

Bradley E. Grose, Mayor  
Matthew S. Hare, Vice Mayor  
I. Douglas Adams, Jr., Council Member  
William "Wes" Nance, Council Member  
Sabrina M. Weeks, Council Member



Vinton Municipal Building  
311 South Pollard Street  
Vinton, VA 24179  
(540) 983-0607

**Vinton Town Council  
Regular Meeting  
Council Chambers  
311 South Pollard Street  
Tuesday, December 16, 2014**

**AGENDA**

Consideration of:

- A. 7:00 p.m. - ROLL CALL AND ESTABLISHMENT OF A QUORUM**
- B. MOMENT OF SILENCE**
- C. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG**
- D. UPCOMING COMMUNITY EVENTS/ANNOUNCEMENTS**
- E. CONSENT AGENDA**
  - 1. Consider approval of minutes for the regular Council meeting of December 2, 2014.
- F. AWARDS, RECOGNITIONS, PRESENTATIONS**
- G. CITIZENS' COMMENTS AND PETITIONS** - This section is reserved for comments and questions for issues not listed on the agenda.
- H. TOWN ATTORNEY**
- I. TOWN MANAGER**

**ITEMS REQUIRING ACTION**

- 1. Presentation of the June 30, 2014 Comprehensive Annual Financial Report by Brown Edwards & Company, LLP and consider adoption of a Resolution approving and accepting said Report.

**BRIEFINGS**

- 1. Briefing on the proposed amendment to the zoning ordinance to incorporate a mixed use zoning district provision, zero lot line provision, as well as amending and adding definitions as needed.

2. Briefing on request of James Wright to abandon and vacate an undeveloped Portion of South Pollard Street and undeveloped Alley located between 101 and 105 Giles Avenue.

**UPDATE ON OLD BUSINESS**

**J. FINANCIAL REPORT FOR OCTOBER 2014**

**K. MAYOR**

**L. COUNCIL**

1. Appointments to Boards/Commissions/Committees

**M. ADJOURNMENT**

**NOTICE OF INTENT TO COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.** Reasonable efforts will be made to provide assistance or special arrangements to qualified individuals with disabilities in order to participate in or attend Town Council meetings. Please call (540) 983-0607 at least 48 hours prior to the meeting date so that proper arrangements may be made.

**NEXT TOWN COMMITTEE/COUNCIL MEETINGS:**

**December 15, 2014** – 5:30 p.m. – Finance Committee Meeting – Finance Conference Room

**December 16, 2014** – 5:30 p.m. – Finance Committee Meeting – Finance Conference Room

**January 6, 2015** – 6:00 p.m. – Work Session following by Regular Council Meeting – Council Chambers



## **Town Council Agenda Summary**

### **Meeting Date**

December 16, 2014

### **Department**

Town Clerk

### **Issue**

Consider approval of minutes for the regular Council meeting of December 2, 2014.

### **Summary**

None

### **Attachments**

December 2, 2014 minutes

### **Recommendations**

Motion to approve minutes

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, DECEMBER 2, 2014, IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA.

MEMBERS PRESENT: Bradley E. Grose, Mayor  
Matthew S. Hare, Vice Mayor  
I. Douglas Adams, Jr.  
William W. Nance  
Sabrina M. Weeks

STAFF PRESENT: Christopher S. Lawrence, Town Manager  
Elizabeth Dillon, Town Attorney  
Susan N. Johnson, Town Clerk  
Ryan Spitzer, Assistant Town Manager  
Gary Woodson, Public Works Director  
Ben Cook, Police Chief  
Joey Hiner, Public Works Assistant Director  
Donna Collins, Human Resources Specialist

**The Mayor called the work session to order at 6:00**

p.m. for a briefing on the current Town of Vinton Street Maintenance Operational Program. The Town Manager first commented that this item has been presented to the Public Works Committee on two different occasions. He then turned the meeting over to Gary Woodson for the presentation.

Mr. Woodson began by commenting that historically the Town's street maintenance operational program has been done on a "fix the worse" basis. Each year approximately \$270,000 is allocated to roadway maintenance and we use those funds to mill and re-surface roadways. With this presentation he wanted to walk Council through some different tools and show new technologies that are now available. The beginning of this year they joined with Roanoke City and solicited the services of EnterInfo/Enterprise Information Solutions, Inc. to perform a town-wide roadway assessment. EnterInfo did a scientific analysis which eliminates the subjectiveness and allows us to take a visual look at our streets and prioritize them.

Mr. Woodson next began his first presentation from the Federal Highway Administration in order to give some background information. The first slide showed that 94% of paved roads are asphalt services with 77% of those roadways controlled by localities, 20% by the State and 3% are federal. The key to extending pavement life is to stop oxidation which occurs within the first three years of a new road. Two primary causes of oxidation are UV rays and moisture.

There are five stages to the life cycle of a road—design, construction, initial deterioration, visible deterioration and disintegration and failure. The key is to operate within the initial deterioration stage. If we wait to the visible stage, that is when we begin to see potholes and cracking. Delaying and deferring maintenance leads to higher repair and reconstruction costs.

Mr. Woodson continued by commenting that new processes are now being used such as fog seal/rejuvenators, slurry (Types I, II and III), high density mineral bond, micro-surface and chip seal. In the Town, we typically do only milling and resurfacing, but we did do a section of Mountain View with slurry as a test strip.

Preservation is being proactive and investing in our roadway systems prior to any visible signs. Fixing the worst roads first is not the best fiscal policy because maintenance on other roads is neglected and their conditions become worse. He commented that because of the recent repair work that had been done on Mountain View, when the analysis was done, it scored higher.

Another slide showed a graph of the Pavement Condition Index (PCI). This was based on arterial, collector/industrial and residential/alley roadways. The ideal range is 70 to 55 and once a roadway gets to 55, there is no way to improve upon it other than investing a significant amount of money. Mr. Woodson next commented on the price, pavement extension and public acceptance of slurry, chip seal, fog seal and micro-surface.

Mr. Adams commented on the rough surface on Mountain View and on Edgemont and that he has received complaints. Mr. Woodson responded that each of these methodologies will not give a finished product like when the road was new, but what is a threshold that people can accept. Sometimes, though, depending on how slurry is applied, after it warms up and there is more traffic on it, that will help to smooth it out to some degree.

Mr. Woodson next commented that the American Association of State Highway and Transportation Officials has concluded that for every \$1 spent in keeping a good road it precludes spending \$6-\$14 to rebuild one. The real key to maximizing pavement life is the right treatment on the right surface at the right time.

The next presentation shared by Mr. Woodson was from eRoadInfo, the group that the Town and Roanoke City contracted with to do the roadway assessments. They

came in with a van and drove all over the Town collecting data. The automated pavement data collection took about two days to collect after which they provided Public Works with the software and a report. Staff then attended a training session along with Roanoke City to learn how to use the software.

The van had a 3D laser that was constantly reading the road and taking pictures every 25 feet. We have 77 miles of roadway in Town and with this software we can look at every piece of our roadway system the day it was done. It shows long/transverse cracking, alligator cracking, raveling, rutting, potholes, IRI/roughness and macro-texture. The van did a 360 degree collection with panoramic imaging and also records the depths of any ruttings or potholes. So, we now have a 3D image as well as a physical image of all the roadways.

Mr. Woodson next commented that this software integrates with ArcGIS and we received this feature for one-year included in the cost of the software. The software will also integrate with the City-Works program and can be customized to pick up sidewalks, signs and striping. We would want the data collected every three to five years so there will be a comparison and we can adjust how we are spending funds for our roadways. The next slide showed the pave repair decision tree, a part of the software package. This tree allows you to select a certain area of the Town, put a time range in years, a budget amount and apply certain tools to see how it will affect the PCI score.

The final presentation was on the Town's current roadway system. The current PCI is 59%. Forty percent of the roadways are under the 55% PCI rating. The fair rating is at 27% and the satisfactory rating of 70-85 is at 23% with only 10% in the excellent range. With this data, we can now decide the parameter that we want to keep our roadways at and begin taking measures to keep us at that level. The next slide showed a map of the Town with the roadway ratings.

