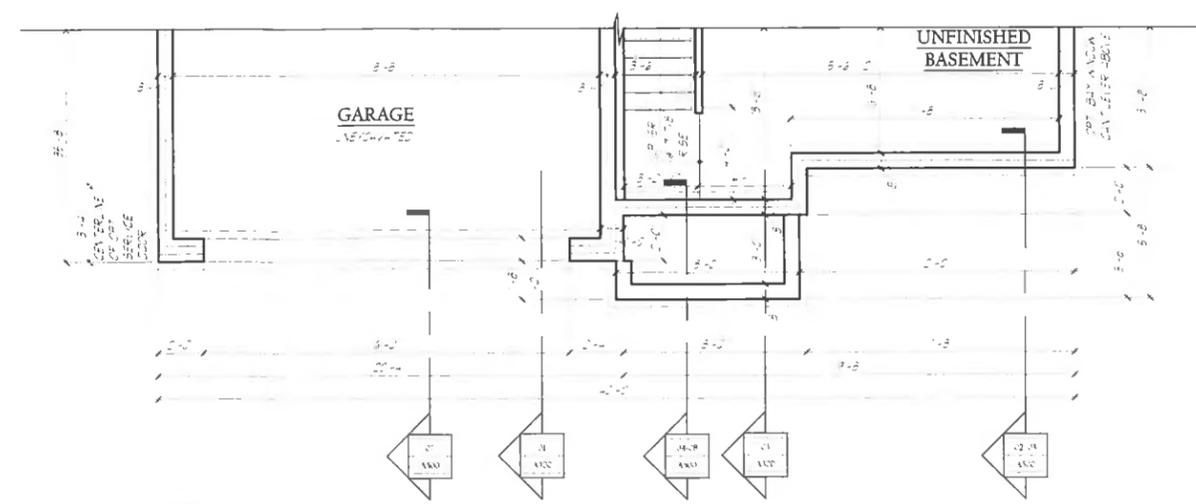
**CAMBRIA TOWNS**  
2-STORY - SLAB FOUNDATION  
FRONT ELEVATION - 5 UNIT RIII DING

DRAWN BY  
DESIGNED I  
CHECKED B  
DATE JAN.  
SCALE  
REVISIONS:  
1 FEB

SHEET NO  
A2



32  
A21  
FRONT ELEVATION A  
SCALE: 1/4" = 1'-0"  
OPTION: FULL BRICK



1  
A21  
PARTIAL BASEMENT PLAN  
SCALE: 1/4" = 1'-0"  
OPTION: FULL BRICK

**CUP: Cambria Street NW / Phoenix Boulevard NW**

**Adjoining Property Owners - Certified Mail**

| <u>Tax Map #</u> | <u>Owner(s)</u>                              | <u>Mailing Address</u> | <u>City, State, Zip</u> |
|------------------|--|------------------------|-------------------------|
|                  | CAMBRIA CROSSING HOMEOWNERS ASSOCIATION      | 1655 ROANOKE ST        | CHRISTIANSBURG VA 24073 |
| 465- 39 D        | CAMBRIA CROSSING LLC                         | 2257 ROANOKE ST        | CHRISTIANSBURG VA 24073 |
| 465- 38 A        | DECLYN DEVELOPMENT INC                       | 100 MASSIE DR          | CHRISTIANSBURG VA 24073 |
| 465- 38 A        | DECLYN DEVELOPMENT INC                       | 100 MASSIE DR          | CHRISTIANSBURG VA 24073 |
| 465- 38 D        | DECLYN DEVELOPMENT INC                       | 100 MASSIE DR          | CHRISTIANSBURG VA 24073 |
| 465- 34 A        | HASH INVESTMENTS LLC                         | P O BOX 1499           | CHRISTIANSBURG VA 24068 |
| 465- 3 A         | HENLEY PLACE HOMEOWNERS ASSN                 | P O BOX 148            | CHRISTIANSBURG VA 24068 |
|                  | HENLEY PLACE I ASSOCIATION                   | P O BOX 2584           | CHRISTIANSBURG VA 24068 |
|                  | HENLEY PLACE HOMEOWNERS ASSOC PHASE II       | 3320 MIDWAY RD         | CHRISTIANSBURG VA 24073 |
|                  | HENLEY PLACE III HOMEOWNERS ASSOCIATION, INC | 1652 YORK DR           | CHRISTIANSBURG VA 24073 |
| 465- A 3A        | SHAH DEVELOPMENT LLC                         | P O BOX 1499           | CHRISTIANSBURG VA 24068 |
| 466- A 1         | TOWN OF CHRISTIANSBURG VA                    |                        |                         |

**Neighboring Property Owners - First Class Mail**

| <u>Tax Map #</u> | <u>Owner(s)</u>          | <u>Mailing Address</u>     | <u>City, State, Zip</u> |
|------------------|--------------------------|----------------------------|-------------------------|
| 465- 3 7         | BRM HOLDINGS LLC         | 707 S MAIN ST              | BLACKSBURG VA 24060     |
| 465- 38 3        | BROSIUS KARIN R          | 10 PHOENIX BLVD            | CHRISTIANSBURG VA 24073 |
| 465- 3 1         | BURNETTE CHARLES A       | 420 CANTERBURY ST          | CHRISTIANSBURG VA 24073 |
| 465- 3 3         | BURNETTE CHARLES A       | 420 CANTERBURY ST          | CHRISTIANSBURG VA 24073 |
| 465- 3 4         | BURNETTE CHARLES A       | 420 CANTERBURY ST          | CHRISTIANSBURG VA 24073 |
| 465- 38 55       | CONNOR NOAH DAVID JR     | 114 PHOENIX BLVD NW        | CHRISTIANSBURG VA 24073 |
| 465- 3 5         | DAVID WILLIAM W JR       | P O BOX 63                 | NEWPORT VA 24128        |
| 465- 34 14       | FINMAN HEATHER B         | 1660 PROVIDENCE BLVD       | CHRISTIANSBURG VA 24073 |
| 465- 38 2        | GHOSHEH FERAS            | 20 PHOENIX BLVD NW         | CHRISTIANSBURG VA 24073 |
| 465- 38 56       | GLADFELTER JESSICA       | 105 PHOENIX BLVD           | CHRISTIANSBURG VA 24073 |
| 465- 3 52        | HENLEY PLACE LP          | 2961 A HUNTER MILL RD #802 | OAKTON VA 22124         |
| 465- 3 51        | HENLEY PLACE LP          | 2961 A HUNTER MILL RD #802 | OAKTON VA 22124         |
| 465- 3 50        | HENLEY PLACE LP          | 2961 A HUNTER MILL RD #802 | OAKTON VA 22124         |
| 465- 3 49        | HENLEY PLACE LP          | 2961 A HUNTER MILL RD #802 | OAKTON VA 22124         |
| 465- 34 12       | KAUHANE BRIANNA ROBINSON | 1644 PROVIDENCE BLVD       | CHRISTIANSBURG VA 24073 |
| 465- 38 57       | KIMBRELL MONICA R        | 95 PHOENIX BLVD NW         | CHRISTIANSBURG VA 24073 |
| 465- 34 13       | KLABUNDE CONNIE J        | 1646 PROVIDENCE BLVD       | CHRISTIANSBURG VA 24073 |
| 465- 38 14       | KLEMPERER WILLIAM DAVID  | 90 PHOENIX BLVD NW         | CHRISTIANSBURG VA 24073 |
| 465- 34 17       | KOGER JACOB WILLIAM      | 1654 PROVIDENCE BLVD       | CHRISTIANSBURG VA 24073 |
| 465- 34 11       | LINKOUS JEFFREY T        | 1642 PROVIDENCE BLVD       | CHRISTIANSBURG VA 24073 |
| 465- 38 12       | LONGERBEAM CYNTHIA P     | 409 POWHATAN HILL PL       | MANAKIN SABOT VA 23103  |
| 465- 38 1        | MCCRADY BRADLEY M        | 30 PHOENIX BLVD            | CHRISTIANSBURG VA 24073 |
| 465- 38 54       | MILLER SUELLEN A         | 125 PHOENIX BLVD           | CHRISTIANSBURG VA 24073 |
| 465- 34 10       | MOWRY GLEN               | 13620 STONEGATE RD         | MIDLOTHIAN VA 23113     |
| 465- 38 13       | MULLINS STANFORD T       | P O DRAWER K               | OAKWOOD VA 24631        |



**Christiansburg Planning Commission  
Minutes of August 15, 2016**

Present: Matthew J. Beasley  
Ann Carter  
Harry Collins  
David Franusich  
Hil Johnson  
Craig Moore, Chairperson  
T.L. Newell  
Joe Powers  
Sara Morgan, Secretary <sup>Non-Voting</sup>

Absent: Virginia Peeples  
Jennifer D. Sowers, Vice-Chairperson

Staff/Visitors: Andrew Warren, Planning Director  
Will Drake, staff  
George Gray, 45 Clearview Drive, N.W. and 30 Bower Street, N.W.  
Jo Gray, 45 Clearview Drive, N.W. and 30 Bower Street, N.W.  
Gary Gray, 30 Bower Street, N.W.  
Margaret Wright, 95 Bower Street, N.W.

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

Public Comment.

Chairperson Moore opened the floor for public comment. With no comments, Chairperson Moore closed the floor for public comment.

Approval of Planning Commission Minutes for August 1, 2016 meeting.

Chairperson Moore introduced the discussion. Mr. Warren noted the minutes reflected the correction submitted by Commissioner Newell. Commissioner Beasley made a motion to approve the August 1, 2016 Planning Commission meeting minutes. Commissioner Johnson seconded the motion, which passed 5-0. Commissioners Carter, Collins and Franusich abstained, as they were not present for the previous meeting.

Public Hearing on a Conditional Use Permit request by George Gray for a commercial garage at 45 Clearview Drive, N.W. and 30 Bower Street, N.W. (tax parcel 526 – ((A)) – 46) in the B-3 General Business District. The commercial garage is proposed to front on Bower Street, N.W.

Chairperson Moore introduced the discussion. The applicant, George Gray, introduced his request. George Gray stated the garage was originally constructed and used as a hobby shop but his son, Gary Gray, now has a financial need to utilize the building for a commercial garage.

Gary Gray reviewed the conditions suggested by staff and discussed how the business operations would satisfy the conditions. Gary Gray stated the number of vehicles currently on the property will be reduced if the building is utilized as a commercial garage. Gary Gray explained he will only work on two or three vehicles at a time and they must be stored inside because they are valuable and often lack windows. Gary Gray noted he works on race cars and track cars that are not titled for street use.

Gary Gray stated the site plan improvements will include a paved parking area with six spaces and landscaping. Gary Gray stated he recently removed two truckloads of junk from the property and noted this is an ongoing project.

Gary Gray noted his work is low volume and will not generate large amounts of waste products. Gary Gray stated he intends to sell automotive parts online and perform technical inspections required by various racing governing bodies.

Margaret Wright, 95 Bower Street, N.W., stated she was concerned about the noncompliant vehicles currently on the property. Ms. Wright stated the meeting minutes from George Gray's Board of Zoning Appeals (BZA) hearing indicate the vehicles were to be removed a year ago. Ms. Wright stated she was also concerned with noise generated by the business and noted she cannot hear the garage operating at 75 Bower Street, N.W. Ms. Wright stated George Gray's garage appears to be operating and inquired if traps will be installed to catch oil and other fluids. Ms. Wright inquired if the garage will be properly ventilated if painting is conducted. Ms. Wright also inquired how long George Gray will be given to meet the conditions placed on the permit and if staff will ensure the conditions are met. Ms. Wright stated she wants George Gray to utilize his property but would also like the concerns taken into consideration.

Jo Gray, 45 Clearview Drive, N.W./30 Bower Street, N.W., noted she is Gary's mother and stated her family does not want to harm anyone in the neighborhood. Mrs. Gray stated the conflict with neighbors over their property had been difficult for her family.

Public Hearing on a Conditional Use Permit request by George Gray for a commercial garage at 45 Clearview Drive, N.W. and 30 Bower Street, N.W. (tax parcel 526 – ((A)) – 46) in the B-3 General Business District. The commercial garage is proposed to front on Bower Street, N.W. - (continued).

Commissioner Newell made a motion to amend the agenda to discuss the conditional use permit request before the proffer legislation discussion. Commissioner Collins seconded the motion, which passed 8-0.

Chairperson Moore asked if the property had any outstanding compliance issues. Mr. Warren stated staff received a complaint of a commercial garage operating at this location at the same time the Grays applied for a business license. Mr. Warren stated the Grays were advised a commercial garage would not be permitted until a conditional use permit was obtained. Mr. Warren stated a violation has not been issued but staff would pursue a zoning violation if the conditional use permit is denied and there are indications that a commercial garage is operating.

Mr. Warren stated the Grays will also need an approved site plan and noted the site plan will closely resemble the concept plan submitted with the application. Mr. Warren stated the Grays will need to work with the Building Official to ensure the structure meets Building Code requirements for a commercial garage.

Mr. Warren summarized George Gray's 2015 request for a setback variance along Bower Street and noted the variance was denied and the building was built to the required setback as an accessory structure to their single family house fronting on 45 Clearview Drive.

Commissioner Collins asked if the inoperable vehicles noted during the BZA hearing were removed. Ms. Morgan stated the property was brought into compliance after the BZA hearing and has since fallen back into noncompliance. Mr. Warren stated the Planning Department is aware of the inoperable vehicles and will follow up on this issue. Gary Gray stated the property will need to be sightly for his customers. George Gray stated the garage sits behind their home and they will invest in the required site improvements if the conditional use permit is approved. Chairperson Moore noted the pictures of the site indicate the property is not kept to the standards the applicant states it will be kept in the future.

Commissioner Franusich noted there will not be space for the RV and trailer if the site is developed in accordance with the concept plan. Gary Gray stated the RV and trailer will be stored on his property.

Commissioner Powers asked if the garage will be partially used as a hobby shop. Gary Gray stated the garage will be used solely for business. Chairperson Moore asked if the business would rebuild engines. Gary Gray stated no machine work or engine output testing will be done.

Public Hearing on a Conditional Use Permit request by George Gray for a commercial garage at 45 Clearview Drive, N.W. and 30 Bower Street, N.W. (tax parcel 526 – ((A)) – 46) in the B-3 General Business District. The commercial garage is proposed to front on Bower Street, N.W. - (continued).

Commissioner Johnson noted the lot has two addresses. Mr. Warren stated the additional address at 30 Bower Street, N.W. was assigned after the garage was constructed.

Mr. Warren stated he recently approved a Home Occupation for Gary Gray to conduct a mail order auto parts business at 45 Clearview Drive, N.W.

Commissioner Powers stated the single lot would contain a residential use and a business use. Commissioner Powers inquired how the development regulations will be delimited. Ms. Morgan stated the site plan requirements will apply to the portion of the property used for the business.

Commissioner Powers inquired if the site can accommodate the required greenspace and drive aisle width. Mr. Warren stated these provisions would be confirmed during the site plan review and indicated the site appears able to meet the greenspace and drive aisle requirements.

Commissioner Franusich asked if the fence and trees remain on the property. Gary Gray stated the fence and the trees on the southwest corner of the property have been removed.

Chairperson Moore asked Mr. Warren if cars could be painted as part of a commercial garage. Mr. Warren stated painting incidental to a commercial garage would be allowed. Mr. Warren stated the zoning ordinance does not define commercial garage or body shop and he would refer to previous determinations for guidance. Chairperson Moore asked Gary Gray if he intended to paint cars. Gary Gray stated there would be incidental painting but he does not intend to paint entire cars and would be fine with a condition allowing only incidental paint work.

Commissioner Powers asked Gary Gray how many cars he could store inside the garage. Gary Gray stated he does not intend to have more than two cars at once.

Commissioner Collins asked Gary Gray if he performs work for the Motor Mile Speedway. Gary Gray stated he does not and noted the garage will work on road race cars.

Commissioner Powers requested the greenspace calculations be detailed on the concept plan. Commissioner Newell requested the concept plan also include the parking space and drive aisle dimensions.

Public Hearing on a Conditional Use Permit request by George Gray for a commercial garage at 45 Clearview Drive, N.W. and 30 Bower Street, N.W. (tax parcel 526 – ((A)) – 46) in the B-3 General Business District. The commercial garage is proposed to front on Bower Street, N.W. - (continued).

Commissioner Beasley asked if the business will have employees. Gary Gray stated he has no plans to hire an employee but noted there is one particular person he may hire in the future.

Commissioner Newell noted that during George Gray's BZA hearing the former Planning Director had stated a site plan would be required before a business could be established. Ms. Morgan stated a conditional use permit would need to be approved before the applicant could submit a site plan for review and approval.

Commissioner Johnson asked Gary Gray if the cars have a state inspection sticker. Gary Gray stated they do not and noted they often do not have a title. Gary Gray stated customers will drop their cars off and take their trailer with them and noted there is not space for trailers to be stored on the property.

Commissioner Johnson inquired what constitutes an 'offensive' noise and noted everyone may have a different concept of the term. Mr. Warren stated noise concerns would be brought to staff's attention through complaints. George Gray stated there may be ten minutes of a loud engine being run during the loading process. Mr. Warren stated the property is zoned B-3 General Business but noted there is a large number of residences in the vicinity.

Commissioner Newell noted Bower Street, N.W. is narrow and was developed before zoning regulations. Commissioner Newell inquired how wide the road is and if on-street parking is regulated. Ms. Morgan stated she would check with the ordinance officer. Commissioner Newell stated she was concerned for the neighbors on Bower Street, N.W. if the business were to park vehicles or trailers on the street.

Commissioner Newell inquired about exterior lighting requirements. Gary Gray stated he would prefer to not light the building. Commissioner Newell stated her desire to preserve a buffer between the business and residential uses on Bower Street, N.W. Mr. Warren suggested wording that a condition could state that the lighting be residential in character to avoid typical taller, brighter lighting found in commercial areas.

Commissioner Newell asked how the Town would find out if the property changed ownership and the next business expanded the extent of a 'garage' use. Mr. Warren stated a complaint may uncover an expanded use or it may come forward during the business license application or compliance inspection. Commissioner Newell stated she wants to maintain public safety in a proactive manner with consideration that a business may expand into painting or machine work in the future and the street is narrow and the garage is in close proximity to residences.

Public Hearing on a Conditional Use Permit request by George Gray for a commercial garage at 45 Clearview Drive, N.W. and 30 Bower Street, N.W. (tax parcel 526 – ((A)) – 46) in the B-3 General Business District. The commercial garage is proposed to front on Bower Street, N.W. - (continued).

Commissioners Carter and Collins stated tying the conditional use permit to the land and not the current owner presents a number of problems.

Commissioner Franusich asked differentiates a service station from a commercial garage. Mr. Warren stated these uses are not defined in the zoning ordinance, but noted automotive repair has been historically associated with a commercial garage.

Chairperson Moore asked if Planning Commission would like to vote on the request tonight. Commissioner Beasley stated he would like a more detailed concept plan. Commissioner Johnson stated he would like an opportunity to visit the site.