Mr. Woodson next showed several scenarios based on the decision tree. The Town receives around \$270,000 a year for roadway maintenance. He took this amount and put in ten years as the time frame. If this amount is invested in only milling and resurfacing our roadways will drop to 48% in ten years. With a 15 year time frame, they would drop to 44.9% and at 20 years, to 42.6%. If we continue to just do milling and resurfacing, we would need \$457,500 a year to get the PCI up to 70 in 15 years.

Mr. Woodson next commented that he feels we are at a time that it would be beneficial to add some other tools to the decision tree from an operational standpoint to help improve the life of the Town's roadway systems. Another point to consider is when roadway systems fail and crack it often compromises the sub-base. He does not know of any roads where we have rebuilt the roadway sub-surfaces when we mill and repave.

Vice Mayor Hare commented that he assumes we would need more than one reading to have something to compare. Mr. Woodson responded that the roads will only get worse and if another reading is done in three years, he feels that the percentage will drop.

The Mayor asked if any of our neighboring localities are using any of the various methods mentioned. Mr. Woodson responded that City of Salem is very proactive and they use a lot of different methods as well as Blacksburg. There is a sustainability group that meets quarterly to twice a year to discuss different methodologies and their successes and failures.

Vice Mayor Hare asked what we could do with our current budget using some of the different methods. Mr. Woodson responded that he felt using slurry and crack sealing would be the best to get the most value for the dollar. However, the first step would be to determine what tools are acceptable.

Most roads will only last about 15 to 20 years under ideal conditions. There are other factors to be considered such as workmanship, when you do it, conditions of the roadways, how many chemicals are being put down, among other things. The Mayor asked if we did the crack sealing, would it be done in-house or by a contractor. Mr. Woodson responded that we would have to look and see which would be the most cost effective approach. He feels it would probably be to do it in-house with maybe a \$20-25,000 investment and use our employees during the Spring and Fall. A determination would need to be made for the right place, the right time and the right conditions. For instance, we would not want to come in the downtown area and do crack sealing, but possibly in residential areas or secondary roads.

Council Member Nance commented that he appreciated the presentation and as we are trying to get more value for our available funds, he is willing to look at these other options.

**The Mayor called the regular meeting to order at 7:05**

Roll call

p.m. The Town Clerk called the roll with Council Member Adams, Council Member Nance, Council Member Weeks, Vice Mayor Hare and Mayor Grose present. After a Moment of Silence, James Wright led the Pledge of Allegiance to the U.S. Flag.

**Under upcoming community events/announcements,**

Council Member Weeks announced the Christmas Parade on December 4<sup>th</sup> with the Breakfast Lions Club spaghetti dinner prior to the parade from 4 p.m. to 7 p.m. There will be a Holiday Open House at the History Museum on December 6<sup>th</sup> from 10 a.m. to 2 p.m. A Holiday Concert and Afternoon Social with the Roanoke Valley Children's Choir at the War Memorial on December 7<sup>th</sup> at 3 p.m. Madeline's Christmas Breakfast will also be at the War Memorial on December 13<sup>th</sup> from 9 a.m. to 11 a.m. The tickets are now on sale for the Vinton New Year's Eve Gala, hosted by the Chamber of Commerce.

Council Member Nance announced that the Finance Committee meeting that was originally scheduled for Monday has been rescheduled for December 15<sup>th</sup> at 5:30 p.m.

**Council Member Adams made a motion to approve the Consent Agenda as presented;** the motion was seconded by Vice Mayor Hare and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Nance, Weeks, Hare, Grose; Nays (0).

Approved minutes for the regular Council meeting of November 18, 2014

**The next item on the agenda was an update on Bank**

on Roanoke Valley. The Town Clerk began by commenting that she has been serving on the Steering Committee as the Town's representative. In November of 2013, Council agreed to support the Program with a \$1,500 donation for Calendar Year 2014. The Program was launched in January at the Roanoke Valley Financial Fitness, Lifestyle and Career Fair where goals were set for two years to open 1,000 new accounts (checking and savings) in the Roanoke Valley and to provide at least 200 hours of free adult financial education per year.

Ms. Johnson next commented that in the first year (as of November) 858 new savings and checking accounts were open in the region (as of November) which can have a potential savings of \$858,000 for those families. There were also over 35 public classes offered at public libraries as well as small group classes at nonprofit and for-profit organizations for a total of 100 hours of adult education. Some of the organizations that participated for their clients

were Habitat for Humanity and Bethany Hall. Although, Council decided not to financially support the Program beyond the 2014 Calendar Year, she has been asked to continue as a member of the Steering Committee and for the Town to still be a sponsor (not financial) of the Program so they can continue to hold education programs in facilities in Vinton such as the library and Senior Center.

**The next item for consideration was a Resolution in support of a capital fundraising campaign by the Vinton Historical Society for the expansion of the Vinton History Museum.** After comments from the Town Manager, Barbara Hargis, Doug Forbes and Mattie Forbes, Council also made brief comments.

Vice Mayor Hare asked how the logistics of the fundraising would work. The Town Manager responded that this gives the Historical Society permission to develop a fundraising program. Town staff will work with them and we will brief Council as the program progresses and ultimately there will have to be an agreement between the parties. Ms. Forbes commented also that they never do anything to the Museum until they get permission from the Town. Any design plans will have to come through the Town as well.

Vice Mayor Hare made a motion to adopt the Resolution as presented; the motion was seconded by Council Member Nance and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Nance, Weeks, Hare, Grose; Nays (0).

Adopted Resolution No. 2092 in support of a capital fundraising campaign by the Vinton Historical Society for the expansion of the Vinton History Museum

**Under update on old business, the Town Manager** commented that a neighborhood meeting was held yesterday regarding the skate park. The meeting was well-attended and very productive. It appeared that there is a strong interest and desire to investigate and pursue the need for a skate park. We are going to look at some other locations that might be suitable in our community and bring that information back to a larger community meeting. We also want to give options related to costs, impacts on neighbors and benefits to the community.

The Mayor commented that four of the five Council Members were in attendance. They did not make any comments, but were there to listen to the comments from the community.

Council Member Adams commented that everyone at the meeting felt there is a need for a skate park, but a lot of discussion needs to happen and we want to make sure that everything we are being told is correct. Also, we want to be

sure that everyone involved is aware of the skate park wherever it goes and has the opportunity to be heard. There is no need to rush into the matter.

Council Member Weeks commented on the options that were given at the meeting that can at least be looked at and presented at a community meeting. That will allow us to get the pros and cons of each location. We need to let the Chamber of Commerce know of the community meeting so they can let their members know and possibly get a notice put in the bulletins of all the surrounding churches.

Council Member Nance commented that he is still interested in the idea of a skate park. The idea that was brought to us has not yet fully developed and it is unfortunate that the idea was not presented to the immediate stakeholders in the area at an earlier stage. Another issue is the financial burden that is being left to the Town. Our next budget process is going to be a difficult one because our budget has been tight for several years. We have been discussing even eliminating the service of the 3<sup>rd</sup> Street dumpsters and he feels it would be disingenuous to stop a service to save \$10,000 and spend \$20,000 to start a new one. Perhaps we need a third financial partner to make this work and to get his full support. Also, if we are talking about additional sites, we must look at the immediate area and see who is going to be impacted. It can get our blessing, but not our approval if it causes turmoil in the community where it is going to be placed.

Vice Mayor Hare commented that he is fine with gathering more information. We can probably guarantee that no matter where it goes there will be turmoil because someone will always say it is not going to be in my backyard. The Mayor then commented that if we wanted to pursue another financial partner, we would need to have the location picked out.

**The next item on the agenda was a review of the** Financial Report for October 2014. This item was postponed to the December 16<sup>th</sup> meeting.