Chairperson Moore stated Planning Commission will vote on this request on August 29, 2016 and Town Council will hold its public hearing on September 13, 2016.

Discussion of New Proffer Legislation, Virginia Code Section §15.2-2303.4.

Chairperson Moore introduced the discussion. Mr. Warren presented the recent changes to the Code of Virginia regarding a locality's ability to accept proffers during a residential rezoning application. Mr. Warren explained no Virginia locality shall request or accept any unreasonable proffer or deny a rezoning application based on the applicant's failure or refusal to submit an unreasonable proffer. Mr. Warren stated a proffer is unreasonable unless it addresses an impact attributable to a proposed new residential development or an offsite proffer addresses an impact to an offsite public facility to which the development creates a need or improvement above the current condition and receives a direct benefit from the proffer.

Mr. Warren stated if the Town is found to have suggested or required an unreasonable proffer the courts can force the Town to approve the rezoning and pay the applicant's legal fees.

Mr. Warren stated the Town must have clear, documented communication with an applicant and must avoid suggesting proffers or any course of action. Mr. Warren stated if proffers are desired by the applicant then the applicant must clearly demonstrate how the proffer addresses an impact of development or to an off-site facility beyond current capacity. Commissioner Powers stated the applicant has the burden to demonstrate the reasonable nature of the proffer.

Discussion of New Proffer Legislation, Virginia Code Section §15.2-2303.4 -  
(continued).

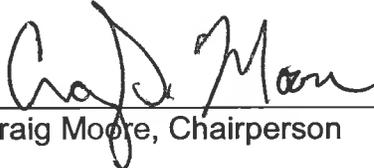
Commissioner Newell stated the Christiansburg schools are the most dated in the county and Montgomery County will face pressure to address the situation. Commissioner Newell stated full build-out within Christiansburg will put great pressure on the Christiansburg strand. Commissioner Newell inquired what type of impact study Planning Commission could request to measure the impact of new residential development on the school system.

Mr. Warren discussed the difference between cash proffers and impact fees.

Other business.

Chairperson Moore introduced the discussion. Ms. Morgan stated Commissioner Carter's term will expire at the end of August and she will need to be reappointed by Town Council. Commissioner Carter stated she would like to be reappointed.

There being no more business, Chairperson Moore adjourned the meeting at 9:06 p.m.

  
\_\_\_\_\_  
Craig Moore, Chairperson

  
\_\_\_\_\_  
Sara Morgan, Secretary Non-Voting

**Christiansburg Planning Commission  
Minutes of September 19, 2016**

Present: Matthew J. Beasley  
Ann Carter  
Harry Collins  
David Franusich  
Hil Johnson  
Craig Moore, Chairperson  
Joe Powers  
Jennifer D. Sowers, Vice-Chairperson  
Sara Morgan, Secretary <sup>Non-Voting</sup>

Absent: T.L. Newell

Staff/Visitors: Andrew Warren, Planning Director  
Will Drake, staff  
Cindy Wells-Disney, Montgomery County Planning Commission  
Thom Rutledge, SHAH Development, LLC

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

Public Comment.

Chairperson Moore opened the floor for public comment. With no comments, Chairperson Moore closed the floor for public comment.

Approval of Planning Commission Minutes for August 29, 2016 meeting.

Chairperson Moore introduced the discussion. Ms. Morgan noted the minutes were updated to include Mr. Rutledge on the list of visitors. Commissioner Beasley made a motion to approve the August 29, 2016 Planning Commission meeting minutes. Commissioner Collins seconded the motion, which passed 8-0.

Discussion on a Conditional Use Permit amendment request by Thom Rutledge, agent for SHAH Development, LLC, for a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) – 3A) for the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited Business District. The amendment is to allow for single-family dwellings. The current master plan designation is limited business. The Planning Commission Public Hearing was held August 29, 2016.

Chairperson Moore introduced the discussion. Ms. Morgan reviewed the staff report addendum and discussed the average lot sizes within the Cambria Crossing planned housing development. Commissioner Powers stated the minimum lot size in the MU-1 zoning district is 10,000 square feet and noted the applicant applied for a planned housing development in 2005 to allow for an innovative design with smaller, flexible lot sizes.

Commissioner Collins noted the average size of the proposed lots is similar to the average size of the existing single-family lots. Commissioner Powers stated the average lot size is driven up by the lots adjacent to Windmill Hills. Commissioner Powers noted the six proposed lots have considerable variation in size.

Commissioner Powers stated the access to lots 4, 5, and 6 is provided from the rear alley. Commissioner Powers inquired if the alley is designed for one-way traffic. Ms. Morgan stated it is and demonstrated the path vehicles would take to enter and exit the proposed lots. Commissioner Franusich stated the residents would most likely drive the wrong way through the alley to shorten the distance.

Planning Commission discussed the ability of a business use to locate on the property. Commissioner Powers noted the conditions approved in 2005 require any business use to obtain a conditional use permit.

Chairperson Moore stated the parcel in question has not been designated as open space even if some residents may have this perception and asked the commissioners to disregard the open space consideration that was provided during public input.

Commissioner Johnson asked if a restriction on the size or number of lots would affect the economic viability of the development. Commissioner Powers stated the applicant is requesting the planned housing development design standards and noted in order to gain the flexibility of planned housing development standards the design must promote harmonious relationships with nearby development. Commissioner Beasley stated larger lots would be harmonious to the single-family homes on Welch Circle, N.W. and smaller lots would be harmonious to the adjacent townhomes on Phoenix Blvd, N.W. Commissioner Franusich noted there are also townhomes on the other side of Cambria Street, N.W.

Discussion on a Conditional Use Permit amendment request by Thom Rutledge, agent for SHAH Development, LLC, for a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) – 3A) for the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited Business District. The amendment is to allow for single-family dwellings. The current master plan designation is limited business. The Planning Commission Public Hearing was held August 29, 2016 - (continued).

Chairperson Moore read the proposed conditions

1. The property, designated as Area 1 on the Cambria Crossing Master Plan, shall be allowed to be developed as single-family dwellings in accordance with the final version of the Recommended Conditions for Cambria Crossing, dated July 13, 2005 and prepared by Gay and Keese, Inc. for the original Cambria Crossing planned housing development approval.
2. There shall be a maximum total of 150 residential units in the planned housing development.
3. There shall be a maximum of six single-family dwellings developed in Area 1, current tax parcel 465 – ((A)) – 3A.

Commissioner Collins asked why conditions 1 and 2 were included. Commissioner Powers stated those conditions were carried over from the 2005 conditional use permit for continuity.

Commissioner Beasley asked if the sale of the property was secured, pending approval of the conditional use permit. Mr. Rutledge stated it was not, but noted he did not foresee any difficulties with the sale.

Commissioner Johnson asked if the homes would be the same size. Mr. Rutledge stated covenant restrictions require a minimum of 1,700 square feet of conditioned space for a ranch or 1-story home and 2,200 square feet for all others.

Commissioner Beasley asked if SHAH Development, LLC would retain architectural review. Mr. Rutledge stated they will retain full architecture review approval until 100 percent of the lots are sold. Mr. Rutledge stated he believed the Home Owners Association could appoint a separate review board after all of the lots are sold. Vice-Chairperson Sowers asked how many lots have not been closed or sold. Mr. Rutledge stated the builders have quarterly take-down schedules and noted all of the remaining lots will be sold within approximately one year.

Commissioner Fransich stated the proposed lot arrangement is awkward but noted single-family homes are the most appropriate use. Commissioner Powers stated it is awkward to have three of the lots accessible from the alley. Commissioner Powers stated there would be more design flexibility if there were less than six lots. Mr. Rutledge noted the design standards for Cambria Crossing require any lot adjoining an alley to provide access from the alley. Mr. Rutledge stated this is a design standard and not an outcome of attempting to maximize density.

Discussion on a Conditional Use Permit amendment request by Thom Rutledge, agent for SHAH Development, LLC, for a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) – 3A) for the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited Business District. The amendment is to allow for single-family dwellings. The current master plan designation is limited business. The Planning Commission Public Hearing was held August 29, 2016 - (continued).

Commissioner Powers stated the provision of rear alleys makes sense for the townhomes since they have parking in the front and garage parking in the rear. Commissioner Powers stated they were anticipating a commercial development in Area 1 and not six single-family homes. Mr. Rutledge stated the single-family homes in Phase II have access from a rear alley. Ms. Morgan noted the condition requires all lots with a rear alley to locate the driveway off the alley.

Commissioner Powers stated lots 5 and 6 would front on Cambria Street, N.W. Mr. Warren noted Cambria Street, N.W. would be the front for lots 5 and 6 and the zoning ordinance requires homes to face the front of the lot.

Commissioner Powers inquired if a design similar to the homes along Welch Circle, N.W. could be utilized. Mr. Rutledge stated the proposed layout is preferred, working with topography. Commissioner Powers noted vehicles from lots 1, 2, and 3 would back out onto Phoenix Blvd, N.W. Mr. Rutledge stated turnarounds could be provided on the lots. Ms. Morgan noted the first three homes along Welch Circle, N.W. also have driveways that access off of Phoenix Blvd, N.W. Commissioner Powers noted the vehicles on that side of the street are exiting the subdivision and should be traveling at a lower speed than those entering the neighborhood. Vice-Chairperson Sowers stated the speed limit on Cambria Street, N.W. is 25 mph and does not believe speed is a concern.

Commissioner Johnson asked if the close proximity to the Huckleberry Trail is a concern. Vice-Chairperson Sowers stated this is a choice for the prospective homebuyer to decide if they would like to purchase a home near the trail.

Commissioner Collins made a motion to recommend Town Council approve the request with the three drafted conditions. Commissioner Beasley seconded the motion. Planning Commission further reviewed the size of the proposed lots and discussed reducing the number of permitted lots proposed by the applicant. Chairperson Moore called for a vote. The motion failed by a vote of 2-6.

Chairperson Moore stated Planning Commission is not recommending the conditional use permit as it has been presented. Planning Commission discussed the possibility of passing a second resolution. Chairperson Moore stated the recommendation will go to Town Council, along with the meeting minutes. Ms. Morgan stated the Town Council public hearing will be held September 27, 2016.

Discussion on a Conditional Use Permit amendment request by Thom Rutledge, agent for SHAH Development, LLC, for a 1.12 acre parcel on the eastern side of the intersection of Cambria Street, N.W. and Phoenix Boulevard, N.W. (tax parcel 465 – ((A)) – 3A) for the Cambria Crossing planned housing development in the MU-1 Mixed Use: Residential – Limited Business District. The amendment is to allow for single-family dwellings. The current master plan designation is limited business. The Planning Commission Public Hearing was held August 29, 2016 - (continued).

Mr. Rutledge asked if the number of lots was the main concern. Chairperson Moore stated it was the combination of the lot sizes together with the number of lots. Mr. Rutledge stated he is having difficulty understanding how to present a different design to Town Council. Mr. Rutledge noted these are the same development standards for the other 126 units. Commissioner Powers stated the property is in a unique location on the development. Vice-Chairperson Sowers stated the location is an important consideration with respect to traffic. Mr. Rutledge stated the three lots across Phoenix Blvd, N.W have driveways in closer proximity to Cambria Street, N.W. than the driveways he has proposed.

Mr. Rutledge stated there are nine lots in Welch Circle, N.W. and noted one of the lots in Welch Circle, N.W. is larger than the others because it is adjacent to Windmill Hills. Mr. Rutledge stated this lot should not have been included in the average lot size calculation for Welch Circle, N.W. Mr. Rutledge stated the average lot size for Welch Circle drops to 9,000 square feet if this lot is removed from the calculation.

#### Other business.

Chairperson Moore introduced the discussion. Ms. Morgan stated the next Development Subcommittee meeting will be held October 3, 2016 to discuss the sign ordinance. Commissioner Powers stated he will be moving and will serve on Planning Commission for two more meetings. Planning Commission thanked Commissioner Powers for his service. Commissioner Franusich asked if Planning Commission could ask Town Council to appoint more commissioners. Mr. Warren stated this decision is up to Town Council but noted eight members is a workable number. Commissioner Collins stated Town Council has advertised in the past for new members.

Ms. Morgan stated there will be a public hearing for an exterminating services conditional use permit at the next Planning Commission meeting on October 3, 2016. Ms. Morgan stated there will be a public hearing on the Urban Development Areas draft report during the October 17, 2016 Planning Commission meeting.

Commissioner Johnson stated he attended the Town Council public hearing for the commercial garage conditional use permit request on Bower Street, N.W. and noted a few residents spoke against the request. Commissioner Johnson stated several vehicles still remain on the property.

Other business - (continued).

Commissioner Franusich stated the Food Truck Rodeo will be held Friday, September 23, from 5:00 pm - 10:00 pm. Chairperson Moore noted the event draws people from around the region.

Chairperson Moore stated the Wilderness Trail Festival was held last weekend.

Commissioner Powers noted the downtown traffic lights have been replaced and are a very nice improvement.

There being no more business, Chairperson Moore adjourned the meeting at 7:52 p.m.

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Craig Moore, Chairperson

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Sara Morgan, Secretary Non-Voting

DRAFT



**TOWN OF CHRISTIANBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
PUBLIC HEARINGS

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**

Proposed leasing of land and tank space by the Town of Christiansburg to New River Valley Unwired Ventures, LLC

**DESCRIPTION:**

Proposed lease of land and tank space located at 1306 Buffalo Drive, 2055 Simpson Road., 1525 Sherwood Drive, and Oak Grove Tank Site, by the Town of Christiansburg to New River Valley Unwired Ventures, LLC, for the purpose of providing broadband internet service.

**POTENTIAL ACTION:**

Council action on matter requested

**DEPARTMENT:**

Information Technology

**PRESENTER:**

Adam Carpenetti, Assistant to the TM

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

**MASTER TOWER/TANK/GROUND SPACE LEASE AGREEMENT**

**THIS MASTER LEASE AGREEMENT** (“Lease”) is dated the \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the Town of Christiansburg, Virginia (“LESSOR”) and New River Valley Unwired Ventures, LLC (“LESSEE”).

**WHEREAS**, LESSOR is the owner of certain real property as more fully described in the Site Specific Lease Addenda, as concurrently or subsequently approved, attached hereto, and incorporated herein, (the “Property”); and

**WHEREAS**, LESSEE desires to lease from LESSOR certain space located on the Property as further described/depicted in the Site Specific Lease Addenda (the “Premises”) for the purpose of placing and operating LESSEE’s communication equipment and providing internet service at affordable rates to the citizens of the Town of Christiansburg and surrounding communities, including providing access to citizens and businesses that have limited access to such service; and

**WHEREAS**, the Town of Christiansburg desires to promote and encourage such internet access for its citizens by providing space on its Property for the equipment required to provide such service at a rental fee that enables LESSEE to provide internet access to its citizens at an affordable rate;

**NOW THEREFORE**, for valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, the parties hereto covenant and agree as follows:

**1. LEASED PREMISES.**

(a) LESSOR hereby leases to LESSEE the Premises for the purpose of constructing, installing, maintaining, and operating LESSEE’S communications facilities and uses incidental

thereto, including, radios, antennas, required ground facilities, and cables (collectively, “LESSEE’s Facilities”). LESSEE’s Facilities are shown in more detail in the site plans attached as part of the Site Specific Lease Addenda, which are incorporated herein by reference.

(b) All improvements constructed on the Premises shall be at LESSEE’s sole cost and expense. LESSEE’s installation, operation, maintenance, and repair of its facilities shall comply with all applicable laws and ordinances and LESSOR’s policies, if any, pertaining to the use of its Property.

(c) No construction or modification of LESSEE’s Facilities shall proceed until LESSEE has submitted detailed plans to LESSOR and LESSOR has approved such plans and LESSEE has obtained all required permits, if any.

(d) LESSEE shall have the non-exclusive right to construct, maintain, and operate its facilities to provide communications services.

(e) LESSEE’s ability to use the Premises is contingent upon LESSEE, at its sole cost and expense, obtaining and maintaining all certificates, permits, licenses, and other approvals required by any federal, state or local authority for construction and use of the Facilities (“Approvals”). LESSOR agrees to cooperate with LESSEE in obtaining, at LESSEE’s expense, all licenses and permits required for LESSEE’s use of the Premises.

(f) LESSEE shall immediately notify LESSOR in the event that (i) any application for an Approval is rejected; (ii) an Approval is canceled, expires, lapses, or is otherwise terminated for any reason; or (iii) any radio frequency propagation tests are found to be unsatisfactory so that LESSEE will be unable to use the Premises for its intended purposes. In such event, this Lease shall terminate with no further obligation on either party except for LESSEE’s indemnity

obligations and LESSEE's obligation to remove its Facilities from the Premises.

(g) The parties agree that the Premises are demised in "AS IS" condition, without any warranty or representation by LESSOR as to their condition or suitability for a particular use. It is LESSEE's responsibility to investigate the site conditions at the Premises and make an informed decision as to the Premises' suitability for LESSEE's intended use.

2. **TERM.** The term of this Lease shall be for a period of three (3) years commencing immediately upon the date this document is fully executed by the parties (the "Commencement Date") and continuing for thirty-six (36) months thereafter ("Initial Term"). Thereafter, this Lease shall automatically renew for two additional terms of one (1) year each ("Renewal Terms"), unless one party provides the other with written notice of its intention not to renew this Lease at least one hundred eighty (180) days prior to expiration of the Lease.

3. **RENT.**

(a) The amount of rent due for the Initial Year of this Lease shall be as set forth on the Site Specific Lease Addenda. Payment of Rent for the first year of the Initial Term shall be made within fifteen (15) days of the Commencement Date, and on the anniversary of the Commencement Date each year thereafter. If this Lease is terminated at a time other than on the last day prior to the anniversary of the Commencement Date, Rent shall be prorated as of the date of termination and, in the event of termination for any reason other than nonpayment of Rent, all prepaid Rent shall be refunded to LESSEE.

(b) Rent for each subsequent year of the Lease shall be a sum equal to the previous years rent plus a three percent (3%) increase. If LESSEE's monthly internet service rates exceed 95% of the average monthly rate for like service charged by other internet service providers

serving residents in the Town of Christiansburg, upon sixty (60) days written notice to LESSEE, LESSOR may increase the Rent charged to LESSEE to an amount equal to the highest rent then received by LESSOR from any other telecommunication provider for similar space located on the Town's tanks, towers, ground space, or buildings.

(c) If any Rent payment is not received by LESSOR within fifteen days of its due date, and LESSEE shall not have paid such Rent in full within five (5) business days of LESSEE's receipt of written notice from LESSOR of such delinquency, LESSEE shall owe LESSOR, in addition to the then current Rent, a late payment fee equal to ten percent (10%) of the current Rent plus interest on the unpaid amount from the due date at an annual rate of ten percent (10%).

(d) If, LESSEE, with prior written approval of LESSOR, modifies its Facilities by adding additional equipment to the Premises, LESSOR reserves the right, in its sole discretion, to increase the Rent for such additional Facilities. Any such increases in the Rent shall also increase in the manner provided for in this Paragraph 3.

(e) Taxes. Beginning on the Commencement Date of this Lease, LESSEE shall be responsible for the reporting and payment when due of any property tax directly related to LESSEE's ownership or operation of the Facilities and such reporting and payments shall be made directly to the appropriate taxing authorities. If such taxes remain unpaid 60 days after the due date for payment of same, LESSOR may terminate this Lease and LESSEE shall commence removal of LESSEE's Facilities immediately.

4. **REMOVAL/RELOCATION OF FACILITIES/FAILURE TO PROVIDE INTERNET SERVICE/TERMINATION.**

(a) LESSOR reserves the right to require LESSEE to remove or change the location of LESSEE's Facilities on the premises if LESSEE's operations materially affect the operations or maintenance of LESSOR's facilities, or to accommodate new or existing communications equipment of LESSOR which is for the purpose of public welfare, public safety, or providing public services, but not for commercial purposes or for the leasing of space to other users. In such case, LESSEE shall relocate or remove its Facilities within one hundred twenty (120) days of receipt of written notice by LESSOR; provided, however, if the relocated space is unacceptable to LESSEE, LESSEE shall have the right to terminate this Lease immediately upon written notice to LESSOR. Upon such termination, the parties to this Lease shall be released from all duties, obligations, liabilities and responsibilities hereunder except for any indemnity obligations, including without limitation, environmental indemnity, tax obligations, and LESSEE's obligation to remove its Facilities from the premises.

(b) In the event that LESSOR may require maintenance or construction to be performed on LESSOR's Property, which requires the temporary relocation of LESSEE's Facilities, LESSEE hereby agrees to the relocation provided that (i) LESSOR provides LESSEE with three (3) months prior written notice of the relocation; (ii) LESSEE shall temporarily remove its Facilities to another location on the Property mutually agreeable to both parties, provided that LESSOR shall coordinate the relocation so as to minimize any interference with LESSEE's operations; (iii) if the relocation could result in LESSEE's Facilities to become non-operational for any period of time, LESSEE shall have the option of placing a Cell-On-Wheels ("COW") at a

location on the property mutually agreeable to both parties, so that LESSEE may operate its Facilities for the continuation of its services during any periods of maintenance or construction; and (iv) any lost revenues due to the relocation shall be the sole responsibility of the LESSEE.

(c) LESSEE also acknowledges that LESSOR is leasing the Premises to the LESSEE for a rental fee that is extremely reasonable for the purpose of enabling LESSEE to provide Town of Christiansburg citizens internet services at an affordable rate. In the event that LESSEE discontinues providing internet service within the Town of Christiansburg, this Lease shall terminate immediately and LESSEE shall have sixty days to remove its equipment and pay all rent owed up to and including the time it takes for LESSEE to remove LESSEE's equipment from the Premises.

(d) LESSEE further agrees that this Lease does not provide LESSEE with a franchise to provide internet service in the Town of Christiansburg. However, in the event that the Town or an affiliate or authority decides to provide internet service to Christiansburg citizens, LESSOR shall provide LESSEE with a six (6) month notice of such intent.

**5. IMPROVEMENTS.** LESSEE has existing facilities on the Premises by prior agreement. LESSEE's existing facilities were placed in service and installed without the benefit of a structural analysis. LESSOR will perform a structural analysis to verify the structural integrity of LESSEE's existing Facilities. LESSEE agrees to comply with all recommendations of the structural analysis within ninety (90) days (unless waived in writing by LESSOR) and will reimburse LESSOR for 50% of the cost of the structural analysis to be paid at the same time that LESSEE remits its first rent payment under this Lease.

All installations, modifications, or relocation of LESSEE's Facilities shall be subject to

LESSOR's approval. No construction or installation of equipment and improvements shall commence until LESSEE has obtained any Approvals required by applicable law. LESSEE shall submit to LESSOR with each request for such approval, detailed plans and structural analysis, the sufficiency of which shall be determined on a case by case basis at the sole discretion of the LESSOR, showing any and all installations, modifications, or relocation of any Facilities. The structural analysis shall also include information demonstrating continued compliance with the manufacturer's warranty requirements, current EIA/TIA standards, other legal requirements, or any other information reasonably requested by LESSOR. If, in the sole opinion of LESSOR, an independent review of the structural analysis provided by LESSEE is required, LESSEE shall reimburse LESSOR for the cost of such review. Following installation, modification, or relocation, LESSEE shall provide to LESSOR, at LESSEE's expense, as built construction drawings documenting all of LESSEE's installed Facilities on the Premises.

**6. ACCESS AND UTILITIES.**

(a) LESSOR hereby grants to LESSEE a license over the Property for the term hereof for ingress, egress, and access to construct, operate, and maintain, and run utility lines to service the Facilities located on the Premises as more fully detailed in the Site Specific Lease Addenda. Access shall be allowed twenty-four (24) hours a day, seven (7) days a week. LESSEE acknowledges and agrees that it shall be solely responsible for obtaining licenses/easements from third parties as required to access the Premises over private property not owned by LESSOR. LESSEE shall pay all costs and charges for such access and for all utilities and services necessary to install, maintain, and operate the Facilities. LESSOR will cooperate with the LESSEE in LESSEE's efforts to obtain utility services to serve LESSEE's Facilities, including signing

easement agreements with utility companies to provide service to the Facilities, the locations of which must be approved by LESSOR. LESSEE shall notify LESSOR at least two (2) hours prior to accessing the Premises during normal work hours, and coordinate with LESSOR during normal work hours, at least 24 hours in advance, for access on weekends, nights, and holidays. In the case of an emergency, LESSEE shall have immediate access to the Premises and shall notify LESSOR thereafter, as soon as practicable.

(b) All personnel of LESSEE or LESSEE's contractors or subcontractors shall carry a picture identification card while working at the Premises or Property, or shall be accompanied by authorized personnel of LESSEE with appropriate picture identification.

(c) LESSOR may have access to inspect LESSEE's equipment during normal business hours upon no less than twenty-four (24) hours advance notice, and provided that LESSOR is accompanied by an employee of LESSEE.

(d) Both LESSOR and LESSEE shall provide to each other the names and numbers of their authorized employees for access and notification as provided for in this paragraph.

7. **LESSEE'S COVENANTS.** LESSEE covenants during the Initial Term and any Renewal Terms that the Facilities, and all installation, operation, and maintenance associated therewith, shall:

(a) In no way damage LESSOR's Property, or any other structure or accessories thereto. If LESSOR's property is damaged or LESSOR's employee, agent, or officer is injured because of the acts or omissions of LESSEE, then LESSEE shall be liable for the cost of said damage or injury and hold LESSOR harmless for same;

(b) Not interfere with the operation of LESSOR's existing equipment, frequency

spectrum, signal strength, or the equipment of other existing lessees installed on the Property as of the Commencement Date of this Lease. In addition, LESSEE covenants not to interfere with any of LESSOR's equipment installed after the date hereof which is for the purpose of public welfare, public safety, or public services, but not for commercial purposes or for the leasing of space to other users. In the event there is interference to operation of LESSOR's existing or future equipment caused by LESSEE's Facilities, LESSEE shall at its sole cost and expense immediately take all steps necessary to eliminate the interference including, if required, cutting off power to the objectionable Facilities. If LESSEE cannot eliminate the interference within a reasonable period of time, LESSEE will remove the objectionable Facilities. In the event LESSOR leases space to other providers after the Commencement Date ("Subsequent Lessees"), LESSEE shall not modify its Facilities in such a manner to cause interference with the facilities of such Subsequent Lessees. LESSOR currently operates several radio communication systems which can possibly be interfered with by LESSEE's Facilities and uses some of the same frequencies that LESSEE uses. LESSOR will provide LESSEE with a list of such communications systems and the frequencies on which they are operating ("LESSOR's Existing Systems") within thirty days of the execution of this Lease. LESSEE shall design and deploy LESSEE's Facilities to avoid interference to LESSOR's Existing Systems. If interference problems do occur, LESSEE agrees to cooperate with LESSOR on identification of the problems. Further, LESSEE agrees to give its best efforts in implementing a solution to the problems at no additional cost to LESSOR. Should LESSOR desire to increase its use any of the frequencies being used by LESSEE, LESSEE and LESSOR will collaborate in good faith to modify frequency and channel use to accommodate their respective aims.

- (c) Not interfere with the maintenance of LESSOR's existing facilities;
- (d) Keep LESSEE's Facilities in a state of repair reasonably acceptable to LESSOR;
- (e) Identify LESSEE's Facilities at the Premises with tags or other means of identification fastened securely to the Facilities and to each transmission line;
- (f) Comply with all applicable rules and regulations of the Federal Communications Commission ("FCC") and all federal, state and local laws governing use of the Premises; Comply with all applicable laws and ordinances and promptly discharge or bond any lien for labor or material on its Facilities within forty-five (45) days of filing;
- (g) Upon either (1) the completion of the initial installation of the Facilities on the Premises, or (2) within thirty (30) days of the completion of the relocation of the Facilities or installation of additional Facilities on the Premises; but in any event no later than December 1 each year throughout the Initial Term or any Renewal Term of this Lease, provide LESSOR with all applicable information on completed documents required to be filed with federal, state and local authorities as required by applicable law. Further, within thirty (30) days of LESSEE's receipt of a written request from LESSOR, LESSEE will provide LESSOR with any other required documents relating to the Facilities located on the Premises which LESSOR or LESSEE may be required to file with the FCC, EPA or any other governmental agencies. LESSEE agrees to indemnify and hold LESSOR harmless from any liabilities resulting from any inaccuracies in such documentation delivered by LESSEE to LESSOR or LESSEE's failure to provide LESSOR with such documentation in accordance with the provisions of this Section;
- (h) Within ninety (90) days after expiration of this Lease, LESSEE shall remove all its Facilities from the Premises and restore the Premises to its condition as of the Commencement

Date of this Lease, reasonable wear and tear excepted. LESSOR agrees and acknowledges that all of the equipment, fixtures, and personal property of the LESSEE shall remain the personal property of the LESSEE and the LESSEE shall have the right to remove the same, whether or not said items are considered fixtures and attachments to real property under applicable law. In the event LESSEE has not removed the Facilities at the time of expiration or earlier termination of this Lease, LESSEE shall pay rent on the existing monthly pro-rata basis until such time as the removal of the Facilities is completed. In the event LESSEE does not remove its Facilities at the time of expiration or earlier termination of this Lease, LESSOR shall have the right to remove and store the Facilities at LESSEE's sole expense, and LESSEE shall reimburse LESSOR for such expenses upon demand. If LESSOR removes the Facilities, LESSOR shall not be responsible for any damage to the Facilities during the removal and storage thereof.

(i) Operate no permanent generator equipment on the Property without the approval of LESSOR. LESSEE may operate a power generator during extended power outages provided LESSEE notifies LESSOR as soon as practicable.

(j) Upon a minimum of 24 hours advance notice, coordinate the temporary removal of power to LESSEE's Facilities if necessary to allow LESSOR access to LESSOR's Facilities.

(k) Declare and pay all applicable taxes, including any real estate, personal property, sales, business license, and utility taxes, arising from the ownership and operation of the Facilities.

(l) Obtain permission from third party property owner, if applicable, to use any private access easement to access the Property or Premises.

**8. LESSOR'S COVENANTS.** LESSOR covenants that during the Initial Term or any

Renewal Terms of this Lease that it will:

(a) Maintain the Property, including but not limited to, the access road to and from the Property, in a reasonably safe condition;

(b) Except as otherwise set forth in the Lease, take no action which would adversely affect the LESSEE's proposed use of the Premises, except in the case of an emergency;

(c) Upon LESSEE's payment of Rent and performance of its covenants, ensure LESSEE's quiet use and enjoyment of the Premises;

(d) LESSEE acknowledges and agrees that LESSEE's Facilities use the following unlicensed frequencies: 2400-2483, 3550-3700 and 5150-5825 Mhz ("Unlicensed Frequencies"). LESSEE understands that LESSOR has no authority to license LESSEE's use of the Unlicensed Frequencies or prevent third parties from using said Frequencies, except to the extent that LESSOR will not allow Subsequent Lessees of LESSOR's Property to cause interference with LESSEE's use of the Unlicensed Frequencies with equipment located on LESSOR's Property. LESSOR shall include in any subsequent lease agreement with Subsequent Lessees provisions that prohibit any Subsequent Lessee from interfering with LESSEE's use of the Unlicensed Frequencies. In the event such interference or operation exists and is not eliminated within a reasonable period, the parties acknowledge that continuing interference will cause irreparable injury to LESSEE and LESSOR shall require the Subsequent Lessee to cease operations on the Unlicensed Frequencies.

(e) LESSOR shall provide a minimum of one years' prior written notice of termination of this Lease to LESSEE in the event LESSOR retires the Tank and removes it from the Property. Upon receipt of said notice, LESSEE shall comply with the provisions of subparagraph 7(h) above

regarding removal of the Facilities.

9. **COMPLIANCE WITH LAWS.** LESSEE shall be responsible for constructing and maintaining its Facilities in compliance with all marking and lighting requirements which may be required by the Federal Aviation Administration (“FAA”), the FCC and any other governmental entity, department or agency. LESSOR shall be responsible for constructing and maintaining the Tank in compliance with all marking and lighting requirements which may be required by the FAA, the FCC and any other governmental entity, department or agency.

10. **ASSIGNMENT OR SUBLETTING: NO LIENS.**

(a) LESSEE shall not assign, convey, sublet or transfer its interest in this Lease without first obtaining LESSOR’s prior written approval, which approval will not be unreasonably withheld, conditioned, or delayed. Notwithstanding the foregoing, LESSEE shall have the right to assign this Lease to an Affiliate without LESSOR’s prior approval, and shall notify LESSOR within 30 days of any such affiliate assignment. Any such assignment shall not release LESSEE from its obligations hereunder unless otherwise agreed to in writing by LESSOR. For purposes of this Lease, “Affiliate” means any entity who controls, is controlled by, or is under common control with LESSEE or any entity resulting from the merger or consolidation of LESSEE; or any person or entity which acquires substantially all of the stock or assets of LESSEE, provided such assignee assumes in full all of the obligations under this Lease.

(b) LESSEE shall keep the Property, the Premises, and the Facilities free from any liens arising from any work performed, materials furnished or obligations incurred by or at the request of LESSEE. All persons either contracting with LESSEE or furnishing or rendering labor and materials to LESSEE shall be notified in writing by LESSEE that they must look only to

LESSEE for payment for any labor or materials. If any lien is filed against LESSOR's property, the Premises, or the Facilities as a result of any acts or omissions of LESSEE, its employees, agents or contractors, LESSEE shall discharge it within forty-five (45) days after LESSEE learns that the lien has been filed. Notwithstanding the foregoing, in the event that LESSEE believes in good faith that the lien is invalid, LESSEE shall not be required to discharge said lien until its validity has been confirmed by final judgment of an appropriate court.

**11. INSURANCE, RISK OF LOSS.**

(a) Insurance. Prior to installation of the Facilities and having access to the Premises and at all times during the term of this Lease, LESSEE shall provide proof of insurance, as outlined below, satisfactory to LESSOR, and maintain the coverages specified below during the term hereof and until all Facilities are removed from the Premises following expiration or earlier termination of this Lease: Primary Commercial General Liability Insurance in a combined Single Limit of \$2,000,000 each occurrence; Workers' Compensation coverage in the statutory amount; Employers' Liability Occupational Disease and Bodily Injury, \$1,000,000 per occurrence; Automobile Liability for Owned and Non-Owned Autos with a Combined Single Limit of \$1,000,000; All Risk Insurance Without Coinsurance Factor for full Replacement Value of LESSEE'S Facilities; and personal property located on Premises; and Builder's Risk during construction of the Facilities. LESSEE may satisfy these minimum insurance requirements through any master, umbrella or blanket policy of insurance LESSEE may maintain.

(b) Additional Insured. LESSOR shall be named as additional insured on the Commercial General Liability policy. Additionally, LESSEE shall obtain a waiver of subrogation from its insurers on Workers' Compensation policy. LESSEE shall obtain a waiver of

subrogation from its insurers on the All Risk insurance policy if the waiver of subrogation is mutual. LESSEE may satisfy this requirement by obtaining appropriate endorsements to any master or blanket policy of insurance LESSEE may maintain.

(c) Third Parties. LESSEE shall require its contractors and subcontractors to carry workers' compensation insurance and adequate liability insurance in conformity with the minimum requirements listed above.

(d) Risk of Loss; Limitation of Liability. Notwithstanding anything herein to the contrary, LESSEE shall bear the risk of loss of or damage to its Facilities during construction and the Term and any renewals of this Lease. Notwithstanding anything herein to the contrary, LESSOR shall not be liable for any consequential or incidental damages incurred by LESSEE due to any malfunction, vandalism, acts of God (including, without limitation, lightning, wind, rain, hail, fire or storm) or any other damage resulting from any reason. In the event the Premises or other portions of the Property are destroyed or so damaged as to be unusable, either party shall be entitled to elect, to cancel, and terminate this Lease, or in the alternative, LESSOR may elect to restore the Premises, in which case the LESSEE shall remain bound hereby but shall be entitled to an abatement of Rent during the loss of use, if the LESSEE has not elected to cancel this Lease. In no event shall the leasehold or other interest created hereby be specifically enforceable and in no event shall LESSOR be responsible to any party for lost profits or market share.

(e) Removal of Facilities. LESSEE's obligation to provide the insurance coverages set forth in this section 11 shall survive the expiration or earlier termination of this Lease, but only until the LESSEE's Facilities are removed from LESSOR's Property and the Property is restored to its original condition, reasonable wear and tear excepted.

(f) Insurance Increases. LESSEE shall pay the cost of any increase to LESSOR's liability insurance currently in place as of the Commencement Date of this Lease, provided that the increase to LESSOR's policy is a direct result of the installation of the Facilities on the Property. This amount may be included as part of the rent.

**12. INDEMNIFICATION.** LESSEE agrees to indemnify and hold harmless LESSOR, and its officers, agents, and employees, from any and all claims, damages, costs, expenses, liability, actions at law or suits in equity, of any kind or nature, including court costs, litigation expenses, and reasonable attorneys' fees, to the extent caused by any negligence or willful misconduct by LESSEE, its officers, agents, servants, contractors, employees, or its invitees in connection with its use, operations on, or maintenance of the Premises or in connection with any of its activities or conduct, as well as construction work, on or about the Premises and the Property, including any negligent acts or omissions to act, in whole or in part, by LESSEE, its officers, agents, etc., as aforesaid, and such indemnification shall include and cover claims, damages, and liability arising from property damage, personal injury, or death, and shall include and cover claims, fines or penalties imposed by any federal regulatory agency or the FCC in connection with radio transmissions or other communications on or from the Premises (wire or wireless), by LESSEE, or relating to LESSEE'S violation of any FCC licenses. LESSEE shall not be liable for any claims, damages, or liability to the extent caused by the negligence or misconduct of LESSOR, or its officers, agents, and employees thereof.