Review of Financial Report for October 2014 was postponed to the December 16, 2014 meeting

**The Mayor expressed thanks to those who attended** the State of the Town and commented on the Police Department awards banquet. He also mentioned that Officer Michael Byrd was named Officer of the Year and a couple of citizens were recognized that had been proactive in stopping crime. The Mayor also congratulated Liz Munn-Lively, the outgoing President of the Vinton Area Chamber of Commerce and expressed appreciation for her leadership.

**Comments from Council Members:** Mr. Nance also commented on the Police Awards Banquet and the comradery that you see in the department. Vice Mayor Hare asked about the work session at the prior meeting on the improvements to the Farmer's Market and the bids needing to go out in December. Mr. Spitzer responded that he will be meeting with the Council Members individually and then the Downtown Management Team will review the design again based on the comments by Council. The matter will probably come back to Council in January.

Mr. Hare then asked if the funds designated in the grant for the Farmer's Market have to be spent on the market area or can they be used for the building behind the market. Mr. Spitzer commented that the funds must be spent for the Farmer's Market first. If we get a design that comes in under budget and meets all of the requirements, then we can petition the State to use the extra funds for other projects. Mr. Hare asked about using the funds for blight in the adjacent area. It seems like it would fit with the intention of the grant to deal with blighted areas to revitalize the downtown.

**Council Member Nance made a motion that Council go into a Closed Meeting pursuant to § 2.2-3711 A of the 1950 Code of Virginia, as amended, for discussion regarding appointments to boards and commissions as authorized by subsection 1. The motion was seconded by Council Member Adams and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Nance, Weeks, Hare, Grose; Nays (0) – None. Council went into Closed Meeting at 7:45 p.m.**

At 8:12 p.m., the regular meeting reconvened and the Certification that the Closed Meeting was held in accordance with State Code requirements was approved on motion by Vice Mayor Hare; seconded by Council Member Weeks and carried by the following roll call vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Nance, Weeks, Hare, Grose; Nays (0) – None.

**Vice Mayor Hare made a motion to adjourn the regular meeting; the motion was seconded by Council Member Nance and carried by the following vote, with all members voting: Vote 5-0; Yeas (5) – Adams, Nance, Weeks, Hare, Grose; Nays (0) – None. The meeting was adjourned at 8:14 p.m.**

Certification of Closed Meeting

Meeting adjourned

APPROVED:

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Bradley E. Grose, Mayor

ATTEST:

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Susan N. Johnson, Town Clerk



## **Town Council Agenda Summary**

### **Meeting Date**

December 16, 2014

### **Department**

Finance/Treasurer

### **Issue**

Presentation of the June 30, 2014 Comprehensive Annual Financial Report by Brown Edwards & Company, LLP and consider adoption of a Resolution approving and accepting said Report

### **Summary**

Representatives of Brown Edwards have been working with the Town Manager and Finance Director/Treasurer in order to prepare the audited financial statements for the Town. The firm's responsibility is to express an opinion on these financial statements based on their audit.

In their opinion, the general purpose financial statements present fairly in all material respects, the financial position of the Town as of June 30, 2014 and the results of its operations and cash flows of proprietary fund types for the year ended in conformity with generally accepted accounting principles.

### **Attachments**

Resolution

### **Recommendations**

Motion to adopt Resolution

**RESOLUTION NO.**

**AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, DECEMBER 16, 2014 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA**

**WHEREAS,** section 15.2-2511 of the 1950 Code of Virginia, as amended, requires that the Town issue annually a report on its financial accounts and records by a third party certified public accountant, and

**WHEREAS,** the Finance Director/Treasurer's Department worked with an independent third party accounting firm of Brown Edwards & Company, L.L.P., and

**WHEREAS,** John Aldridge of Brown Edwards & Company has forwarded his firm's 2014 audit to the Town Council for review, and

**WHEREAS,** the firm's opinion letter stated that the financial statements present fairly, in all material respects, the financial position of the Town as of June 30, 2014, and the results of the Town's operations and cash flows of proprietary fund types for the year just ending on June 30, 2014, is in conformity with generally accepted accounting principles.

**NOW, THEREFORE, BE IT RESOLVED** that the Vinton Town Council does hereby receive and accept the Town's June 30, 2014 audit.

This Resolution adopted on motion made by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, with the following votes recorded:

AYES:

NAYS:

APPROVED:

\_\_\_\_\_  
Bradley E. Grose, Mayor

ATTEST:

\_\_\_\_\_  
Susan N. Johnson, Town Clerk



## **Town Council Agenda Summary**

### **Meeting Date**

December 16, 2014

### **Department**

Planning and Zoning

### **Issue**

Briefing on the proposed amendment to the zoning ordinance to incorporate a mixed use zoning district provision, zero lot line provision, as well as amending and adding definitions as needed.

### **Summary**

The Planning Commission held a work session on November 13, 2014, to discuss the proposed mixed use zoning district. The Planning Commission work session to be held on December 9, 2014, to discuss the mixed use provision and other proposed changes to the zoning ordinance was canceled and has been rescheduled to January 2015. A public hearing on the proposed amendments to the zoning ordinance is tentatively scheduled to be held in February 2015.

### **Attachment**

Staff Memorandum with supporting documents

### **Recommendations**

No action required at this time

## MEMORANDUM

**TO:** Members of the Vinton Town Council  
Members of the Vinton Planning Commission

**FROM:** Anita J. McMillan, Planning and Zoning Director

**DATE:** December 8, 2014

**SUBJECT: Proposed Amendment to Zoning Ordinance**

**ISSUE/PURPOSE:** Proposed amendments to the Zoning Ordinance to add mixed use development district, adding and amending definitions, zero lot line provisions, etc.

Mixed use is intended as an improvement over traditional, segregated-use zoning. It often derives from a positive vision of a more desirable community. The regulations should set this tone, emphasizing what the developer can do while limiting prohibitions. The regulations should spell out its purposes, goals, and benefits and may include positive criteria and design standards.

### **SUMMARY:**

There several vacant parcels, buildings and underutilized properties located throughout the Town of Vinton. Please see attached listing of properties that have potential for development and/or redevelopment. The Town current zoning can be considered as traditional zoning. Traditional zoning was developed when factories and many commercial uses were noisy, smelly, and/or hazardous to public health. Unlike factories of yesteryear, much commercial development today is environmentally benign. There is no longer a good reason to separate and buffer different uses.

In fact, there are often advantages to locating different uses near each other. Mixed use concentrated development, preferably near bus line, is seen as a key “smart growth” tool to reduce auto dependence, preserve green space and natural resources, encourage redevelopment of underutilized or obsolete industrial, commercial or institutional property, and promote revitalization, economic development, and modestly priced housing. Many communities, such as City of Roanoke, are turning to “mixed use,” which generally refers to a deliberate mix of housing, civic uses, and commercial uses, including retail, restaurants, and offices.

### **The Benefits of Mixed Use Development**

Different communities choose a mixed use for different reasons. Some see it as an excellent way to incorporate a mix of housing types on a small scale while enhancing traditional town character. Others see it primarily as a vehicle for revitalizing struggling areas and spurring economic development. Although mixed use is especially applicable near public transportation, it has advantages for other areas as well. Such benefits include preservation of undeveloped or environmentally sensitive land elsewhere in the community, opportunities for more or different housing, bicycle and pedestrian friendly destinations, and enhanced sense of place or sense of

community.

### **Balancing Incentives and Requirements**

Each community will design its requirements differently, depending on its particular priorities and on the specific opportunities of different locales. The incentives, controls, and tone will be carefully selected to achieve these local goals. If the community wants to encourage mixed use and be happy with the result, it needs to balance a number of potentially competing factors. On the one hand, the regulations should be structured to be attractive to developers and to avoid burdensome requirements. On the other hand, it should ensure that new mixed use development is compatible with and enhances community character. Similarly, the community will want to be flexible enough to encourage innovative design, but definitive enough to provide clear and predictable guidelines.