**13. DEFAULT.** Each of the following shall be considered a default by the LESSEE:

(a) The failure to pay any Rent required hereunder within thirty (30) days after receipt of LESSOR'S written notice of such failure;

(b) The failure to cure, within 30 days after receipt of LESSOR'S written notice of the breach of any term herein, except for promises relating to interference as set forth in Section 7(b);

(c) The failure by LESSEE to comply with promises relating to interference as set forth in Section 7(b);

(d) Upon default by LESSEE under this Lease of the type described in paragraphs (a) or (b) above, in addition to all other remedies provided at law or in equity, LESSOR may, at its option: (i) Elect to remove all of LESSEE'S Facilities, without notice and without being guilty or liable in any manner for trespass, thereby terminating this Lease, and store the Facilities at LESSEE's expense, payable upon demand by LESSOR; or (ii) Elect to treat this Lease in full force and effect and shall be entitled to collect the Rent provided for hereunder.

(e) Upon default by LESSEE under this Lease of the type described in paragraph (c) above, if LESSEE does not remedy the interference problem within twenty-four hours of receiving notice of the problem from LESSOR, LESSEE agrees to power down, except for intermittent testing until the interference problem is resolved.

**14. ENTIRETY.** This writing constitutes the entire agreement and understanding between LESSOR and LESSEE and any modification hereof must, in order to be effective, be in writing, signed by authorized representatives of each party.

**15. WAIVER.** Failure or delay on the part of either party to exercise any right, power, privilege, or remedy hereunder shall not operate as a waiver thereof; not shall any single or partial exercise of any right under this Lease preclude any other or further exercise thereof or the exercise of any other right.

**16. BINDING EFFECT.** This Lease shall inure to the benefit of and bind the parties hereto

and its heirs, personal representatives, successors, permitted assigns, and successors in interest.

17. **GOVERNING LAW.** This Lease and performance hereunder shall be governed, interpreted, construed, and regulated by the laws of the Commonwealth of Virginia. A dispute arising under this Lease which cannot be resolved in a non-judicial proceeding must be resolved in the General District or Circuit Court for Montgomery County, Virginia, and in no other forum.

18. **NOTICE.** All notice and payments due hereunder shall be deemed validly given if sent by certified mail, return receipt requested, or with a nationally recognized courier, which provides notice of receipt, postage fully prepaid, addressed as follows, or to such other addresses as may be given from either party in writing to the other:

LESSOR:  
Attn: Town Manager  
Town Of Christiansburg  
100 E. Main St.  
Christiansburg, VA 24073

LESSEE:  
Attn: \_\_\_\_\_  
New River Valley Unwired Ventures, LLC  
405 North Franklin St.  
Christiansburg, VA24068

19. **HEADINGS.** Section headings in this Lease are included for the convenience of reference only and shall not constitute a part of this Lease for any other purpose.

20. **MEMORANDUM OF LEASE.** At the request of LESSEE, LESSOR hereby agrees to execute a Memorandum of Lease, in a form satisfactory to LESSOR's attorney, and such Memorandum of Lease may be filed of record by the LESSEE, at LESSEE's sole cost, including taxes or assessments incurred in connection therewith. The parties understand and agree that this Lease shall not be recorded.

21. **COUNTERPARTS.** This Lease may be executed in any number of counterparts, each of which shall be an original, but all of which together shall constitute but one instrument.

22. **AUTHORITY.** LESSEE hereby represents and warrants to LESSOR that all necessary corporate authorizations required for execution and performance of this Lease have been given and that the undersigned officer is duly authorized to execute this Lease and bind LESSEE for this it signs.

23. **SEVERABILITY.** If any term, covenant, condition or provision of this Lease or any application hereof shall, to any extent, be invalid or unenforceable, the remainder of this Lease shall not be affected thereby, and shall be valid and enforceable to the fullest extent permitted by law.

**WITNESS** the following signatures and seals:

LESSOR:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

LESSEE:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**SAMPLE**

**SITE SPECIFIC LEASE ADDENDUM “No. 1”**

This Site Specific Lease Addendum is governed by the Master Lease Agreement (“Lease”) between the Town of Christiansburg, Virginia (“LESSOR”) and New River Valley Unwired Ventures, LLC (“LESSEE”) dated \_\_\_\_\_. Subject to the terms of the Lease and those set forth below, LESSOR leases the following Premises to LESSEE:

1. Premises:
2. Access:
3. Utilities:
4. Rent:
5. Other site specific provisions:
6. Attach site plan.

LESSOR:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_

LESSEE:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



**TOWN OF CHRISTIANBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
CONSENT AGENDA

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**  
Meeting Minutes of September 13, 2016

**DESCRIPTION:**  
Meeting minutes of last Town Council meeting – September 13, 2016

**POTENTIAL ACTION:**

**DEPARTMENT:**  
Administration

**PRESENTER:**  
Michele Stipes, Town Clerk

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

**CHRISTIANSBURG TOWN COUNCIL  
CHRISTIANSBURG, MONTGOMERY CO., VA.  
REGULAR MEETING MINUTES  
SEPTEMBER 13, 2016 – 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 SEPTEMBER 13, 2016 AT 7:00 P.M.

COUNCIL MEMBERS PRESENT: Mayor D. Michael Barber; Vice-Mayor Henry Showalter; Samuel M. Bishop; Harry Collins; R. Cord Hall; Steve Huppert; Bradford J. Stipes. ABSENT: None.

ADMINISTRATION PRESENT: Town Manager Steve Biggs; Assistant Town Manager Randy Wingfield; Clerk of Council Michele Stipes; Town Attorney Theresa Fontana; Planning Director Andrew Warren; Director of Engineering Wayne Nelson; Public Relations Director Melissa Powell; Aquatics Director Terry Caldwell; Farmer's Market Manager Sarah Belcher.

I. CALL TO ORDER

A. Moment of Reflection

B. Pledge of Allegiance

II. ADJUSTMENT OF THE AGENDA

III. PUBLIC HEARINGS

A. Conditional Use Permit request for a commercial garage in the B-3 General Business District at 30 Bower Street, NW [Tax Parcel No. 526 – ((A)) – 46] by George Gray. Gary Gray provided Council with a copy of a sketch indicating the property in the request, while noting that the Planning Commission had recommended approval of the request with fourteen conditions. Mr. Gray said he fully intended to comply with the set conditions. Councilman Stipes referred to the Board of Zoning Appeals review and recommendation regarding Mr. Gray's request, and asked if Mr. Gray had removed the vehicles and RV as recommended in the BZA review. Mr. Gray replied that one of the vehicles on the property was a personal vehicle, stored under a car cover as recommended, and one was an RV that he was having difficulty titling in Virginia because of its status as a salvage/refurbish vehicle. The other vehicles have not yet been moved. Councilman Collins commented that Mr. Gray said during the Planning Commission public hearing that he would move the vehicles stored on the lot into the existing shop, out of view, but that had not happened as of this date. Mr. Gray replied that he was working to move the vehicles, and would have them completely moved, including the RV, by the end of September.

Bruce Moses, owner of five properties on Bower Street, brought attention to the fact that Bower Street was a narrow, partially paved street that dead-ended, with no cul-de-sac. He questioned how that type of street could accommodate business traffic and asked if the Town intended to upgrade the street, if the CUP request was approved. He expressed concern that the business sounded like a salvage/repair vehicle shop, rather than a commercial garage. Mr. Gray responded that the business would be an internet based, high-end race shop, with cars housed inside the shop. No car trailers would be stored on the property.

Jack Trump, owner of adjoining property, expressed concern that he had been told during the Planning Commission public hearing that a privacy fence would be constructed around the property, but, to date, no fence had been built. Mr. Trump informed that there was much debris on the property. Mr. Gray replied that there was currently a five to six-foot privacy hedge along the property and it did not make sense to him to build a fence, too.

IV. CONSENT AGENDA

A. Meeting Minutes of August 23, 2016

B. Resolution in Recognition of Help Save the Next Girl

Councilman Hall made a motion to approve the consent agenda, seconded by Councilman Stipes. Council was polled on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

*Mayor Barber called attention to a fruit basket that was addressed to Mayor Barber, Town Council and Town staff, from Nannie Hairston and the late John P. Hairston, in appreciation of the Town's financial support of the Christiansburg Community Center that allowed for replacement of the roof.*

V. CITIZEN COMMENTS

a. No comments

VI. INTRODUCTIONS AND PRESENTATIONS

A. Director of Public Relations Melissa Powell to report on the Public Relations Department. Ms. Powell provided Council with an update on the Public Relations Department, beginning with an introduction of staff that included Allison Long and herself, and provided a brief history of the department. Ms. Powell explained that the purpose of the department was to keep residents informed about their community, and to use information to create an identity for Christiansburg for those outside the community. She reviewed with Council the numerous ways the department distributed material and information to the community and addressed questions and concerns of citizens. Ms. Powell spoke about the importance of establishing relationships with area journalists in effectively reporting town information and stories, noting that media outlets were key methods in relaying important information to the public. She then provided information on the town's social media activity, and gave examples of various social media posts and community responses. New programs introduced included Communications A-Team, intranet for staff use, FOIA training, and Citizens Alert. Ms. Powell explained the department's commitment to establishing Christiansburg as a regional resource through increased branding, a revamped website, and building on social media avenues. In closing, she offered to answer questions of Council. Council expressed appreciation for Ms. Powell's and Ms. Long's commitment to providing timely, detailed information to Council through email updates, and to the public through various communication outlets.

VII. OLD BUSINESS

A. Appointment to the Tourism Development Council. Lisa Bleakley, Montgomery County Tourism Director, recommended Town Council appoint Ashish Malothra, manager of Blackstone Grill, to replace Marie March on the Tourism Development Council. Mrs. March had requested to not be reappointed. Councilman Hall made a motion to appoint Ashish Malothra, seconded by Councilman Showalter. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye. Mr. Malothra was present and expressed appreciation for the appointment.

B. Follow-up discussion regarding the NRV Regional Water Authority and capital improvements plan. Town Manager Biggs reported that the RFP for solid waste consulting services had been submitted, with a deadline of September 22, 2016. Consulting services are being sought for assessments on plan improvements, line extensions, and maintenance and repairs, as outlined by the NRV Regional Water Authority. The NRV Regional Water Authority has requested that Christiansburg specify a preference for rate increases related to the increased cost of raw water by November, however, Town Manager Biggs noted that the results from the anticipated consultant study, including a rate study, would not be ready by the November deadline, but were expected within a January timeframe. Council determined that a work

session should be held prior to November to review the information provided at the joint water authority meeting held in August, and to discuss the Town's options regarding the capital improvements needed for the water treatment facility. Town Manager Biggs said he would get possible work session dates together for Council consideration. Councilman Showalter requested that Town Manager Biggs gather information from the water authority regarding project phasing and the firmness of the November deadline.

#### VIII. NEW BUSINESS

- A. Discussion regarding decision to potentially lease existing off-premises sign at the recreation center, or have it removed. Town Manager Biggs reported that the Town had been approached about leasing the old Farm House Restaurant sign located next to the recreation center. Town Attorney Fontana reviewed the request and recommended a lease of less than five years, for legal purposes. According to Town Manager Biggs, the pre-existing sign is nonconforming and cannot be changed in structure or size, although the face can be changed. Council expressed support for leasing the sign to the Farm House Restaurant for less than five years. Town Attorney Fontana will prepare a lease for Council consideration.
- B. Discussion to schedule a Council and staff strategy planning work session. Council scheduled its annual retreat for November 10 and 11. Town Manager Biggs said he would provide Council with venue details once finalized.
- C. Consideration of a policy to schedule public hearings through adoption of the consent agenda. Council was provided information on this matter in the agenda packet. Currently, public hearings are set by Council during the Town Manager's Reports, and Town Manager Biggs proposed that the scheduling of public hearings be placed under the Consent Agenda, which would expedite meetings and provide written detail of public hearing matters. It was the consensus of Council to proceed with scheduling public hearings under the Consent Agenda as recommended by Town Manager Biggs.

#### IX. COMMITTEE REPORTS

- A. Resolution Supporting Addition of Projects and Reprioritization of Projects within Virginia Department of Transportation Project Programming. Mayor Barber explained that the changes to the original resolution were the result of a recent MPO meeting, and Assistant Town Manager Wingfield reviewed the new projects added to the resolution. Councilman Collins made a motion to approve the resolution, seconded by Councilman Stipes. Council was polled on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye. A copy of the resolution is attached.

#### X. STAFF REPORTS

- A. Town Manager Biggs reported that a public information meeting on the VDOT I-81 Exit 114 realignment was scheduled for September 15 at Christiansburg Middle School, and he reviewed the Town's prior position on the project with regards to design and accommodations for future Town planning and growth.
- B. Public Hearing Request: Town Manager Biggs presented the following requests and recommended setting the Public Hearings as indicated:

September 27, 2016

1. Community Development Block Grant Annual Action Plan.
2. Lease of public facilities for communications equipment.

October 25, 2016

1. Vacation of a public utility easement related to the Kroger store expansion at 555 North Franklin Street.
2. Vacation of a portion of Stone Street related to the Kroger expansion at 555 North Franklin Street.
3. Conditional Use Permit request for exterminating services at 516 Roanoke Street in the B-3 General Business District.

November 8, 2016

1. Comprehensive Plan Amendment related to the Urban Development Areas.

On motion by Councilman Hall, seconded by Councilman Collins, Council voted to set the Public Hearings as indicated: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

- C. Town Manager Biggs reported that the Safe Zone effort presented by Councilman Hall in August has been gaining momentum, and planning efforts are moving forward.

XI. COUNCIL REPORTS

- A. Councilman Collins reported that he recently visited the Public Works facility located on Scattergood Drive and realized that the road was in bad disrepair. The disrepair was significant enough that he believes it could damage town equipment and employee vehicles.
- B. Councilman Bishop expressed concern with an apparent decrease in vendors and attendance at the farmers' market, and he recommended a work session with the Farmers' Market Committee to discuss these concerns.
- C. Councilman Hall expressed appreciation for the presence of Mayor Barber, Town Council, and Town Manager Biggs at the recent NRV Regional Water Authority meeting and the Montgomery County School Board meeting. He also expressed appreciation for the flags displayed along Main Street. He then reported on the recent Recreation Advisory Commission meeting, during which the commission voted on a specific location for placement of the free playground equipment. Details on this matter will be presented at a future meeting. In closing he reported on the recent Touch-a-Truck, Heritage Day, and Gospel Sing events.
- D. Councilman Stipes reported that he and Councilman Showalter recently attended a meeting with representatives of Christiansburg Institute and Christiansburg Community Center to discuss the future of both properties. The focus of the meeting was to unify the two groups to work together in meeting their individual revitalization goals. Councilman Stipes said he believed there was a new energy among the group that he thought would be beneficial in moving both projects forward.
- E. Councilman Showalter reported that he attended the recent Recreation Advisory Commission meeting and was impressed with the way the citizens who were present interacted on the issue of placement of the new playground equipment, even when discussing concerns. He then welcomed Councilman Collins to the NRV Regional Commission, and spoke encouragingly about Christiansburg representation on the commission. He then spoke about Christiansburg Institute and Christiansburg Community Center as important cultural heritages, and expressed his support for a partnership between the two groups in moving forward with preserving both properties.
- F. Councilman Huppert complimented the completed sidewalk project in the downtown area. He then reported on various events and activities at the aquatic center, including a program designed to provide swimming lessons to every second grader in Montgomery County, paid for by the Christiansburg Lion's Club.
- G. Mayor Barber reported that the annual Chamber of Commerce dinner was scheduled for December 1, 2016, and he encouraged Council to become more involved in chamber activities. He then announced that a Farmers' Market Committee meeting was scheduled for 5:00 p.m. on September 14, 2016 at Town Hall.

XII. OTHER BUSINESS

- A. Cancellation of the first regular council meeting in October due to the annual VML conference. Councilman Hall made a motion to cancel the October 11, 2016 regular meeting of Council, seconded by Councilman Collins. Council voted on the motion as follows: Bishop – Aye; Collins – Aye; Hall – Aye; Huppert – Aye; Showalter – Aye; Stipes – Aye.

XIII. ADJOURNMENT

There being no further business to bring before Council, Mayor Barber adjourned the meeting at 8:22 P.M.

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Michele M. Stipes, Clerk of Council

\_\_\_\_\_  
D. Michael Barber, Mayor



**TOWN OF CHRISTIANBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
CONSENT AGENDA

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**  
Monthly Bill List – September 30, 2016

**DESCRIPTION:**  
The bills to be paid for the months of August and September.

**POTENTIAL ACTION:**

**DEPARTMENT:**  
Finance

**PRESENTER:**  
Valerie Tweedie, Finance Director

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

| <b>TOWN OF CHRISTIANBURG</b>              |                   |  |
|---|-------------------|--|
| <b>BILLS TO BE PAID FOR THE MONTHS OF</b> | <b>AUGUST AND</b> | <b>SEPTEMBER</b>   |
| A-1 HEATING & COOLING                     | 229.00            |  |
| ABSOLUTE INNOVATIONS, INC                 | 4,273.66          | TRAILER FOR CEMETERY   |
| ADAMS CONSTRUCTION CO.                    | 8,344.75          | ASPHALT MIX  |
| ADVANCED ANALYTICAL SOLUTIONS             | 226.00            |  |
| AIRGAS MID-AMERICA, INC.                  | 1,489.07          |  |
| ALERT-ALL CORPORATION                     | 2,000.50          | FIRE SAFETY SUPPLIES   |
| ALGONQUIN PRODUCTS COMPANY                | 512.82            |  |
| ALL SEASONS PEST CONTROL, INC             | 85.00             |  |
| AMELIA ELIZABETH TUCKWILLER               | 50.00             |  |
| ANDERSON & ASSOCIATES INC                 | 13,754.26         | ENGINEERING SERVICES CHRISMAN MILL CROSSING, TRAIL STUDY, WEST MAIN WATERLINE, |
| ANGLE FLORIST                             | 130.00            |  |
| ANN CARTER                                | 150.00            |  |
| AQUALAW PLC                               | 138.00            |  |
| AQUATIC SPECIALISTS                       | 318.79            |  |
| ARC3 GASES                                | 252.91            |  |
| ATLANTIC EMERGENCY SOLUTIONS, INC         | 365.05            |  |
| ATLANTIC UTILITY SOLUTIONS, INC           | 3,120.00          | NEW WATER METERS   |
| AUTO ZONE, INC                            | 28.16             |  |
| AW DIRECT, INC.                           | 152.81            |  |
| B & B QUALITY FENCING                     | 1,000.00          |  |
| B & K TRUCK ACCESSORIES                   | 100.00            |  |
| B & T LAWN CARE LLC                       | 7,920.00          | TOWN WIDE MOWING SERVICES  |
| BALLPARK SIGNS                            | 1,500.00          |  |
| BANE OIL COMPANY, INC                     | 4,031.32          | OFF ROAD DIESEL  |
| BASHAM OIL COMPANY                        | 129.40            |  |
| BLACKSBURG POWER EQUIPMENT                | 2,146.48          | SAW AND TABLE PUBLIC WORKS   |
| BOB'S REFUSE SERVICE, INC.                | 660.00            |  |
| BOONE TRACTOR & IMPLEMENT INC.            | 1,585.70          |  |
| BOUND TREE MEDICAL, LLC                   | 490.48            |  |
| BOWIE SALES, INC.                         | 4,046.31          | STORM PIPE   |
| BOXLEY ASPHALT, LLC                       | 603.75            |  |
| BRAME SPECIALTY COMPANY INC.              | 939.80            |  |
| BRIAN'S LOCK & KEY                        | 15.00             |  |
| BROWNELLS, INC.                           | 318.33            |  |
| BSN SPORTS COLLEGIATE PACIFIC             | 1,206.49          |  |
| C.L. DRAUGHN DITCHING CONT. INC           | 700.00            |  |
| CARDINAL BLUEPRINTERS, INC.               | 429.00            |  |
| CAROLINA INDUSTRIAL EQUIPMENT             | 217.89            |  |
| CARTER MACHINERY                          | 3,245.42          | PARTS AND REPAIRS PW EQUIPMENT   |
| CDW LLC                                   | 4,246.53          | 3 SURFACE PROS WITH SOFTWARE PD  |
| CHA CONSULTING INC                        | 19,948.69         | GAS MONITORING, WET TESTING, PRETREATMENT AND PLANT OPERATIONAL ASSISTANCE     |
| CHANNING BETE COMPANY, INC                | 109.75            |  |
| CIVIC PLUS                                | 450.00            |  |
| CLASSIC CLEANING & PAINTING, LLC          | 275.00            |  |
| CLEAR WATER SALES, INC                    | 600.00            |  |
| CMC SUPPLY, INC.                          | 762.92            |  |
| COLE TRUCK PARTS, INC                     | 533.26            |  |
| COLORADO TIME SYSTEMS                     | 999.00            |  |
| COMPUTER PROJECTS OF ILLINOIS, INC        | 346.80            |  |
| CONSTRUCTION & MATERIAL INC.              | 660.00            |  |
| COUNTRY AIR VACATIONS KENNELS             | 165.00            |  |
| CRAIG STEWART MOORE                       | 150.00            |  |
| CRAIG'S FIREARM SUPPLY, INC               | 1,962.60          |  |
| CUMMINS ATLANTIC LLC                      | 5,624.37          | REPAIR PARTS FOR PUMP STATION  |
| D & D SOLUTIONS, INC                      | 10,033.00         | DEEP CLEANING FLOORS AT AQUATICS DURING SHUT DOWN                              |
| D J R ENTERPRISES                         | 8,132.91          | SHIRTS ETC FOR YOUTH FOOTBALL, CHEERLEADING AND ADULT SOFTBALL                 |
| DALE'S GARAGE                             | 1,027.40          |  |
| DAVID FRANUSICH                           | 120.00            |  |
| DEAN'S SEAMLESS GUTTER & CONSTRUCTION INC | 150.00            |  |
| DEHART TILE CO., INC.                     | 109.95            |  |
| DIVING ENTERPRISES, LTD                   | 4,450.35          | DIVE EQUIPMENT RESCUE  |
| DON MARK LAYNE                            | 25.00             |  |
| DOUGLAS SINK                              | 1,680.00          | REFUND CONSTRUCTION BOND   |
| DUNCAN FORD MAZDA                         | 326.12            |  |

| <b>TOWN OF CHRISTIANBURG</b>                     |                   |   |
|--|-------------------|---|
| <b>BILLS TO BE PAID FOR THE MONTHS OF</b>        | <b>AUGUST AND</b> | <b>SEPTEMBER</b>  |
| EAST COAST EMERGENCY VEHICLES, LLC               | 2,847.50          | LIGHTS FOR NEW PD VEHICLES                                      |
| EAST COASTERS BICYCLE SHOP, INC                  | 84.94             |   |
| EASTERN SUPPLY, INC                              | 779.60            |   |
| EEE CONSULTING, INC                              | 4,900.00          | ENGINEERING BROWN CHURCH LUCAS                                  |
| EJ USA, INC                                      | 8,450.00          | MAN HOLE RISERS PAVING  |
| ELECTRICAL SUPPLY CO                             | 1,885.29          |   |
| ELEVATING EQUIPMENT INSPECTION SERVICE           | 95.00             |   |
| EMS MANAGEMENT & CONSULTANTS, INC                | 3,682.60          | THIRD PARTY BILLING EMS   |
| EMS TECHNOLOGY SOLUTIONS, LLC                    | 306.00            |   |
| EMS, INC   | 920.00            |   |
| ENVIRONMENTAL EXPRESS, INC                       | 210.62            |   |
| ENVIRONMENTAL LAND WASTE MANAGEMENT SERVICE, INC | 15,000.00         | BIOSOLID MANAGEMENT   |
| ENVIRONMENTAL RESOURCE ASSOC.                    | 138.16            |   |
| ENVIRONMENTAL SCIENCE APPLICATIONS, INC          | 3,500.00          | GROUND WATER MONITORING   |
| EXCEL TRUCK GROUP                                | 656.54            |   |
| F & R ELECTRIC                                   | 3,315.00          | ELECTRICAL REPAIRS AT WWTP                                      |
| FAMILY MEDICINE OF BLACKSBURG LLC                | 1,005.00          |   |
| FASTENAL COMPANY                                 | 453.28            |   |
| FERGUSON ENTERPRISES, INC.#75                    | 28,293.79         | PIPE FITTINGS, FOR WATER AND WASTE WATER                        |
| FIRE RESCUE AND TACTICAL, INC                    | 110.00            |   |
| FIRE SAFETY PRODUCTS, INC                        | 100.00            |   |
| FIRST DUE GEAR LLC                               | 26.04             |   |
| FISHER SCIENTIFIC CO.                            | 364.00            |   |
| FITNESS CONCEPTS, INC.                           | 1,148.71          |   |
| FLEET ONE, LLC                                   | 19,272.08         | FUEL TOWN VEHICLES  |
| FLEET PRIDE, INC                                 | 2,147.52          | SUPPLIES AND PARTS FOR VEHICLE AND EQUIPMENT MAINTENANCE        |
| FLOORED, LLC                                     | 2,140.64          | AQUATIC TILE REPAIRS  |
| FULL SOURCE, LLC                                 | 47.79             |   |
| G/A SAFETY SUPPLY, INC                           | 2,095.98          | SAFETY PRODUCTS FOR PW  |
| GALLS, AN ARAMARK COMPANY                        | 2,300.62          | UNIFORMS PD   |
| GAY AND NEEL, INC.                               | 3,101.25          | ENGINEERING SERVICES HUCKLEBERRY TRAIL, DOWN TOWN AND BLUE LEAF |
| GEMPLER'S INC.                                   | 548.55            |   |
| GLENN'S BODY SHOP                                | 1,211.80          |   |
| GODWIN MANUFACTURING CO.,INC.                    | 2,294.42          | VEHICLE AND EQUIPMENT PARTS FOR MAINTENANCE                     |
| GOVERNMENT FINANCE OFFICERS ASSOCIATION          | 225.00            |   |
| GRAINGER   | 952.42            |   |
| GRANTURK EQUIPMENT CO., INC                      | 398.13            |   |
| GUYNN & WADDELL, P.C.                            | 7,721.04          | LEGAL SERVICES  |
| HACH COMPANY                                     | 134.79            |   |
| HAJOCA CORPORATION                               | 11.63             |   |
| HALL'S GARAGE DOORS                              | 3,045.00          | GARAGE DOOR CEMETERY  |
| HAMANN, INC                                      | 16,400.00         | MOWING CEMETERY AUGUST AND SEPTEMBER                            |
| HANDY RENTALS, INC                               | 1,765.00          |   |
| HARPER AND COMPANY INC.                          | 1,045.97          |   |
| HARVEY CHEVROLET CORP.                           | 377.34            |   |
| HARVEY CHRYSLER DODGE JEEP, INC                  | 1,515.51          |   |
| HEYWARD INCORPORATED OF VA, INC                  | 498.58            |   |
| HIGHWAY MOTORS, INC.                             | 154.88            |   |
| HOSE HOUSE, INC.                                 | 253.00            |   |
| HOUSE OF DOORS, INC                              | 8,125.00          | REPLACE DOORS AT TREATMENT PLANT                                |
| IDEXX DISTRIBUTION, INC.                         | 2,378.38          | SEALER AND SUPPLIES FOR TREATMENT PLANT                         |
| INDEPENDENT VELO                                 | 265.00            |   |
| INDUSTRY ELECTRIC , LLC                          | 1,092.61          |   |
| INSTRULOGIC LLC                                  | 1,788.00          |   |
| INTERNATIONAL ASSOCIATION OF FIRE CHIEFS         | 244.00            |   |
| INTERNATIONAL CODE COUNCIL                       | 85.00             |   |
| INTERSTATE BATTERY SYSTEM OF ROANOKE VALLEY, INC | 1,488.02          |   |
| INTOXIMETERS, INC.                               | 780.00            |   |
| JAMES RIVER EQUIPMENT-SALEM                      | 1,165.50          |   |
| JAMES RIVER LASER & EQUIPMENT, LLC               | 710.94            |   |
| JAMES T DAVIS AUTO FINISHES                      | 61.35             |   |
| JAMISON'S SHARPENING, INC                        | 523.55            |   |
| JENNIFER SOWERS                                  | 180.00            |   |
| JEREMY MADISON WILLIAMS                          | 25.00             |   |

| <b>TOWN OF CHRISTIANBURG</b>              |                   |  |
|---|-------------------|--|
| <b>BILLS TO BE PAID FOR THE MONTHS OF</b> | <b>AUGUST AND</b> | <b>SEPTEMBER</b>   |
| JORDAN OIL CO., INC.                      | 4,067.41          | FUEL FIRE AND RESCUE   |
| K & N TOOLS, LLC                          | 1,313.06          |  |
| KAREN L DRAKE                             | 50.00             |  |
| KIMBALL MIDWEST                           | 751.18            |  |
| KLINGSPOR ABRASIVES, INC                  | 60.26             |  |
| KORMAN SIGNS, INC.                        | 4,450.00          | MATERIALS FOR SIGNAGE  |
| L-3 COMMUNICATIONS-MOBILE VISION          | 15,729.00         | CAMERAS FOR NEW PD VEHICLES  |
| LANCASTER, INC.                           | 200.00            |  |
| LASER LABS, INC.                          | 505.00            |  |
| LAWRENCE EQUIPMENT                        | 170.15            |  |
| LEE HARTMAN & SONS INC.                   | 318.30            |  |
| LIBERTY FIRE SOLUTIONS, INC               | 967.20            |  |
| LINKOUS LAWN SERVICE                      | 50.00             |  |
| LINKOUS PAVING, INC                       | 35,000.00         | PAVING GRAVEL STREETS TYLER, KING, HUCKLEBERRY, HOMES, CRAIG               |
| LITTLE RIVER POOL AND SPA, INC            | 287.81            |  |
| LOWES HOME CENTERS, INC.                  | 6,414.57          | MATERIALS AND SUPPLIES FOR BUILDING MAINTENANCE AND REPAIRS                |
| LYON METAL MFG OF VIRGINIA                | 44.85             |  |
| MARKETING ON MAIN STREET LLC              | 5,410.33          | UNIFORM SHIRT LOGOS AND CHEERLEADING FOR RECREATION                        |
| MATTHEW JOHN BEASLEY                      | 180.00            |  |
| MCAFFEE, INC                              | 225.00            |  |
| MCCORMICK TAYLOR, INC                     | 10,093.71         | ENGINEERING FALLING BRANCH RD  |
| MEADE TRACTOR                             | 158.97            |  |
| METRO HEAVY-DUTY, INC.                    | 1,516.00          |  |
| MIDWAY PRODUCTION SERVICES                | 150.00            |  |
| MONTGOMERY DISTRIBUTORS                   | 276.25            |  |
| MOORE'S BODY & MECHANICAL SHOP, INC       | 153.85            |  |
| MUELLER SYSTEMS                           | 32,050.00         | ANNUAL SOFTWARE AND COLLECTOR MAINTENANCE AMI SYSTEM                       |
| NATURAL STRUCTURES, INC                   | 1,222.00          |  |
| NETWORKFLEET INC                          | 240.45            |  |
| NEW RIVER COMMUNITY ACTION                | 7,154.00          | ANNUAL SUPPORT   |
| NEW RIVER ENGRAVING                       | 675.38            |  |
| NEW RIVER FIRE EXTINGUISHERS              | 274.00            |  |
| NEW RIVER VALLEY MPO                      | 9,300.00          | ANNUAL SUPPORT 3300 SMART WAY AND METROPOLITAIN PLANNING ORGANIZATION 6000 |
| NEXT LEVEL BUILDING SOLUTIONS, INC        | 3,103.00          | AQUATIC CENTER DEEP CLEANING   |
| NORTHERN TOOL & EQUIPMENT                 | 229.37            |  |
| NORTHWEST HARDWARE CO INC                 | 26.51             |  |
| OLD TOWN PRINTING & COPYING               | 304.36            |  |
| O'REILLY AUTO PARTS                       | 727.75            |  |
| ORIENTAL TRADING CO., INC.                | 270.41            |  |
| OUTDOOR POWER EQUIPMENT                   | 1,159.00          |  |
| PET WASTE ELIMINATOR                      | 96.99             |  |
| PETERS AQUATICS                           | 57.50             |  |
| PINE RIDGE NURSERY & LANDSCAPING, INC     | 144.46            |  |
| PITNEY BOWES GLOBAL FINANCIAL SERV        | 1,908.00          | 9 MONTHS LEASE POSTAGE MACHINE   |
| POWER ZONE                                | 2,948.62          | REPAIR AND MAINTENANCE SMALL TOOLS AND POWER EQUIPMENT                     |
| PRECISION GLASS & UPH. INC.               | 711.00            |  |
| PROFESSIONAL COMMUNICATIONS               | 4,375.00          | MAINTENANCE OF 911 DISPATCH AND CONSOLE AND RADIOS IN PD                   |
| QUALITY TIRE & BRAKE SERVICE              | 4,658.00          | TIRE REPAIR AND REPLACEMENT PUBLIC WORKS AND PD                            |
| QUILL CORP.                               | 116.96            |  |
| R. FRALIN CONSTRUCTION, INC               | 70,703.94         | CONSTRUCTION BOND REFUND   |
| RADIO SOURCE LLC                          | 1,271.25          |  |
| RAKESTRAW LAWN CARE, INC                  | 135.00            |  |
| RICHARD HILDING JOHNSON                   | 150.00            |  |
| RIDDELL/ALL AMERICAN SPORTS CORP.         | 262.23            |  |
| ROBERT MITCHELL                           | 4,869.00          | EROSION AND SEDIMENT BOND REFUND   |
| ROBERTS OXYGEN COMPANY, INC               | 383.00            |  |
| ROPHO SALES INC                           | 15.20             |  |
| S.J. CONNER & SONS INC.                   | 323.57            |  |
| SANICO, INC                               | 4,512.72          | JANITORIAL SUPPLIES  |
| SCI-MED WASTE SYSTEMS, INC                | 45.00             |  |
| SERVICEMASTER COMMERCIAL CLEANING         | 2,829.00          | FLOOR CLEANING AQUATICS  |
| SHADE TREE REPAIR LLC                     | 2,680.00          | REPAIR SLIDE AT AQUATICS   |
| SHEEHY AUTO STORES                        | 962.70            |  |
| SHELOR MOTOR MILE                         | 426.48            |  |

| <b>TOWN OF CHRISTIANSBURG</b>                    |                   |   |
|--|-------------------|---|
| <b>BILLS TO BE PAID FOR THE MONTHS OF</b>        | <b>AUGUST AND</b> | <b>SEPTEMBER</b>  |
| SHENANDOAH VALLEY WATER                          | 129.46            |   |
| SHERWIN-WILLIAMS                                 | 2,599.17          | PAINT AND SUPPLIES FOR BUILDING REPAIR AND MAINTENANCE  |
| SHIRLEY C HALLOCK                                | 50.00             |   |
| SHRED-IT US JV LLC                               | 78.86             |   |
| SIGN-A-RAMA                                      | 274.15            |   |
| SKYLINE DOOR & HARDWARE, INC                     | 70.92             |   |
| SOUTHERN STATES                                  | 206.10            |   |
| SOUTHWEST VA FIRE INVESTIGATORS ASSOCIATION      | 40.00             |   |
| STATE ELECTRIC SUPPLY CO.,INC.                   | 2,967.19          | VARIOUS ELECTRICAL SUPPLIES FOR BUILDING REPAIR AND MAINTENANCE   |
| STEVEN CARLYLE SIMMONS                           | 50.00             |   |
| SUSAN SWAN CONSULTING                            | 300.00            |   |
| TACY NEWELL                                      | 90.00             |   |
| TAYLOR OFFICE & ART SUPPLY,INC                   | 8,203.51          | OFFICE SUPPLIES TOWN WIDE, OFFICE FURNITURE PD 1605, 460. FILE CABINET TREASURER'S OFFICE, 988 FOR 4 DESK CHAIRS PD BALANCE IS OFFICE SUPPLIES, TONERS, WHITE BOARDS. |
| TECH EXPRESS, INC.                               | 1,784.08          |   |
| TEMPLETON-VEST                                   | 1,297.00          |   |
| TESSCO   | 137.96            |   |
| THE BATTERY STATION LLC                          | 573.48            |   |
| THE ROANOKE TRIBUNE, LLC                         | 64.80             |   |
| THOMPSON TIRE & MUFFLER                          | 3,822.52          | EQUIPMENT TIRE REPLACEMENTS AND REPAIRS   |
| TIDY SERVICES                                    | 70.90             |   |
| TRANE  | 9,003.27          | 8250.86 REPAIR AND MAINTENANCE PAC UNITS AQUATICS 752.41 REPAIRS AT RECREATION  |
| TREASURER OF VA DEPT.GEN.SER.                    | 103.00            |   |
| TREESPLEASE                                      | 250.00            |   |
| TUNSTALL CHENAULT POWERS, JR.                    | 210.00            |   |
| UNIFIRST CORPORATION                             | 561.04            |   |
| UNITED RENTALS,INC.                              | 1,842.27          |   |
| USA BLUE BOOK                                    | 3,650.61          | SUPPLIES FOR TREATMENT PLANT  |
| VA INFORMATION TECHNOLOGIES AGENCY               | 50.91             |   |
| VALLEY PRINTERS, INC                             | 4,846.85          | FALL BROCHURES RECREATION   |
| VEST'S SALES & SERVICE, INC.                     | 212,347.00        | NEW AMBULANCE RESCUE  |
| VIRGINIA ANNE PEEPLES                            | 90.00             |   |
| VIRGINIA BUSINESS SYSTEMS                        | 1,217.80          |   |
| VIRGINIA REC. & PARK SOCIETY                     | 146.00            |   |
| VIRGINIA UTILITY PROTECTION SERVICE, INC         | 383.25            |   |
| WADES FOODS INC.                                 | 699.01            |   |
| WEST END ANIMAL CLINIC, INC                      | 901.08            |   |
| WESTERN BRANCH DIESEL, INC.                      | 2,539.73          | REPAIR BRAKES LADDER 1 FIRE DEPARTMENT  |
| WESTERN VIRGINIA EMS COUNCIL                     | 10,000.00         | 4 PEOPLE INTERMEDIATE EMS TRAINING FOR RESCUE   |
| WETLAND STUDIES AND SOLUTIONS, INC               | 393.57            |   |
| WILLIAMS SUPPLY INC.                             | 604.72            |   |
| WILSON BROTHERS INCORPORATED                     | 1,618.22          |   |
| WORDSPRINT                                       | 703.20            |   |
| ZEP MANUFACTURING CO                             | 867.38            |   |
| <b>TOTAL BILLS TO BE PAID SEPTEMBER 30, 2016</b> | <b>822,341.92</b> |   |