The choice of incentives should also consider what is most likely to appeal to developer in the areas under consideration. Examples of potential incentives:

- The ability to build certain kinds of housing (e.g. multi-family or small units) where it is not otherwise allowed.
- More flexible design standards.
- Less open space where flexibility produces better design.
- Less parking, provided that adequate parking is achieved through such alternatives as shared parking arrangements, on street parking, higher reliance on public transportation, bicycling, walking; or transportation demand management techniques.
- Streamlined permitting

### **Design Features in a Mixed Use Setting**

There are two basic ways communities can regulate the design of new development, whether mixed use or single use. One is to set specific density standards such as units per acre, floor area ratio, or percent lot coverage limits. The other is to establish more general design criteria and performance standards and use the approval process to negotiate the outcomes. In this latter approach, parking, water and sewer infrastructure, along with design elements such as connectivity, walkability, and architectural features are used to guide development.

In the case of mixed use, several of our study communities have opted specific density standards in the belief that greater flexibility will lead to better design. This approach seems in keeping with the vision of mixed use as more flexible, innovative, and context-sensitive than traditional zoning.

*Balanced mix of uses:* To be successful, a mixed use district should include a balanced and vibrant mix of compatible uses, with first floor street-front uses generally reserved for retail, restaurant, and some cases office uses; with the exception of an existing significant building to be adaptive reuse. Other communities set limitations on the percentage of certain uses relative to other uses. For example, some localities allow one housing unit for every 2,000 square feet of buildable lot area and also allows for 3,000 square feet of commercial development for each 10,000 square feet of land area.

*Connectivity of uses:* Traditional regulations tend to emphasize buffering and protecting one use from others. Successful mixed use, by contrast, encourages links among uses. It encourages people to walk from one use to another and to enjoy and socialize in an attractive outdoor setting. Many design features promote this ambience. They include the layout and orientation of buildings; the network of sidewalks and pathways; the location of parking relative to structures and walkways; and the amount and placement of green space, landscaping, benches, and other amenities.

The regulations should authorize the Planning Commission and Town Council to consider those factors in approving the request. Specifics may include requirements for parking to be behind or next to buildings rather than in front. The community may wish to adopt separate design guidelines to provide more information and positive examples to developers.

*Active street frontage:* In addition to the first-floor street-front use provisions mentioned earlier, communities influence street frontage through setbacks and other yard dimensions. Thus, through the research, our requirements should allow a zero minimum front yard depth in some areas, set a maximum front yard depth, and prohibit front yard parking.

*Compactness:* The walkability of a mixed use development depends on the proximity of structures. Thus some regulations set dimensional requirements that allow a zero side-yard width and a zero rear yard depth except where the property abuts a residential district.

*Compatibility with town character and historic or traditional context:* Although the regulations should authorize the Planning Commission and Town Council to consider compatibility, the elements of such compatibility are generally no different in a mixed use setting than in any other new development. Hence, whatever guidance applies to other new development can simply be incorporated by reference in the mixed use regulations.

A few caveats apply, however. If the community wants to encourage creative design rather than strict adherence to historic styles, the regulations should stress “compatibility” rather than words like “consistency”, “conformity,”, or “compliance.”

*Good bicycle and pedestrian access:* One of the key benefits of mixed use is its emphasis on walking and bicycling to reduce auto dependence. Mixed use regulations can promote walking and bicycling by including bicycle parking and storage facilities, creating a network of walkways among uses, minimizing curb cuts, and requiring that automobile parking be in back.

*Reduced parking:* Under certain circumstances, mixed use districts may set aside less parking than in traditional, single use settings. For the town to allow such reduction, the public would need to be assured that the resulting parking is adequate to meet the need.

**Attachment:**

1. Listing of properties that have potential for development and/or redevelopment.
2. Proposed amendments to the zoning ordinance – Mixed use development (MUD) district, definition for multi-family dwelling, mixed use, zero lot line.

Potential for Development/Re-Development

Tax Map #	Address	Est. Acreage	Current Zoning	Property Owner(s)	Comment(s)
60.11-4-20	100 Highland Road	6.494	R2	Roanoke County Board of Supervisors	Old William Byrd High School
60.11-4-17	156 Highland Road	10.58	R2	Roanoke County Board of Supervisors	Old WBHS (field & fuel center)
61.13-4-2	0 Washington Avenue	9.77	R3	McGimsey Family LP	Undeveloped
61.13-4-21.01	0 Washington Avenue	1.5	GB	Big Cat (Tim & Jamie Bailey)	Undeveloped
61.14-2-26	1316 - 1320 Washington Avenue	3.189	GB	Green Ink, Inc.	Valley Hall
61.14-2-25.01	0 Ruddell Road	1.78	GB	Michael Henderson	Next to Valley Hall property/Undeveloped
61.14-4-13.02	1092 - 1098 Bypass Road	14.94	GB	LSREF3 Arizona REO Holdings LLC	Riverpark Shopping Center
61.13-4-22	137 S. Preston Road	1.27	GB	Donald Bandy/Mahlon Clasbey et al	Dead end of S. Preston Road near Fairmont
61.17-1-31.01 & 02	0 Everlin Road & 0 S. Preston Road	(0.7+0.7) 1.4	GB	Two Boys Realty LLC	Across from Riverpark/Undeveloped
61.17-3-10	1015 Hardy Road	0.92	GBC	Charles Harold Watson	1 of 5 rezoned to GBC
61.17-3-11	1021 Hardy Road	0.92	GBC	David Smith	1 of 5 rezoned to GBC
61.17-3-12	1027 Hardy Road	0.87	GBC	Geraldine Miller	1 of 5 rezoned to GBC
61.17-3-13	1037 Hardy Road	1.74	GBC	Rachel Setzer	1 of 5 rezoned to GBC
61.17-3-14	1045 Hardy Road	0.35	GBC	Tim Leonard	1 of 5 rezoned to GBC
61.18-4-1.09	0 Hardy Road	1.41	RB	Leon & Ginger McGhee	Next to 1211 Hardy Road
61.18-4-1	1225 Hardy Road	0.895	RB	Leon McGhee	Undeveloped
61.18-4-1.11	1229 Hardy Road	1.109	RB	Leon & Ginger McGhee	Undeveloped
61.18-4-1.12	1255 Hardy Road	0.78	RB	Simmons Insurance	Undeveloped
61.18-4-3	1323 Hardy Road	4	RB	Jeffco Electrical/Gerald Allman LLC	Has old house to be demolished
61.17-1-11	1000 Hardy Road	1.44	GB	Wolverine Property Co.	Former Family Dollar & Rite-Aid
61.17-1-9	0 Hardy Road	0.85	GB	JV Investments LLC	Next to 1000 Hardy Road
61.17-1-5	960 Bedford Road	2.07	GB	T & J Investments of Roanoke Inc.	SFR Use (across from Speedee Oil)
60.20-3-81.02	1125 Vinyard Road	4.13	GB	Henry & Sarah Brabham	Was parking lot for OTB
60.20-3-81.03	1135 Vinyard Road	4.98	GB	Henry & Sarah Brabham	Formerly the OTB location
61.17-2-4	1200 Vinyard Road	4.05	GB	B & G Enterprises LLC (10/16/14 sale)	Formerly the bowling alley
61.14-1-1	0 E. Cleveland Avenue	2.25	GB	Johnny & Barbara Hargis	Across from Dogwood Manor Apts.
60.16-9-39 & 40	412 Poplar St. & adjacent lot	1.05 combined	R2	Roanoke County Board of Supervisors	Roland E. Cook
70.8-1-1.07	0 3rd Street	3.56	M2	Falcun Corp	Next to 940 3rd Street
70.8-1-1.06	0 3rd Street	4.9	M2	TOV	GIS has it marked as Craig Rec Center

60.14-1-18	1000 Tinker Avenue	1.81	M2	VB Land LLC (Bank of America has it)	Formerly Star City Coachworks (100 Yr flood)
60.15-1-1	0 8th Street	0.94	M2	R & L Properties	Near 220 8th Street (Longwood Apts)
60.15-1-3	703 Tinker Avenue	0.75	M2	Jerome & Sandra Warfield	Currently Warfield Electric
60.15-1-2	0 Tinker Avenue	0.35	M2	Aguirre & Maldonado	Intersection of 8th & Tinker

## **Proposed Amendments to the Zoning Ordinance:**

### **MIXED USE DEVELOPMENT DISTRICT (MUD) District**

#### **Intent of District**

Mixed use is the idea of creating a multi-use, multi-purpose building or set of buildings, incorporating some combination of residential, commercial, industrial, office, institutional, or other land uses as part of the overall environment. Mixed-use may be developed at various scales from a mixed-use building, mixed use parcels/sites or mixed use walkable/transit areas. A mixed use building or buildings will be considered largely residential with street front commercial space, provider retailers with customers within close reach of each other.

The intent of the Mixed-use District is to encourage the orderly development of mixed residential/commercial sites and to encourage innovative development patterns that create a desirable environment, particularly for lots which contain a number of constraints to conventional development. These regulations are designed to achieve the following objectives:

- Allow market-drive growth in places that are most conducive to accommodating additional activity.
- Encourage economic development through the creation of a mix uses adjacent to existing commercial centers.
- Provide diverse housing development for households with a range on incomes and lifestyles.
- Promote a walkable community with pedestrian-oriented buildings and open space that connects to nearby destinations.
- Create and support lively, human-scaled activity areas and gathering places for the community by encouraging civic uses, plazas, and a mix of uses.
- Ensure that new development is consistent with and enhances the nearby streetscapes.
- Promote development that accommodates the automobile but also emphasizes alternative travel means such as buses, biking, and walking.
- Promote the adaptive reuse of existing buildings that have been identified as architectural, cultural, and/or historic significance to the community.
- Encourage redevelopment of underutilized or obsolete industrial, commercial or institutional property.
- Create opportunities to use new technologies in managing the quality and quantity of stormwater; and
- Encourage the preservation of steep slopes, floodplains, historic structures and areas, and unique, natural, or geological formations.

#### **Procedural Requirements for Mixed Use Development (MUD) District.**

Applications to establish a Mixed Use Development District or amend the development plan of Mixed Used Development District shall include a proposed development plan, drawn to scale, containing the following information and necessary explanatory materials:

- (a) Boundaries of the location of the proposed District and the ownership of properties contained therein, as well as all existing public and private streets, alleys, and easements within and immediately adjacent to the district;
- (b) Location, size, and use of existing buildings and the location, size, and use of proposed buildings or additions to existing buildings;
- (c) Location of all existing parking facilities, off-site parking facility, on-street parking, shared parking, and the approximate location of all proposed surface parking lots or parking structures, including the number of parking spaces for each lot or structure and all existing and proposed means of access to parking areas and to public or private streets, alleys, and easements;
- (d) Proposed changes in the location, width, or character of public streets, alleys, or easements within and adjacent to the district, and the delineation of any private driveways or loading spaces that intersect with public rights-of-way or easements and the delineation of routes for emergency vehicles accessing the district;
- (e) Existing and proposed pedestrian routes, including links between various buildings;
- (f) General use of major existing and proposed open spaces within the site and specific features of the development plan, such as screening, buffering, or retention of natural areas, which are intended to enhance compatibility with adjacent properties, and calculations of the percentage of usable open space for the district;
- (g) Infrastructure plans indicating the size and location of existing and proposed stormwater, sanitary sewer, and water lines as well as estimates of impacts of the proposed development on infrastructure capacity in the district and impacts on collector lines immediately outside of the district; and
- (h) Information to demonstrate the compatibility of all structures with the character and appearance of the surrounding neighborhood by virtue of the structures' height, bulk, and location within the Planned Unit Development District.

### **Permitted Uses and Structures.**

Uses and structures permitted by right: The following uses and structures are permitted by right in the mixed use development district, subject to all other applicable requirements of this appendix:

- (a) Single-family dwellings. The following uses and structures are permitted by right in the R-1 residential district, subject to all other applicable requirements of this appendix:
- (b) Two-family dwellings.
- (c) Townhouses.
- (d) Multifamily dwellings.
- (e) Churches and other places of worship.
- (f) Parks, playgrounds, other recreational facilities and community centers.

- (g) Public schools and private schools.
- (h) Government administrative uses, post offices, community centers, and libraries.
- (i) Minor and major public utilities.
- (j) Family day homes and child day care centers.
- (k) Adult day care homes and adult day care centers.
- (l) Assisted living facility.
- (m) Group homes.
- (n) Home occupations.
- (o) Commercial uses, which shall be limited to the following:
  - (1) Offices, banks, other financial services and medical and dental clinics; but not including establishments with drive-up window facilities.
  - (2) Personal service businesses;
  - (3) Retail stores and shops;
  - (4) Laundromats and laundry and dry cleaning pickup stations;
  - (5) Restaurants, cafes, delicatessens, tearooms, coffee houses, retail bakeries and ice cream parlors, but not including establishments with drive-up window facilities or establishments where food or beverages are intended to be consumed in vehicles on the premises;
  - (6) Artist studios, art galleries, art supply shops and custom frame shops;
  - (7) Bakeries where products are sold principally at retail on the premises;
  - (8) Music and dance instruction;
  - (9) Libraries and museums;
  - (10) Pet shops, pet grooming shops, veterinary clinics, provided that all facilities shall be located within completely enclosed and air conditioned buildings which are soundproof to the extent that sounds produced by animals kept or treated therein are not audible outside the building;
  - (11) Repair service, including bicycles;
  - (12) Community markets;
  - (13) Indoor sports facilities, including bowling alley, racquet sports, and health club;
  - (14) Hotels, bed and breakfast facilities, convention centers, meeting space, and banquet facilities.
- (p) Signs as permitted in article V of this appendix.
- (q) Accessory uses and structures.

Uses and Structures permitted by special use permit (SUP): The following uses and structures are permitted by special use permit in the mixed use development district, subject to all other applicable requirements of this appendix:

- (a) Drive-through windows serving or associated with permitted uses provided such facilities are located at the rear or side of the structure and do not conflict with pedestrian travel ways. In no case shall the drive through lane or window abut or face a public street.

- (b) Outdoor storage, display and/or sales serving or associated with a by-right permitted use, if any portion of the use would be visible from a travel way.
- (c) Individual buildings over 20,000 total square feet in gross floor area, or greater than 10,000 square feet per floor.
- (d) Fuel sales with pumps located at the rear or side of the associated retail structure and which do not conflict with pedestrian travel ways or interrupt street frontage. In no case shall the gas pump canopy abut a public street.

### **Street Design, Block Size and Sidewalks**

- (a) Public streets. All streets within a MUD District shall be designed and constructed according to the VDOT Secondary Street Acceptance Requirements, and the applicant shall ensure that the public streets will be accepted into the public street system by VDOT, and shall supply such surety as the Town may require.
- (b) Grid network. The transportation system in the MUD District shall be generally in the form of a grid of interconnected streets, alleys and paths, modified as necessary to accommodate topography and parcel shape.
  - (1) Proposed streets within the MUD District shall be extended to the boundary lines of the parcel being developed and terminated with stub outs to provide access to adjacent tracts not presently being subdivided or developed.
  - (2) Cul-de-sac streets shall not comprise more than ten percent (10%) of the total street length in the MUD District, nor shall any individual cul-de-sac street exceed five hundred (500) feet in length. Alleys are exempt from this calculation.
- (c) Block size. Blocks shall be in conformance with Appendix A Subdivision Ordinance.
- (d) Street design.
  - (1) Street sections shall be designed to meet VDOT standards and shall be built to the narrowest dimensions permitted by VDOT.
  - (2) Dead end alleys are permissible if identified in the Development Plan submitted at the time of rezoning approval, but in no circumstances shall an alley have a dead end length of over one hundred feet (100'). Dead end alleys shall have hammerhead turnarounds.
  - (3) Bicycle accommodations shall meet VDOT requirements.
- (e) Accommodation for pedestrians and bicycles.
  - (1) Accommodations for pedestrians and bicycles within the VDOT right of way shall be designed and constructed according to VDOT Secondary Street Acceptance Requirements.
  - (2) Sidewalks shall be provided on both sides of the street and separated from the roadway by a planting strip or designated parallel parking.
  - (3) The paved area of sidewalks shall be not less than five (5) feet wide. If a planting strip is provided, it shall be a minimum of four (4) feet in width.
- (f) Lot Access.