**TOWN OF CHRISTIANBURG  
BILLS PAID DURING THE MONTH OF  
SPECIAL REVENUE FUNDS**

**AUGUST AND SEPTEMBER**

| <b>VENDOR</b>                                | <b>AMOUNT PAID</b> | <b>DESCRIPTION</b>  |
|--|--------------------|---|
| ALERT-ALL CORP                               | 540.00             |   |
| ATLANTIC EMERGENCY SOLUTIONS                 | 2,382.36           | replaced 6 truck batteries - 1274.91 & Chassis air leak & AC noT working 650.06 |
| BKT UNIFORM                                  | 13.99              |   |
| BLUE RIDGE COPIER/ETHOS TECHNOLOGIES         | 6.77               |   |
| CARDMEMBER SERVICES                          | 3,725.12           | LODGING - VA FIRE FIGHTERS' CONVENTION  |
| CITY OF RADFORD                              | 237.50             | NRVCIT GRANT REIMBURSEMENT  |
| DIRECTV                                      | 388.44             |   |
| EXXON MOBIL                                  | 76.28              |   |
| FLOYD COUNTY SHERIFF                         | 412.50             | NRVCIT GRANT REIMBURSEMENT  |
| GATES FLOWERS AND GIFTS                      | 136.00             |   |
| LANCASTER, INC                               | 948.03             |   |
| LOGO HUB                                     | 313.88             |   |
| MUNICIPAL EMERGENCY SERVICES DEPOSITORY ACCT | 742.50             |   |
| SYMBOL ARTS                                  | 865.00             |   |
| TESSCO INCORPORATED                          | 631.32             |   |
| TOWN OF CHRISTIANBURG                        | 582.12             |   |
| TOWN OF DUBLIN                               | 487.50             |   |
| TOWN OF PEARISBURG                           | 100.00             | NRVCIT GRANT REIMBURSEMENT  |
| TOWN OF PULASKI POLICE DEPT                  | 916.00             | NRVCIT GRANT REIMBURSEMENT  |
| VERIZON                                      | 376.04             |   |
| WITMER PUBLIC SAFETY GROUP, INC.             | 835.00             |   |
|  |                    |   |
| <b>TOTAL PAID BILLS</b>                      | <b>14,716.35</b>   |   |

| <b>TOWN OF CHRISTIANBURG</b>              |                             |  |
|---|-----------------------------|--|
| <b>BILLS PAID DURING THE MONTH</b>        | <b>AUGUST AND SEPTEMBER</b> |  |
| <b>VENDOR</b>                             | <b>AMOUNT PAID</b>          | <b>DESCRIPTION</b>                               |
| AIRGAS NATIONAL CARBONATION               | 1,774.66                    |  |
| ANTHEM BLUE CROSS BLUE SHIELD             | 200,518.01                  | EMPLOYEE HEALTH INSURANCE                        |
| ANTHEM LIFE INSURANCE COMPANY             | 2,926.93                    | EMPLOYEE LIFE INSURANCE                          |
| APPALACHIAN POWER                         | 82,734.86                   | UTILITY BILLS                                    |
| AT & T                                    | 432.28                      |  |
| ATMOS ENERGY                              | 1,865.85                    |  |
| BMI                                       | 336.00                      |  |
| BMS DIRECT                                | 3,000.00                    | PRINTING INSERTS FOR WATER BILLS AND NEWSLETTERS |
| BOSTON MUTUAL LIFE INS                    | 1,825.90                    | EMPLOYEE WITHHELD INSURANCE                      |
| BRAME SPECIALTY COMPANY                   | 36.00                       |  |
| BRUCE CALDWELL                            | 375.00                      | FARMERS MARKET                                   |
| CANNON SOLUTIONS AMERICA                  | 390.92                      |  |
| CAPITAL LIGHTING & SUPPLY                 | 35.50                       |  |
| CDW LLC                                   | 4,293.59                    | TABLETS AND USER LICENSES                        |
| CHANDLER CONCRETE                         | 2,624.54                    | CONCRETE FOR PW PROJECTS                         |
| CITIZENS                                  | 831.17                      |  |
| COLD STONE CREAMERY                       | 208.00                      |  |
| COLONIAL LIFE & ACCIDENT INSURANCE        | 1,071.96                    | EMPLOYEE WITHHELD INSURANCE                      |
| CONCRETE PIPE & PRECAST                   | 300.00                      |  |
| DE LAGE LANDEN                            | 768.00                      |  |
| DELL MARKETING                            | 2,224.41                    |  |
| DELTA DENTAL                              | 9,225.75                    | EMPLOYEE DENTAL COVERAGE 2MONTHS                 |
| DEN HILL PERMACULTURE                     | 423.00                      | FARMERS MARKET                                   |
| DMV                                       | 10.00                       |  |
| DONS AUTO CLINIC                          | 2,453.36                    |  |
| DUES                                      | 1,205.00                    | PW 175 ADMIN 1000 PD 30                          |
| EDIBLE ARRANGEMENT                        | 416.46                      |  |
| EMS MANAGEMENT & CONSULTANTS INC          | 2,038.39                    | THIRD PARTY BILLING RESCUE                       |
| EXPRESS SERVICES IN                       | 6,301.30                    | TEMP LABOR IN ENGINEERING AND LANDSCAPING CREW   |
| FEDERAL EXPRESS                           | 444.48                      |  |
| FERGUSON ENTERPRISES INC                  | 195.41                      | PIPES AND FITTINGS PUBLIC WORKS                  |
| GENWORTH LIFE INSURANCE COMPANY           | 459.15                      | EMPLOYEE WITHHELD INSURANCE                      |
| GILDAY ENTERPRISES                        | 137,447.43                  | HUCKLEBERRY TRL PH2                              |
| GOV DEALS                                 | 70.37                       |  |
| HALL, GEORGE                              | 96.00                       | FARMERS MARKET                                   |
| HANCOCK, HUNTER                           | 2,352.18                    | EASEMENT STORM DRAINAGE                          |
| HI-D-HO DOG TRAINING                      | 60.00                       | RECREATION PROGRAM DOG OBEDIENCE CLASS           |
| HIGH NRG FITNESS STUDIO                   | 109.95                      |  |
| HOME DEPOT                                | 1,020.89                    | VARIOUS BUILDING MAINTENANCE                     |
| INDUSTRIAL CHEM LABS                      | 238.46                      |  |
| INTERACTIVEGIS                            | 3,915.80                    | GIS ANNUAL FEE                                   |
| KEY RISK INSURANCE                        | 41,215.77                   |  |
| LANGUAGE LINE                             | 52.80                       |  |
| LUMOS NETWORKS INC                        | 997.49                      |  |
| MARKETING ON MAIN STREET                  | 680.40                      |  |
| MCCHAIN, BILL                             | 75.00                       |  |
| MID ATLANTIC KROGER                       | 268.37                      |  |
| MONTGOMERY REGIONAL (RECYL)               | 128.40                      |  |
| MONTGOMERY REGIONAL SOLID WASTE AUTHORITY | 36,305.99                   | SOLID WASTE DISPOSAL TIPPING FEES                |
| NORTHWEST HARDWARE CO INC                 | 69.28                       |  |
| NRV UNWIRED                               | 275.00                      |  |
| NEW RIVER VALLEY PIZZA LLC                | 191.96                      |  |
| PEPSI BOTTLING COMPANY                    | 184.50                      |  |
| PETTY CASH                                | 84.03                       |  |

| <b>TOWN OF CHRISTIANBURG</b>            |                             |  |
|---|-----------------------------|--|
| <b>BILLS PAID DURING THE MONTH</b>      | <b>AUGUST AND SEPTEMBER</b> |  |
| <b>VENDOR</b>                           | <b>AMOUNT PAID</b>          | <b>DESCRIPTION</b>   |
| PITNEY BOWES                            | 198.47                      |  |
| REFUND EMS THIRD PARTY                  | 495.10                      |  |
| REFUND FEES REC DEPT                    | 906.50                      |  |
| REFUND TAXES                            | 231.13                      |  |
| REFUND WATER                            | 445.40                      |  |
| REFUNDS AQUATICS                        | 110.00                      |  |
| REIMBURSEMENTS EMPLOYEES                | 152.31                      |  |
| RIDEWAY PLUMBING & GASE SERVICE         | 426.00                      |  |
| ROANOKE TIMES                           | 1,969.07                    | JOB POSTINGS, BUDGET, STORM WATER, WATER FEE ADVERTISEMENTS FOR HEARINGS |
| SAMS CLUB                               | 174.87                      |  |
| SCHNEIDER ELECTRIC                      | 296.00                      |  |
| SCHOOLS                                 | 8,190.00                    | PW 1390 FD 1000 PD 5800  |
| SCI-MED WASTE MANAGEMENT                | 45.00                       |  |
| SELECTIVE INSURANCE                     | 50.91                       |  |
| SELEX ES                                | 2,198.30                    | PD CAR REPAIR  |
| SHELOR MOTOR MILE                       | 418.02                      |  |
| SHENTEL                                 | 357.72                      |  |
| SISSON & RYAN LLC                       | 8,511.59                    | SAND GRAVEL FOR STREET/WATER PROJECTS                                    |
| SOUTH EASTERN SECURITY CONSULTANTS      | 645.00                      |  |
| SOUTHERN REFRIDGERATION                 | 2,275.95                    |  |
| SPIRIT SERVICES INC                     | 14.40                       |  |
| SPRINT                                  | 508.38                      |  |
| SUPER SHOES INC                         | 527.69                      |  |
| THOMSON REUTERS                         | 137.92                      |  |
| TRACTOR SUPPLY                          | 171.09                      |  |
| TRANE                                   | 26,254.00                   | ANNUAL MAINTENANCE CONTRACT  |
| TRAVEL                                  | 6,687.55                    | PW 1154.80 RESCUE 875.16 PD 4339.28 IT 318.31                            |
| US BANK                                 | 363,608.27                  | LOAN PAYMENT WWTP  |
| US CELLULAR                             | 636.60                      |  |
| VALLACH, MICHEAL                        | 50.00                       | PADDLE BOARD CLASS REC   |
| VERIZON                                 | 5,780.09                    |  |
| VERIZON WIRELESS                        | 5,300.62                    |  |
| VIRGINIA ASSOCIATION OF COUNTIES        | 597.58                      |  |
| VIRGINIA MEDIA INC                      | 60.00                       | FORMILY MONTGOMERY PUBLISHING AND NEWS MESSENGER                         |
| VIRGINIA RETIREMENT SYSTEM VRS          | 141,794.25                  | EMPLOYEE RETIREMENT  |
| WEATHERTOP FARMS                        | 280.00                      | FARMERS MARKET   |
| WITMER PUBLIC SAFETY GROUP              | 6,475.00                    | 25 HELMETS FOR RESCUE CREWS  |
| <b>TOTAL SPECIAL REVENUE BILLS PAID</b> | <b>14,716.35</b>            |  |
| <b>TOTAL PAID BILLS</b>                 | <b>1,145,327.90</b>         |  |
| <b>BILLS TO BE PAID</b>                 | <b>822,341.92</b>           |  |
| <b>GRAND TOTAL</b>                      | <b>1,982,386.17</b>         |  |





**TOWN OF CHRISTIANBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
OLD BUSINESS

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**  
Conditional Use Permit request for 30 Bower Street, NW

**DESCRIPTION:**  
Conditional Use Permit request for a Commercial Garage in the B-3 General Business District at 30 Bower Street, NW.

**POTENTIAL ACTION:**  
Council action on the matter requested

**DEPARTMENT:**  
Planning & Zoning

**PRESENTER:**  
Andrew Warren, Director of Planning

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



09.13.2016 10:36



09.13.2016 10:35



09.13.2016 10:36



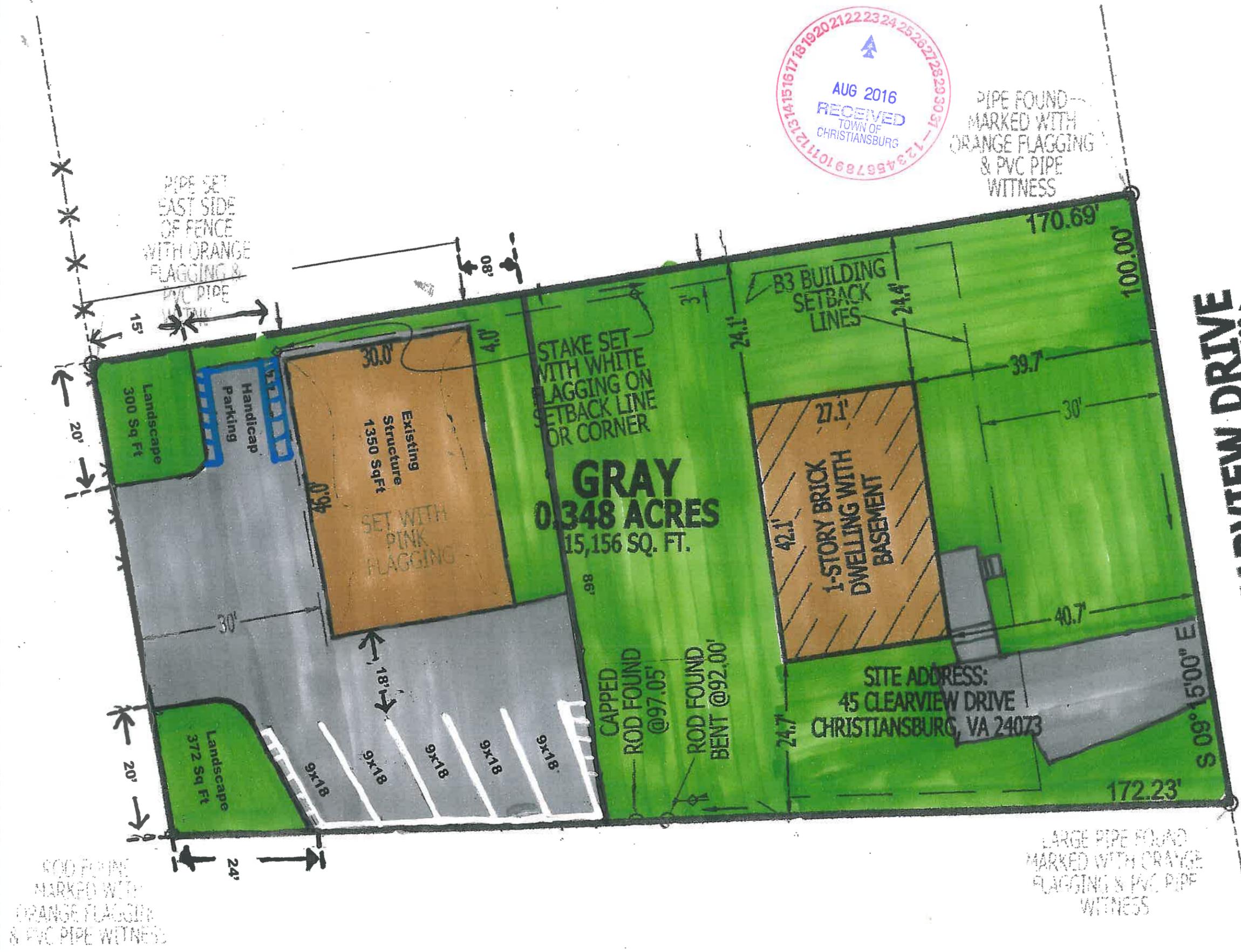
# CLEARVIEW DRIVE

{ 30' R/W } - < FORMERLY V.S.R. 680 >

197'± TO  
RADFORD STREET  
U.S. RTE 11



PIPE FOUND  
MARKED WITH  
ORANGE FLAGGING  
& PVC PIPE  
WITNESS



Building = 1350 SqFt      Total SqFt = 5712  
Parking = 810 SqFt      Total Hard = 4060 SqFt  
Handicap Parking = 270 SqFt      Total Green = 1652 (29%)  
Building and hard Surfaces  
(parking/drives) 4060 Sq Ft      SCALE 1' = 16 feet

ROD FOUND  
MARKED WITH  
ORANGE FLAGGING  
& PVC PIPE WITNESS

LARGE PIPE FOUND  
MARKED WITH ORANGE  
FLAGGING & PVC PIPE  
WITNESS

**From:** [Andrew Warren](#)  
**To:** [Sara Morgan](#)  
**Subject:** 45 Bower Street/30 Clearview Drive CUP: Phone call from Jack Trump(property owner: 55/65 Bower Street)  
**Date:** Monday, August 15, 2016 2:25:03 PM

---

Sara,

I received a phone call this morning from Jack Trump who owns a duplex next door to the proposed CUP. His property has frontage on both Bower Street and Clearview Drive. Mr. Trump is out of town and not able to make the meeting this evening. He stated that he is concerned about the visibility of a commercial garage and his potential property depreciation with the new proposed use. He further stated that he believed the owner was going to put up a privacy fence when he constructed the garage as an accessory structure to his house and was concerned that it was never put up.

Thank you,

Andrew

**Andrew Warren**

Town of Christiansburg Planning Director

Phone: (540) 382-6120 ext. 1130  
Email: [awarren@christiansburg.org](mailto:awarren@christiansburg.org)  
Address: 100 East Main Street

# 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 by George Gray for a commercial garage at 45 Clearview Drive, N.W./30 Bower Street, N.W. (tax parcel 526 – ((A)) - 46) in the B-3 General 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 Conditional Use Permit (CUP) to George Gray for a commercial garage at 45 Clearview Drive, N.W./30 Bower Street, N.W. (tax parcel 526 – ((A)) - 46) in the B-3 General Business District.

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

1. The property to be developed in general conformance with the concept plan provided at August 29, 2016.
2. Lighting shall be residential in character.
3. The property is to be maintained in a clean, sanitary, and sightly manner.
4. Mechanical work is to be done inside the building and not outside.
5. All parts, including faulty parts, tires, etc. are to be kept inside the garage or a fully enclosed building (including a roof) until disposal.
6. All waste petroleum products and/or chemicals are to be disposed of properly and are not to accumulate upon the premises. Provisions are to be made for the capture of leaking petroleum products and/or chemicals.
7. Any painting to be conducted on the property shall be incidental to the service of the vehicle.
8. All vehicles left for service shall be kept inside the building.
9. All vehicles stored outside on the property are to be kept on-premises and not within any public right-of-way or adjacent property.
10. All vehicles stored outside on the property are to have a State or Federal inspection decal that is valid. There shall be no more than six vehicles outside on the property. All vehicles outside shall be parked in a delineated paved parking space.
11. There are to be no loud offensive noises so as to constitute a nuisance to the residential properties in the vicinity.
12. There are to be no discernible noises to residential properties in the nearby vicinity between 7:00 p.m. and 7:00 a.m.
13. This permit shall be valid for a single business to operate a commercial garage.
14. This permit is subject to administrative review in 12 months.