- (g) All lots shall front on a public street or on a square or plaza.
- (h) Alleys shall serve only the rear or sides of lots or uses.

## **Parking**

- (a) Except as otherwise provided by this subsection, off-street parking requirements shall be in accordance with Article V of this Appendix.
- (b) Shared parking shall be permitted upon approval of a shared parking plan by the Zoning Administrator.
- (c) On-street parking is permitted, provided that the design and placement of such spaces are approved by the Vinton Department of Public Works Department.
  - (1) On-street as well as off-street parking spaces shall be counted toward satisfying the use-based parking requirements contained within Article V of this Appendix.
  - (2) Where on-street parking is provided, requirements for off-street parking shall be reduced accordingly.
  - (3) On-street parking spaces assigned to a building or use shall be those spaces that abut the lot containing that building or use.
  - (4) On-street parking shall be provided on streets abutting squares, small parks or other open spaces.
- (d) Off-street parking and loading spaces for commercial and mixed-use structures shall be located to the rear of principal structures with the exception of required handicapped parking or loading spaces which may be located to the sides of the principal structure.
- (e) Parking for retail and service uses in the Neighborhood Center shall not require on-site parking provided that:
  - (1) On-street or off-street parking is available within a six-hundred-foot radius of the activity.
  - (2) The total floor space for the individual uses does not exceed 2,500 square feet of gross floor area.

## **Pedestrian Scale Lighting**

- (a) The provisions of this subsection shall apply to any non-residential project in a MUD District as follows:
  - (1) Site lighting shall be located and designed so as to illuminate only the intended lot; light shall be directed downward to the immediate area being lighted and away from any living quarters.
  - (2) Floodlights or directional lights (maximum 100-watt metal halide bulbs) may be used to illuminate alleys, parking garages and working (maintenance) areas, but shall be shielded or aimed in such a way that they do not shine into other lots, the street, or direct light out of the MUD District. Floodlighting shall not be used to illuminate building walls (i.e.

lights should not be placed on the ground so that a beam of light is directed upward).

- (3) Pedestrian scale decorative street lights (12' to 15' in height) shall be installed by the developer on both sides of streets throughout the District with a maximum average spacing of seventy-five (75') feet on center.

## **Utilities**

- (a) All development within a MUD District shall be served by public water and sewer facilities.
- (b) Utilities (and associated pedestals, cabinets, junction boxes and transformers) including electric, cable TV, telephone and natural gas service shall be located underground and to the rear of properties in alley rights-of-way (ROW) or the ROW of minor streets, and all utilities shall be located within a public utility easement. Above-ground utilities are permissible if identified in the Development Plan submitted at the time rezoning is approved.

## **Property Owners Association to be Established**

- (a) A property owners association (POA) shall be established by the developer at the time of zoning approval of a MUD District.
- (b) Membership in a POA shall be mandatory for all property owners within the MUD, and shall be required as a covenant in all deeds to property in the MUD District granted after development plan approval.
- (c) The developer shall prepare documents which provide at a minimum that the POA shall accept title to any common elements including, but not limited to, open space, recreation, plazas, roads, parking, sewer, water, and stormwater management facilities which will not be publicly owned, and shall provide for the maintenance of any common area improvements or other property owned by the POA.

## **General Development Standards**

- (a) The density of a MUD district shall not exceed twenty-four (24) dwelling units per gross acre. For purposes of calculating density, areas devoted to sites for commercial uses shall not be included.
- (b) Except infill sites of less than three (3) acres; not less than 10 to 20 percent of the gross area of each MUD district shall be devoted to common open space meeting the following criteria:
  - (1) Common open space shall consist of areas owned by a homeowners' association and devoted to active or passive recreation or leisure time use or to the privacy or visual enjoyment of residents of the development, and may include buffers, floodplains, steep slopes and other natural areas to be

preserved. Common open space may include land improved or developed for recreation use, including swimming pools, game courts, playgrounds, recreation centers and similar facilities, but shall not include streets, parking areas, private yard areas or sites reserved for future development of a nature that would not qualify as common open space.

- (2) Common open space shall have horizontal dimensions of not less than 50 feet, except areas devoted to pedestrian trails, bikeways or leisure trails shall not be less than ten feet in horizontal dimensions.
  - (3) Common open space shall be arranged, together with streets and walkways, to provide a continuous and interconnected system which is accessible from all dwelling units within the development without having to cross privately owned property.
- (c) Minimum yards, setbacks and spaces between buildings shall be as required in the R-3 residential district, unless different minimum requirements are specifically authorized in the approved master development plan for the MUD district.
  - (d) A buffer area of not less than 15 feet in width shall be provided around the perimeter of the MUD district, except adjacent to public streets providing access to the district. Such buffer area shall be left in a natural state or shall be supplemented with landscaping materials and/or structural fences or walls. No building, structure, road, parking area or improvement for active recreation use shall be located in any required buffer.
  - (e) No building or structure in a MUD district shall exceed a height of 45 feet. This height limitation should not apply to the adaptive reuse of existing structures that have been identified as architectural, cultural and/or historic significance to the community.
  - (f) The MUD district shall be served by public sewer and public water systems.
  - (g) All new utility lines within a MUD district shall be placed underground.
  - (h) Except as may be specifically approved by the town council in conjunction with the MUDD district master plan, streets within a MUD district shall be public and shall be constructed in accordance with applicable standards of the town and the Virginia Department of Transportation. Private internal streets within a MUD district which provide access to sites within the district and do not provide for through traffic by the general public may be permitted by the council in accordance with design and construction standards specified in the MUD district master development plan.
  - (i) Provisions shall be made by the developer to ensure preservation and maintenance of required common open space and other common areas and facilities. Ownership of common areas and facilities shall be vested in a homeowners' association comprised of all owners of property within the development. Appropriate covenants and restrictions providing for preservation and maintenance of such areas and facilities shall be described in general and approved as to form by the town attorney at the time of submission and review of the MUD district master development plan. Final covenants and restrictions shall be submitted for review by the zoning administrator and town attorney, and shall be recorded prior to approval of any site plan.

- (j) A variance from the development standards may be permitted by the zoning administrator, when strict adherence to such development standards would result in substantial injustice or hardships. An appeal from the decision of the zoning administrator may be taken to the Board of Zoning Appeals (BZA) in accordance with section 9-7 of this appendix.

## Procedures

- (a) Except as specifically modified by the provisions of this division, application for rezoning of property to a MUD district shall be submitted in the same manner and shall be reviewed and considered in the same manner as other applications to change the zoning classification of property by amendment to the official zoning district map as set forth in article VIII of this appendix. A master plan for the development of each MUD district shall be submitted by the applicant as part of the application for rezoning. Upon approval by the town council, the standards and requirements set forth in the master plan shall, together with the applicable requirements of this appendix, constitute the regulations applicable within the MUD district.
- (b) Every application for rezoning to a MUD district shall include a master plan for development of the site which shall consist of not less than the following written and graphic information, in such number as specified by policy of the planning commission, prepared in sufficient detail and scale and with sufficient clarity to accurately depict the nature and character of development proposed within the MUD district:
  - (1) A plat, legal description of the property and verification of ownership or control by the applicant.
  - (2) Existing zoning, uses and structures on the subject site, and existing zoning and use of adjacent properties.
  - (3) An inventory of site characteristics and natural features, including topography with contour intervals of five feet or less, watercourses, water bodies, floodplains, wooded areas and other major vegetation features, and historic and archeological resources.
  - (4) Description of the proposed development, including its general character, the manner in which it satisfies the purposes and intent of MUD district, means of preserving significant natural features and means of addressing potential impacts on the community and on public services.
  - (5) A land use plan for the site, showing specific land uses with schematic site plans, access and circulation, general location and arrangement of buildings, parking areas, driveways, pedestrian routes, natural areas to be retained, buffers and open spaces and their functions and general character.
  - (6) Statements or graphic representations showing proposed development standards including minimum lot areas and widths, minimum yards and setbacks, building heights, densities, amount of nonresidential floor area, numbers of parking spaces and percentage of open space.
  - (7) Traffic impact analysis.