Dated this the 29<sup>th</sup> day of August 2016.

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Craig Moore, Chairperson  
Christiansburg Planning Commission

The above Resolution was adopted on motion by Carter 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 August 15, 2016. 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           |             |                |               |
| David Franusich                      | X           |             |                |               |
| Hil Johnson                          | X           |             |                |               |
| Craig Moore, Chairperson             | X           |             |                |               |
| T.L. Newell                          |             |             |                | X             |
| Virginia Peeples                     |             |             | X              |               |
| Joe Powers                           | X           |             |                |               |
| Jennifer D. Sowers, Vice-Chairperson | X           |             |                |               |

\_\_\_\_\_  
 Craig Moore, Chairperson

\_\_\_\_\_  
 Sara Morgan, Secretary <sup>Non-voting</sup>



August 14, 2016

To Whom it May Concern:

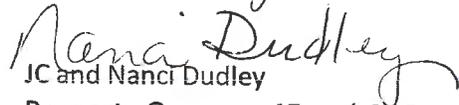
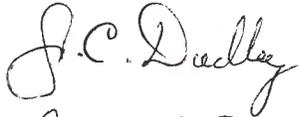
Unfortunately we are unable to attend this Public Hearing, but felt it was important as longtime residents of Bower Street that our voice to be heard.

We appeared before the Board of Zoning Appeals on August 6, 2015 against Mr. Gray's variance asking that his "hobby" building be 18 feet rather than the 30 feet setback required from a right of way. By reading a copy of the minutes of this meeting I understand the request was denied 3-2. Mr. Gray did build his hobby shop and I'm assuming he built it with the required 30 feet setback. (I have enclosed a copy of these minutes with area's highlighted).

Now Mr. Gray is asking that he be given a Conditional Use Permit. These pictures show Mr. Gray's "hobby" shop as of August 10th. Notice there are already 6 cars on the property, two covered with tarps (which have been there for over a year), three are BMW's with no tags or possibly expired tags. There is also a Used Motor Home which was on the property when he previously rented this house on Clearview Drive and was brought back when they purchased that same home. Expired tags and no up to date state inspection. There is also a trailer on the property that is at least or more than the length of the motor home, which has also been there for over a year. We were never told at the Board of Zoning Appeals meeting that Mr. Gray's specific future plans other than a hobby shop was that one day his son may want to start a business there. Mr. Gray mentioned to my husband, JC that those plans are to build racing parts for BMW's. As you can see by the photos the process of obtaining Used BMW's has already started. Our concern is how many BMW's or other vehicles will he have on this property before it does begin to look like a JUNK YARD? We own two residential properties on Bower Street. One is our residence and the other rental property. This "hobby" shop as he previously called it, is visible from our porch on Bower Street. Not to mention the first thing you see when you come up Bower Street. Bower Street does not have an outlet (dead end) and there are only 9 houses on the entire street. It's slowly becoming very unappealing to look at. It was documented in the minutes of the Board of Zoning Appeals that Ms. Hair was asked whether all vehicles on site were up to Code. Ms. Hair stated "staff had just become aware they were not in compliance and would be addressing that concern with the owner". Three of those same vehicles are still there... as well as the motor home, the large trailer, those under the tarps, plus three newly added vehicles. Mr. Gray had stated at the Board of Zoning Appeals Public Hearing, that "he planned to install a privacy fence. As of a year later, that hasn't happened. Because what has occurred over the past year (a "hobby shop" does not require a mail box or a street number), we feel more than anything Mr. Gray is not being totally up front concerning this property and if left unchecked he will just continue to add more vehicles. As it

is today Seventy Five Percent of his parking lot is consumed by the number of vehicles he already has on this property.

We do not want to deprive Mr. Gray of using his property as he wishes. However it is our understanding when reading the Definition of a Conditional Use Permit, that the planning commission can review the request and place stipulations, concerning the use of this permit. We respectfully ask that you, along with Mr. Gray take into consideration the concerns of the residents on Bower Street.



JC and Nanci Dudley

Property Owners: 45 and 65 Bower Street

The Christiansburg Board of Zoning Appeals met on Thursday, August 6, 2015 at 100 East Main Street, Christiansburg to conduct a Public Hearing. Present were James Stewart, Chairman; James Kirk, Vice Chairman; Tacy Newell, Secretary; and members Earnest Wade and Karen Drake. Planning Director Nichole Hair was also present.

The meeting was called to order at 7:03 pm by Chairman Stewart. Secretary Newell confirmed that each member had conducted a site visit prior to the meeting.

The Public Hearing was opened to receive information on a request submitted on June 23, 2015 by George Gray for a variance to Section 42-130 of Chapter 42 "Zoning" of the Christiansburg Town Code for property at 45 Clearview Drive (tax parcel 526-(A)-46) in the B-3 General Business District, said section applies to setbacks and states: "Structures shall be located 30 feet or more from any street right-of-way, or, in the event that buildings are already constructed on the same side of the street in the same block, no new structure shall be closer to the street right-of-way line than a distance equal to the average of the distance to the street right-of-way of all existing structures in the same block on the same side of the street. This shall be known as the setback line. See article XVII for special setback regulations pertaining to the widening of highways and streets. Parking lots shall have a minimum setback of 15 feet from any street right-of-way." The requested variance is to allow a detached garage with a setback from Bower Street right-of-way of approximately 18 feet (rather than 30 feet).

Mr. Jerry Dudley of 65 Bower Street asked to see the suggested location of proposed garage and distance from property line. He complained of issues with an adjacent garage and asked if stored vehicles which he said were non-compliant would still be visible if the garage were built and had pavement on either side of the structure.

Applicant George Gray explained his desire to have garage for he and his son's hobby interests (working on vehicles) while maintaining as much rear yard as possible for his grandchildren to play, indicating traffic on Clearview was a concern. He stated he and his wife had previously lived in the home as renters and later purchased the property. He stated they had made many improvements and he planned to install a privacy fence. Mr. Gray questioned the measuring point for the right-of-way since some existing structures were closer than 30 feet and said Bower was originally an alley. Ms. Hair explained the formula for establishing averages.

Mr. Jack Trump of 55 and 65 Clearview Drive (duplex owner) stated he pulled into his driveway and already had to look at a lot of "junk" and was concerned about number and types of additional vehicles this application would allow, if approved.

Nancy Dudley of 65 Bower Street stated that there were untagged, uninspected vehicles on this property and that she had given up property to have Bower paved. She stated the property was zoned for business and use of proposed garage could change and would be allowed by right, and that Bower Street could not handle additional traffic or congestion. She said paving on both sides of the proposed garage increased parking on the property and felt too many vehicles were already on site.

Chairman Stewart closed the Public Hearing at 7:38 pm and opened the floor for discussion by Board of Zoning Appeals members.

Ms. Drake asked staff if the subject property was served by town water and sewer and Ms. Hair confirmed it was. Ms. Drake asked whether all vehicles on site were up to Code and Ms. Hair stated staff had just become aware they were not in compliance and would be addressing that concern with the owner.

Mr. Wade noted the property allowed placement of a garage closer to the residence and asked if the applicant's only reason for placing it to the rear was to maintain a larger yard. The applicant indicated this was correct. Mr. Wade stated he saw no hardship being placed on applicant.

Chairman Stewart asked applicant to confirm when he had purchased the property. Mr. Kirk again asked staff how the averages were determined and Ms. Hair went through the process again, clarifying that entire lots of all properties along Bower Street were reviewed. Mr. Stewart asked applicant if he had specific future plans, versus requesting variance for hobby, and Mr. Gray stated his son may one day want to start a business there.

Ms. Newell asked for clarification of side setbacks as regards proposed paving for parking spaces and Ms. Hair confirmed these, noting a site plan review, erosion and sediment plans, grease traps, landscaping and storm water control plans would need to be submitted if a business was to be established.

Mr. Wade made a motion to deny the variance request, seconded by Ms. Drake. Motion carried 3:2 (Wade, Drake, Newell in support of motion to deny; Stewart and Kirk opposed to denial). Applicant Gray said he understood the decision and thanked the Board and staff for their time.

There being no further business, Chairman Stewart adjourned the meeting at 8:00 pm.

Respectfully submitted by

T.L. Newell, Secretary









# TOWN OF CHRISTIANBURG

100 East Main Street

Christiansburg, VA 24073

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

## Conditional Use Permit Application

Landowner: GEORGE GRAY Agent: \_\_\_\_\_

Address: 45 CLEAVIEW DR Address: \_\_\_\_\_  
CHRISTIANBURG VA

Phone: 540 392 2905 Phone: \_\_\_\_\_

I am requesting a Conditional Use Permit to allow a commercial garage

on my property that is zoning classification B-3 under Chapter 42: Zoning of the Christiansburg Town Code.

My property is located at 45 CLEAVIEW DR (30 BOWER ST) NW

Tax Parcel(s): 526-(A)-46 (Parcel ID: 002808)

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): George Gray Date: 7/22/16

\_\_\_\_\_  
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

**BOWER STREET**  
{ VARIABLE WIDTH R/W - 30' MINIMUM }

ROW

- 1) SCALE - 1" = 16'
- 2) PARKING 9x18-20
- 3) GREEN SPACE 15x20 HANDSCAPED

PIPE SET EAST SIDE OF FENCE WITH ORANGE FLAGGING & PVC PIPE WITNESS

PIPE FOUND MARKED WITH ORANGE FLAGGING & PVC PIPE WITNESS

ROD FOUND MARKED WITH ORANGE FLAGGING & PVC PIPE WITNESS

LARGE PIPE FOUND MARKED WITH ORANGE FLAGGING & PVC PIPE WITNESS

GREEN SPACE 15x19

GREEN SPACE 15x19

EXISTING STRUCTURE

**GRAY**  
0.348 ACRES  
15,156 SQ. FT.

1-STORY BRICK DWELLING WITH BASEMENT

SITE ADDRESS:  
45 CLEARVIEW DRIVE  
CHRISTIANSBURG, VA 24073

STAKE SET WITH WHITE FLAGGING ON SETBACK LINE OR CORNER

STAKE SET WITH WHITE FLAGGING ON

CAPPED ROD FOUND @97.05'

ROD FOUND BENT @92.00'

B3 BUILDING SETBACK LINES

**CLEARVIEW DRIVE**  
{ 30' R/W } - < FORMERLY V.S.R. 680 >

197' ± TO RADFORD STREET U.S. RTE 11



RECORD NORTH:  
D.B. 204, PG. 354

SKETCH #: L-1428A GR

TAY MAD #: 526-A-46

S 08°35'00" E - 2.00  
TIE LINE ONLY  
ROD FOUND AT STREET ANGLE

172.23'

S 09°15'00" E

170.69'

100.00'

39.7'

30'

40.7'

24.7'

24.1'

24.4'

27.1'

42.1'

30.0'

4.0'

46.0'

30'

HANDICAP PARKING

3'



# Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Fax 540-382-7338

ESTABLISHED  
NOVEMBER 10, 1792

INCORPORATED  
JANUARY 7, 1833  
MAYOR

D. MICHAEL BARBER  
COUNCIL MEMBERS  
SAMUEL M. BISHOP  
HARRY COLLINS  
R. CORD HALL  
STEVE HUPPERT  
HENRY SHOWALTER  
BRADFORD J. "BRAD" STIPES

TOWN MANAGER  
STEVE BIGGS

ASSISTANT TOWN MANAGER  
RANDY WINGFIELD

ASSISTANT TO THE TOWN  
MANAGER  
ADAM CARPENETTI

DIRECTOR OF  
FINANCE/TOWN TREASURER  
VALERIE L. TWEEDIE,  
CPA, CFE, CGFM

CHIEF OF POLICE  
MARK SISSON

CLERK OF COUNCIL  
MICHELE M. STIPES

TOWN ATTORNEY  
GUYNN & WADDELL, P.C.

## Town of Christiansburg Planning Staff Report

Planning Commission Public Hearing Date: Monday, August 15, 2016 at 7:00 p.m.

Town Council Public Hearing Date: Tuesday, September 13, 2016 at 7:00 p.m.

Application Type: Conditional Use Permit

Applicant: George Gray

Location: 45 Clearview Drive, N.W. and 30 Bower Street, N.W.

The Town of Christiansburg has received a Conditional Use Permit request by George Gray for a commercial garage at 45 Clearview Drive, N.W. and 30 Bower Street, N.W. (tax parcel 526 – ((A)) – 46) in the B-3 General Business District.

The property is not located within the 100-Year and 500-Year Flood Hazard Areas. The property does not lie within a Historic District. The adjoining properties are zoned B-3 General Business. The adjoining properties contain businesses and residences.

The following suggested conditions are taken from previously approved Conditional Use Permits related to this request and are provided to Planning Commission for discussion purposes.

- The property is to be maintained in a clean, sanitary, and sightly manner.
- Mechanical work is to be done inside the building and not outside.
- All parts, including faulty parts, tires, etc. are to be kept inside the garage or a fully enclosed building (including a roof) until disposal.
- All waste petroleum products and/or chemicals are to be disposed of properly and are not to accumulate upon the premises. Provisions are to be made for the capture of leaking petroleum products and/or chemicals.
- There will be no storage of vehicles upon the premises except for vehicles left for temporary storage. All vehicles are to be kept on-premises and not within any public right-of-way or adjacent property. All vehicles on the property are to have a State or Federal inspection decal that is either valid or dated within 90 days of its expiration.
- There are to be no loud offensive noises so as to constitute a nuisance to the residential properties in the vicinity.
- There are to be no discernible noises to residential properties in the nearby vicinity between 7:00 p.m. and 7:00 a.m.
- This permit shall be valid for a single business to operate a commercial garage.
- This permit is subject to administrative review in 12 months.



**Legend**

- 526-((A))-46
- Parcels

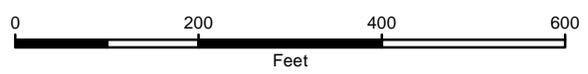
**2015\_4 Inch\_Aerials**

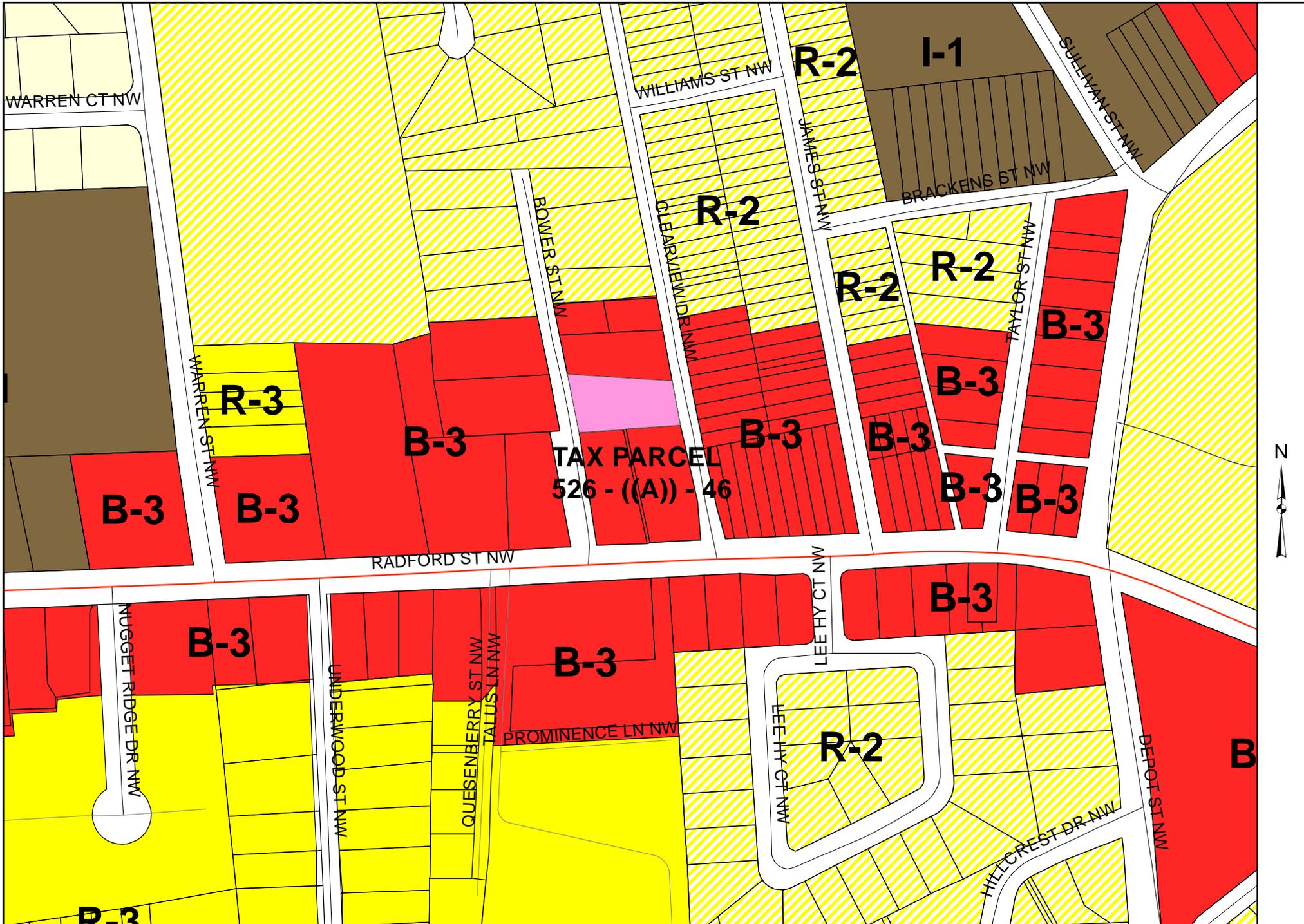
RGB

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

CUP REQUEST: 45 CLEARVIEW DRIVE NW/30 BOWER STREET NW

PC: AUGUST 15, 2016  
 TC: SEPTEMBER 13, 2016





CUP REQUEST: 45 CLEARVIEW STREET NW/30 BOWER STREET NW

PC: AUGUST 15, 2016  
 TC: SEPTEMBER 13, 2016



**CUP: 45 Clearview Drive NW / 30 Bower Street NW**

| <b><u>Tax Map #</u></b> | <b><u>Owner(s)</u></b> |                    | <b><u>Mailing Address</u></b> | <b><u>City, State, Zip</u></b> |
|-------------------------|------------------------|--------------------|-------------------------------|--------------------------------|
| 526- A 42               | DUDLEY JERRY CARVILLE  | DUDLEY NANCI LEE   | 65 BOWER ST                   | CHRISTIANSBURG VA 24073        |
| 526- A 45               | TRUMP JACK W           | TRUMP NANCY F      | 165 GUM DR                    | CHRISTIANSBURG VA 24073        |
| 526- 4 20-21            | THOMAS GEORGE ESTEL    |                    | 915 HUMMINGBIRD DR            | CHRISTIANSBURG VA 24073        |
| 526- 4 20-21            | THOMAS GEORGE ESTEL    |                    | 915 HUMMINGBIRD DR            | CHRISTIANSBURG VA 24073        |
| 526- A 46               | GRAY GEORGE            | GRAY JO ANN        | 45 CLEARVIEW DR               | CHRISTIANSBURG VA 24073        |
| 526- A 44               | MOSES BRUCE            | MOSES NANCY        | P O BOX 2085                  | CHRISTIANSBURG VA 24068        |
| 526- 4 18,19            | THOMPSON SHIRLEY A     |                    | 40 CLEARVIEW DR               | CHRISTIANSBURG VA 24073        |
| 526- 4 18,19            | THOMPSON SHIRLEY A     |                    | 40 CLEARVIEW DR               | CHRISTIANSBURG VA 24073        |
| 526- 4 16,17            | HAGY BENNY H JR        |                    | 485 ATKINSON RD               | CHRISTIANSBURG VA 24073        |
| 526- A 47               | MILLIRONS TIMOTHY S    | MILLIRONS ELLA MAE | 4701 DRY VALLEY RD            | RADFORD VA 24141               |
| 526- A 48               | MILLIRONS TIMOTHY S    | MILLIRONS ELLA MAE | 4701 DRY VALLEY RD            | RADFORD VA 24141               |
| 526- A 48A              | MILLIRONS TIMOTHY S    | MILLIRONS ELLA MAE | 4701 DRY VALLEY RD            | RADFORD VA 24141               |
| 526- A 50A              | B & B STORAGE LLC      |                    | 600 RADFORD RD                | CHRISTIANSBURG VA 24073        |



**TOWN OF CHRISTIANBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
NEW BUSINESS

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**  
Personal Property Tax Relief Act

**DESCRIPTION:**  
Council to set the personal property tax relief percentage at 37.08% as required by the Personal Property Tax Relief Act. Required annually.