- (8) General plans for public services and utilities sufficient to show that necessary services and utilities will be provided to serve the development.
  - (9) Statements or graphic representations of general character and architectural and community design guidelines to be applicable to the development, including street and parking area design standards, lighting and signage.
  - (10) General description of covenants and restrictions intended to provide for preservation and maintenance of common areas and facilities.
  - (11) Development phasing schedule.
  - (12) Such other information deemed necessary by the zoning administrator, planning commission or town council to establish that the proposed development complies with the general purposes or specific requirements of this appendix, including such additional information or analyses as may be necessary to evaluate potential impacts of the proposed development on the surrounding area and the community as a whole
- (c) [Reserved.]
  - (d) Prior to submission of the application and master development plan, the applicant shall meet with the zoning administrator to discuss the proposed development in general and the MUD district application, review and approval process.
  - (e) Formal review, consideration and action on the application shall be conducted in accordance with the provisions of division 1 of article VIII of this appendix. The planning commission's action on the application shall include recommendations to town council regarding the master plan accompanying the application, and the commission may recommend modifications or changes to such master plan. The town council may consider further modifications or changes to the master plan after the planning commission makes its recommendation, provided such are referred to the commission before final action by the council.
  - (f) Prior to development pursuant to an approved MUD district, subdivision plats as normally required by the subdivision ordinance [Appendix A of this Code] of the town and site plans as normally required by article VII of this appendix shall be submitted and approved. Subdivision plats and site plans shall conform to the standards and requirements of the MUD district and the master plan approved in conjunction with the district.
  - (g) Minor modifications to an approved MUD district master development plan may be authorized by the zoning administrator when such modifications do not: Alter the boundaries of the property; conflict with specific requirements of this appendix or any specific standards or requirements set forth in the approved master plan; significantly decrease the width or depth of any yard, setback or buffer area; significantly alter points of access to the property or the internal circulation system; significantly alter the arrangement of major site plan elements; or substantially change the general character, architectural treatment or design of elements of the plan. Any change in an approved MUD district master development plan other than a minor modification as described

above shall require a formal amendment subject to the same procedures and requirements as a new application.

- (h) Failure of an applicant to submit a site plan for a first phase of development pursuant to an approved MUD district within 24 months of approval of the district shall cause the town council to initiate an ordinance to amend the official zoning map to rezone the property to the classification(s) existing at the time of initial approval of the MUD district.

~~*Dwelling, multifamily.* A building which contains three or more dwelling units, regardless of the form of ownership of such units.~~

*Dwelling, multi-family.* A classification of housing where multiple separate housing units for residential inhabitants are contained within one building or several buildings within one complex. A common form is an apartment building.

*Mixed use.* A multi-use, multi-purpose building or set of buildings, incorporating some combination of residential, commercial, industrial, office, institutional, or other land uses as part of the overall environment.

*Zero Lot-Line Home.* The strict definition of a zero lot line home relates to the placement of the home on the building lot. In order for a small building lot to provide usable yard space, one side of the home is placed as close to the property line as possible. This placement typically allows marginal space between two homes on adjacent lots. Therefore, there are generally no windows on the sides of the homes closest to the property line. The zero lot line method of development has also been utilized for attached homes, which are commonly known as duplexes in which case the two homes share a common wall that is aligned with the center of the two adjoining lots.



## **Town Council Agenda Summary**

### **Meeting Date**

December 16, 2014

### **Department**

Planning and Zoning

### **Issue**

Briefing on request of James Wright to abandon and vacate an undeveloped Portion of South Pollard Street and undeveloped Alley located between 101 and 105 Giles Avenue.

### **Summary**

This briefing relates to a request for an approximately fifty (50) foot wide by one hundred and ninety (190) foot long undeveloped portion of right-of-way, known as South Pollard Street, and fifteen (15) foot wide by one hundred seventy (170) foot long undeveloped alley located between 101 and 105 Giles Avenue, Plat Book 1, Page 127, to be closed, vacated, and deeded to the adjoining property owners.

Mr. James Wright has been inquiring the possibility of vacating and closing the above-mentioned undeveloped right-of-way and alley since 2011. In October 2014, Mr. Wright's surveyor submitted a plat showing the portions of the undeveloped right-of-way and alley to be vacated.

### **Attachment**

Staff Memorandum with supporting documents

### **Recommendations**

No action required

**TO:** Vinton Town Council  
Vinton Planning Commission

**FROM:** Anita J. McMillan, Planning and Zoning Director

**DATE:** December 4, 2014

**SUBJECT:** Closing and Vacation Request of an Undeveloped Portion of South Pollard Street and Undeveloped Alley between 101 and 105 Giles Avenue

**ISSUE/PURPOSE**

A work session to be followed by a public hearing in January 2015 to consider public comments concerning a request of Mr. James Wright for an approximately fifty (50) foot wide by one hundred and ninety (190) foot long undeveloped portion of right-of-way, known as South Pollard Street, and fifteen (15) foot wide by one hundred seventy (170) foot long undeveloped alley located between 101 and 105 Giles Avenue, Plat Book 1, Page 127, be closed, vacated, and deeded to the adjoining property owners.

**BACKGROUND/SUMMARY**

Mr. James Wright has been inquiring the possibility of vacating and closing the above-mentioned undeveloped right-of-way and alley since 2011. In October 2014, Mr. Wright's surveyor submitted a plat showing the portions of the undeveloped right-of-way and alley to be vacated.

On November 3, 2014, a meeting was held with Chris Lawrence, Theresa Fontana, Anita McMillan, Gary Woodson, and Joey Hiner to discuss the vacation request plat submitted by Mr. Douglas Meredith, a surveyor/engineer with LMW, P.C., retained by Mr. Wright. Subsequent emails between the Town Attorney and Mr. Meredith, indicated the portion of South Pollard Street was created as part of the subdivision as shown in Plat Book 1, Page 127, therefore, the whole 50 foot wide by 170 foot long undeveloped portion of South Pollard Street to be closed and vacated will be deeded to Mr. Wright instead of being split and divided to the adjoining property owners.

On November 13, 2014, the Vinton Planning Commission held a work session. One of the items discussed was Mr. Wright's vacation request. The Planning Commission asked for Staff to proceed with the necessary paperwork for the vacation request in order for a public hearing to be held in January 2015 by the Planning Commission for the vacation request.

On November 18, 2014, a notification letter along with an aerial map regarding the vacation request was emailed to American Appalachian Power, Cox Communications, Roanoke Gas Company, Verizon, and Vinton Public Works Department. All of the utility companies, except Verizon, do not have any facilities in the said right-of-way and alley and do not have a problem

for these right-of-way and alley to be vacated. Verizon does not have a problem for the portion of South Pollard Street to be vacated, but requested that a fifty foot easement be retained for access of their facilities.

Additionally, on November 24, 2014, a notification letter and an aerial map of the right-of-way and alley to be vacated were mailed to the adjoining property owners. To date, Staff has not received any phone calls or correspondence regarding the vacation request.

As required by State Code Sections 15.2-2204 and 15.2-2272, the legal notice of the public hearing on the right-of-way and alley vacation request will be advertised in *The Vinton Messenger* for Planning Commission and Town Council public hearings to be held in January 2015, respectively.

### **ATTACHMENTS**

1. Notification letter to the Adjoining Property Owners.
2. An aerial map showing the above-mentioned undeveloped portion of right-of-way and the undeveloped alley between 101 and 105 Giles Avenue.
3. List of property owners notified.