**POTENTIAL ACTION:**  
Council action on the matter requested

**DEPARTMENT:**  
Finance

**PRESENTER:**  
Valerie Tweedie, Finance Director

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**



ESTABLISHED  
NOVEMBER 10, 1792

INCORPORATED  
JANUARY 7, 1833

MAYOR  
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SAMUEL M. BISHOP  
HARRY COLLINS  
R. CORD HALL  
STEVE HUPPERT  
HENRY SHOWALTER  
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CLERK OF COUNCIL  
MICHELE M. STIPES

TOWN ATTORNEY  
GUYNN & WADDELL, P.C.

# Town of Christiansburg, Virginia 24073

100 East Main Street ~ Telephone 540-382-6128 ~ Fax 540-382-7338

MEMORANDUM:

TO: Town Council

FROM: Valerie Tweedie

Date: September 22, 2016

SUBJECT: PPTRA Personal Property Tax Relief Percentage for 2016

As you may recall in 1998 the Virginia legislature passed the Personal Property Tax Relief Act (PPTRA) and each year we calculate the percentage of relief that citizens will receive based on qualifying vehicles. All vehicles that are for personal use and under \$1,000 in value receive 100% relief. Personal use vehicles valued between \$1,001 and \$20,000 receive the calculated percentage relief and no relief is provided for vehicles valued in excess of \$20,001.

Before proration, this was a relatively straight forward calculation as we received all vehicle values as of January 1 of each year and the percentage was calculated using those numbers. With Proration in effect the calculation now requires estimation of the number of qualifying vehicles that will be added and deleted in the last quarter as well as an estimation of the values to be applied to those vehicles added and deleted during the first 9 months of the year.

Based on the data received to date and review of prior years we have calculated the PPTRA percentage for this year to be 37.08%. We respectfully request Council's approval of this rate so that we may proceed with generating the tax bills for the 2016 tax year.

2016

TOWN OF CHRISTIANBURG  
PPTRA PERSONAL PROPERTY TAX RELIEF ACT  
VALUES BASED ON ESTIMATED PRORATED VALUES FOR ADDS AND DELETES

|   |                   | ESTIMATED<br># vehs. |
|---|-------------------|----------------------|
| VALUE FOR 1000 AND LESS                                 | 364,092           | 434                  |
| 1001-20000  | 99,245,150        | 15,031               |
| OVER 20000  | 36,758,000        | 1,838                |
| <br>  |                   |                      |
| LESS THAN 1,000   | 1,638.42          |                      |
| 1,001 TO 20,000   | 446,603.17        |                      |
| OVER 20,000   | 165,411.00        |                      |
| TOTAL ASSESSED  | <b>613,652.59</b> |                      |
| <br>  |                   |                      |
| TOTAL ASSESSED  | 613,652.59        |                      |
| LESS 100% RELIEF<br>BASE                                | 1,638.42          |                      |
|   | <b>612,014.17</b> |                      |
| <br>  |                   |                      |
| STATE REIMBURSEMENT (PPTRA)                             | 228,552.85        |                      |
| LESS UNDER 1,000  | 1,638.42          |                      |
|   | <b>226,914.43</b> |                      |
| <br>  |                   |                      |
| TOWN OF CHRISTIANBURG<br>PROPERTY TAX RELIEF PERCENTAGE | <b>37.08%</b>     |                      |



**TOWN OF CHRISTIANBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
NEW BUSINESS

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**  
Resolution honoring the 150<sup>th</sup> Anniversary of Schaeffer Memorial Baptist Church

**DESCRIPTION:**  
Celebrating and acknowledging the essential role the church played in the African American community, as well as the history of Christiansburg.

**POTENTIAL ACTION:**  
Council action on the matter requested

**DEPARTMENT:**  
Administration

**PRESENTER:**  
Mike Barber, Town Mayor

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

# TOWN OF CHRISTIANSBURG

*Established November 10, 1792*

*Incorporated January 7, 1833*



## **RESOLUTION HONORING THE 150<sup>TH</sup> ANNIVERSARY OF SCHAEFFER MEMORIAL BAPTIST CHURCH**

**WHEREAS**, in 1866, after discovering that African American Baptists in Montgomery County did not have a place to worship, Captain Charles S. Schaeffer held regular church services with a group of about 30 people in various homes. One year later, he purchased a tract of land in Christiansburg on a mountain he called Zion Hill and erected a parsonage, church and school house for the sum of \$1,400.

**WHEREAS**, those buildings provided a community meeting place for area African American Baptists, and in 1869, Brother Richard Taylor was baptized, ordained and made the first Pastor of the Church.

**WHEREAS**, after Rev. Taylor's death, Captain Schaeffer took over the pastorate and served for more than 20 years. During this time, 1,629 persons joined the Church, and out of this membership, more than 21 churches in East Tennessee and Virginia were established.

**WHEREAS**, in 1885, the present church's edifice was completed and dedicated, and by the time of Captain Schaeffer's death in May 1899, many lives had been touched through his devotions and dedication.

**WHEREAS**, through the early efforts of Captain Schaeffer, the black community in Montgomery County was able to receive educational and technical skills, and Schaeffer Memorial Baptist Church is a monument of the African American social, educational and religious history in Southwest Virginia.

**WHEREAS**, the Schaeffer Memorial Baptist Church is celebrating its 150<sup>th</sup> anniversary this year and continues to function as a Baptist meeting house, retaining all of its original fabric, including chancel furniture, pews and baptistery.

**NOW, THEREFORE, BE IT RESOLVED** that Christiansburg Town Council hereby honors the Schaeffer Memorial Baptist Church, celebrating and acknowledging the essential role it has played in the African American community, as well as the history of Christiansburg.

**Adopted this 27<sup>th</sup> of September, 2016.**

AYE

NAY

ABSTAIN

ABSENT

D. Michael Barber, Mayor\*

Samuel M. Bishop

Harry Collins

R. Cord Hall

Steve Huppert

Henry D. Showalter

Bradford J. Stipes

\*Votes only in the event of a tie.

---

Michele M. Stipes, Clerk of Council

---

D. Michael Barber, Mayor



**TOWN OF CHRISTIANBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
NEW BUSINESS

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**  
Resolution declaring October 9 – 15, 2016 as Fire Prevention Week

**DESCRIPTION:**  
Declaring October 9 – 15, 2016 as Fire Prevention Week throughout the Town of Christiansburg.

**POTENTIAL ACTION:**  
Council action on the matter requested

**DEPARTMENT:**  
Administration

**PRESENTER:**  
Mike Barber, Town Mayor

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

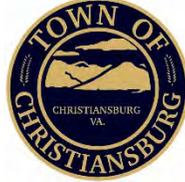
**Action Taken:**

**Information Provided:**

# TOWN OF CHRISTIANSBURG

*Established November 10, 1792*

*Incorporated January 7, 1833*



## FIRE PREVENTION RESOLUTION

**WHEREAS**, the town of Christiansburg, Virginia is committed to ensuring the safety and security of all those living in and visiting Christiansburg; and

**WHEREAS**, fire is a serious public safety concern both locally and nationally, and homes are where people are at greatest risk from fire; and

**WHEREAS**, in one-fifth of all homes with smoke alarms, the smoke alarms are not working; and

**WHEREAS**, three out of five home fire deaths result from fires in properties without smoke alarms (38 percent) or with no working smoke alarms (21 percent); and

**WHEREAS**, working smoke alarms cut the risk of dying in reported home fires in half; and

**WHEREAS**, the age of a smoke alarm can be determined by the date of its manufacture, which is marked on the back of the smoke alarm; and

**WHEREAS**, Christiansburg's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

**WHEREAS**, Christiansburg's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

**WHEREAS**, the 2016 Fire Prevention Week theme, "Don't Wait-Check the Date! Replace Smoke Alarms Every 10 Years" effectively serves to educate the public about the vital importance of replacing the smoke alarms in their homes at least every ten years, and to determine the age of their smoke alarms by checking the date of manufacture on the back of the alarms.

**NOW, THEREFORE BE IT RESOLVED**, that Christiansburg Town Council, meeting in regular session September 27, 2016 proclaims October 9 – 15, 2016, as Fire Prevention Week throughout the town of Christiansburg.

AYE

NAY

ABSTAIN

ABSENT

Samuel M. Bishop  
Harry Collins  
R. Cord Hall  
Steve Huppert  
Henry D. Showalter  
Bradford J. Stipes  
D. Michael Barber, Mayor\*

\*Votes only in the event of a tie.

\_\_\_\_\_  
Michele M. Stipes, Clerk of Council

\_\_\_\_\_  
D. Michael Barber, Mayor



**TOWN OF CHRISTIANBURG  
TOWN COUNCIL  
AGENDA COVER SHEET**

**AGENDA LOCATION:**  
STAFF REPORTS

**Meeting Date:**  
SEPTEMBER 27, 2016

**ITEM TITLE:**  
Inspection and pruning plan for Constitution Oak

**DESCRIPTION:**  
Discuss the inspection and pruning of the red oak in the square at downtown Christiansburg.

**POTENTIAL ACTION:**

**DEPARTMENT:**  
Administration

**PRESENTER:**  
Steve Biggs, Town Manager

**ITEM HISTORY:**

**Date:**

**Action Taken:**

**Information Provided:**

**Date:**

**Action Taken:**

**Information Provided:**

September 10, 2016

Mr. Michael Huesman  
Town of Christiansburg  
100 East Main Street  
Christiansburg, VA 24073

Dear Mr. Huesman:

At your request, I viewed several photographs you provided of a red oak (*Quercus* spp.) in the square at downtown Christiansburg to make observations about the risk associated with the tree. We agreed that I would conduct a level 1 tree risk assessment<sup>1</sup> based on these photographs. While I have seen this tree many times over the years, I have not inspected it, and the following is based entirely on the photographs.

Years ago this tree was shortened and cut back. Today it appears vigorous in that there is a lot of regrowth and for the most part it is covered in leaves. There are dead branch stubs where the tree died back after being drastically headed back<sup>2</sup>. There are fungal fruiting bodies<sup>3</sup> on the stem next to old pruning wounds; these appear to be *Inonotus dryadeus*, which is a decay<sup>4</sup> fungus.

This level 1 risk assessment is based on normal weather conditions, and for a period of one year.

It is apparent from the photographs that there are large dead branches that could fall at any time. While pedestrians are not always present, they are during daylight hours when business is conducted. There are fixed objects as well that could be damaged. I am of the opinion that the large dead branches do pose a high risk.

It is not possible to judge from the photographs how much decay is present or how significant it may be in compromising structural integrity of the tree. A level 2 (basic)

---

<sup>1</sup> A level 1, or limited visual, risk assessment is done from a distance and usually a single perspective. It is useful for large populations of trees. In this case, photographs supplied by Mr. Huesman provided my perspective. A level 2, <sup>2</sup> Cutting back to a bud or smaller branch that is not large enough to assume apical dominance, thus the tree tends to sprout prolifically along the stem.

<sup>3</sup> Structure of a fungus that produces spores for reproduction; called, among other things, mushrooms, conks, sporophores; often indicative of decay.

<sup>4</sup> Decay is the process by which wood fiber becomes digested by fungi or bacteria.

assessment might provide more information, but it is possible that a level 3 (advanced) assessment would be required. Based on limited information, I am of the opinion that the risk of failure in the areas where the fruiting bodies are growing is low.

Options for addressing this tree include:

- Do nothing. The risk would remain as it is.
- Remove the tree. If the tree were taken away from the site, there would be no residual risk.
- Prune the tree for risk reduction<sup>5</sup>. Some risk would remain, since the extent of decay and other factors cannot be assessed from photographs; and since there is always some risk when trees exist.

Feel free to call if you have any questions.

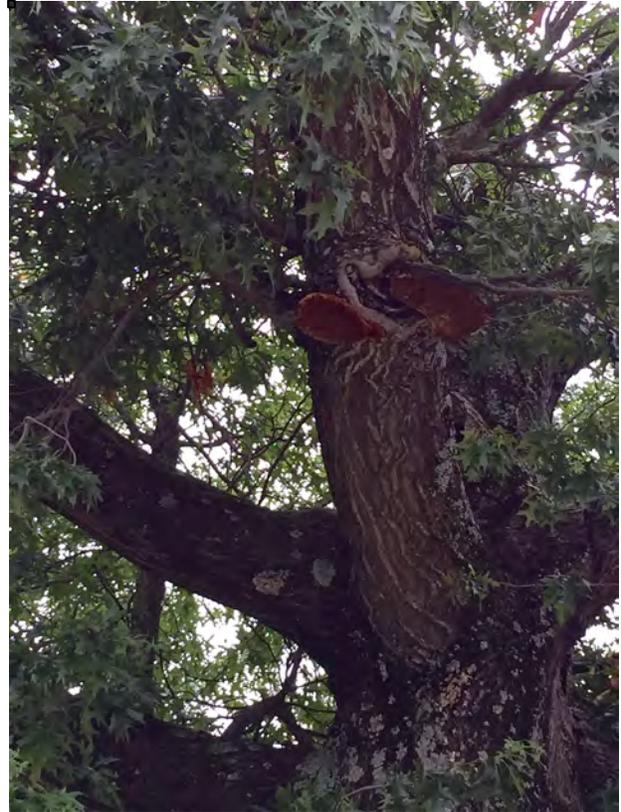
Best wishes,

A handwritten signature in black ink, appearing to read "Ed Milhous". The signature is written in a cursive, flowing style.

Ed Milhous  
Registered Consulting Arborist #350

---

<sup>5</sup> According to ANSI A-300 Standards, risk reduction pruning means to prune out dead wood that is two inches in diameter or larger and 15 feet or higher above the target (here that would be ground level).



In the photograph on the left, large dead branches are evident. In the photograph on the right, fungal fruiting bodies emanate from an old pruning cut.  
(Photographs by Huesman)

Date/Location: 9/10/16 – downtown square, Christiansburg, Virginia

Tree #: n/a Species: red oak (*Quercus* spp.) DBH: n/a

Height: n/a Assessment level: limited visual (level 1) from photographs Time frame: 1 year

Concern failure of dead branches in crown; trunk failure due to decay

Target:

Primary: users of the right of way

Other: monument, parked vehicles

Description: This tree was drastically pruned years ago, but has grown back vigorously. Headed-back dead branches are obvious. Fungal fruiting bodies are evident. There is limited rooting space available for the tree, and soil disturbances for infrastructure, etc. has taken place over the years.

Risk of dead branch failure:

Matrix A

| Likelihood of Failure | Likelihood of Striking Primary Targets |                 |                 |                 |
|-----------------------|--|-----------------|-----------------|-----------------|
|                       | Very Low                               | Low             | Medium          | High            |
| <b>Imminent</b>       | Unlikely                               | Somewhat Likely | <b>Likely</b>   | Very Likely     |
| <b>Probable</b>       | Unlikely                               | Unlikely        | Somewhat Likely | Likely          |
| <b>Possible</b>       | Unlikely                               | Unlikely        | Unlikely        | Somewhat Likely |
| <b>Improbable</b>     | Unlikely                               | Unlikely        | Unlikely        | Unlikely        |

Matrix B

| Likelihood of Failure and Striking Target | Consequences |          |             |          |
|---|--------------|----------|-------------|----------|
|   | Negligible   | Minor    | Significant | Severe   |
| <b>Very Likely</b>                        | Low          | Moderate | High        | Extreme  |
| <b>Likely</b>                             | Low          | Moderate | <b>High</b> | High     |
| <b>Somewhat Likely</b>                    | Low          | Low      | Moderate    | Moderate |
| <b>Unlikely</b>                           | Low          | Low      | Low         | Low      |

Risk: *High*

Mitigation: risk reduction pruning would reduce but not eliminate this risk

Recommendations: perform risk reduction pruning as soon as possible, monitor the tree for further dead branches, and take steps to improve the vigor of the tree; or remove the tree

Risk of trunk failure due to decay:

Matrix A

| Likelihood of Failure | Likelihood of Striking Primary Targets |                 |                 |                 |
|-----------------------|--|-----------------|-----------------|-----------------|
|                       | Very Low                               | Low             | Medium          | High            |
| <b>Imminent</b>       | Unlikely                               | Somewhat Likely | Likely          | Very Likely     |
| <b>Probable</b>       | Unlikely                               | Unlikely        | Somewhat Likely | Likely          |
| <b>Possible</b>       | Unlikely                               | Unlikely        | <b>Unlikely</b> | Somewhat Likely |
| <b>Improbable</b>     | Unlikely                               | Unlikely        | Unlikely        | Unlikely        |

Matrix B

| Likelihood of Failure and Striking Target | Consequences |          |             |            |
|---|--------------|----------|-------------|------------|
|   | Negligible   | Minor    | Significant | Severe     |
| <b>Very Likely</b>                        | Low          | Moderate | High        | Extreme    |
| <b>Likely</b>                             | Low          | Moderate | High        | High       |
| <b>Somewhat Likely</b>                    | Low          | Low      | Moderate    | Moderate   |
| <b>Unlikely</b>                           | Low          | Low      | Low         | <b>Low</b> |

Risk: *Low*

Mitigation: tree removal would remove this risk; it is not possible to tell from the photographs whether pruning would reduce this risk

Recommendations: consider performing a level 2 or level 3 assessment to try to collect more information; accept low risk and take steps to improve the vigor of the tree; or remove the tree