# TOWN OF VINTON

311 S. POLLARD STREET  
VINTON, VIRGINIA 24179

PHONE: (540) 983-0601

FAX: (540) 983-0621

EMAIL: [amcmillan@vintonva.gov](mailto:amcmillan@vintonva.gov)

ANITA MCMILLAN  
PLANNING AND ZONING DIRECTOR

November 24, 2014

Dear Property Owner:

RE: Closure/Vacation Request of an Undeveloped Portion of South Pollard Street and an Undeveloped Alley Located to the South of Giles Avenue

The Town of Vinton has received a request concerning the closure of an undeveloped portion of the South Pollard Street right-of-way (ROW) and an undeveloped alley located to the south of Giles Avenue between 101 and 105 Giles Avenue.

Please notify my office of any concerns and/or objections to the proposed closures of the above-mentioned ROW and alley. Enclosed is a copy of the aerial map indicating the requested portions of right-of-way and alley to be closed, vacated, and deeded to the adjoining property owners.

Public hearings held by the Vinton Planning Commission and Town Council are tentatively scheduled for January and February 2015, respectively. Once the dates of these public hearings are confirmed, you should receive a notification letter about the hearings in the mail.

Further information concerning this request may be obtained in the Planning and Zoning Department located at 311 South Pollard Street, Vinton, Virginia 24179. Should you have any questions or need additional information concerning this closure and vacation request, please call me at (540) 983-0601 or email me at [amcmillan@vintonva.gov](mailto:amcmillan@vintonva.gov).

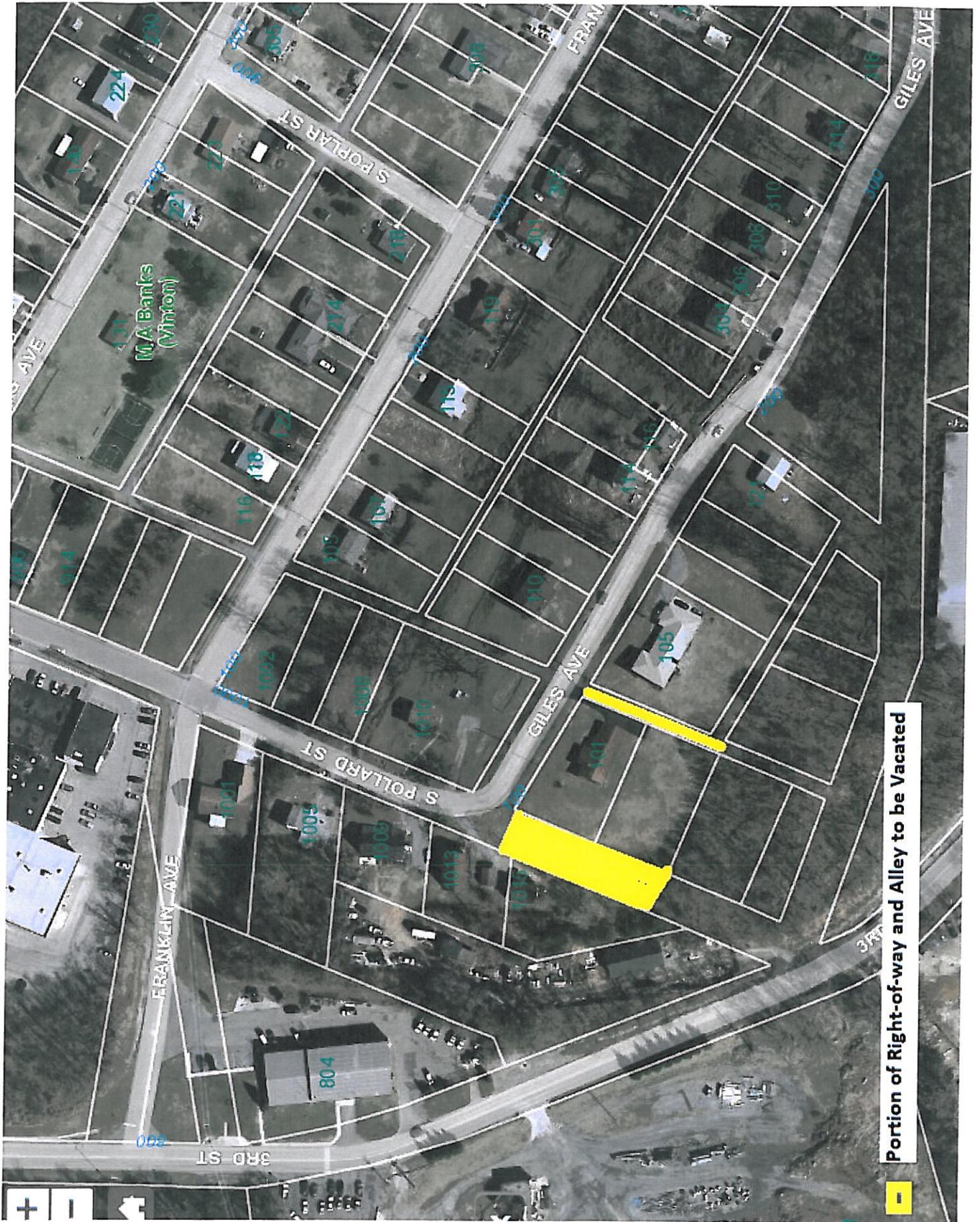
Sincerely,

A handwritten signature in blue ink, appearing to read "Anita J. McMillan".

Anita J. McMillan  
Planning and Zoning Director

Enclosure

c: Christopher Lawrence, Town Manager



Portion of Right-of-way and Alley to be Vacated



**Request to Close of Portion of S. Pollard Street  
Property Owner Notifications**

<b>Tax Parcel ID</b>	<b>Site Address</b>	<b>Owner Name</b>	<b>Street</b>	<b>City State</b>	<b>Zip</b>
060.19-01-12+14.01-0000	1009 S POLLARD ST	RICKIE DALE CASEY	1009 S POLLARD ST	VINTON VA	24179
060.19-01-13.00-0000	1013 S POLLARD ST	BANK OF AMERICA NATIONAL ASSOC	400 NATIONAL WAY	SIMI VALLEY CA	93065
060.19-01-15.01-0000	1015 S POLLARD ST	LOUISE F WITT	1015 S POLLARD ST	VINTON VA	24179
060.19-05-01.00-0000	1010 S POLLARD ST	GAYNELL WRIGHT	1010 S POLLARD ST	VINTON VA	24179
060.19-05-43+44.00-0000	105 GILES AV	ALLEN S KASEY	105 GILES AVE	VINTON VA	24179
060.19-05-45.00-0000	0 GILES AV	SUNNY BAXTER C/O LOISE STYLES	7021 POINTDEXTER LN	ROANOKE VA	24019
060.19-05-46.00-0000	121 GILES AV	TONI C BROWN	121 GILES AVE	VINTON VA	24179
060.19-05-48+49.00-0000	0 HIGHLAND RD	GLADYS AND LYNWOOD HAIRSTON C/O D. L. HAIRSTON	2329 COBALT LN	BRENTWOOD CA	94513
060.19-05-51.01+52-0000	0 S POLLARD ST	JAMES AND FRANCES WRIGHT	101 GILES AVE	VINTON VA	24179
060.19-05-50+51.00-0000	0 HIGHLAND RD	TOWN OF VINTON	311 SOUTH POLLARD ST	VINTON VA	24179





## **Town Council Agenda Summary**

### **Meeting Date**

December 16, 2014

### **Department**

Finance/Treasurer

### **Issue**

Financial Report for period ending October 31, 2014

### **Summary**

The Financial Report for the period ending October 31, 2014 has been placed in the Town's Dropbox and on the Town's Website.

The Finance Committee will meet on Monday, December 15, 2014 at 5:30 pm to discuss this report and will make a presentation to Council at their Regular Meeting.

### **Attachments**

October 31, 2014 Financial Report Summary

### **Recommendations**

Motion to approve the October 2014 Financial Report

**Financial Report Summary  
Month Ending October 31, 2014**

THE TOWN OF  
**VINTON**  
V I R G I N I A



**Unaudited**

	Adopted Budget	Revised YTD Budget	MTD	YTD Posted	REMAINING BALANCE	%
<b>General Fund 200</b>						
Revenues	8,566,220	1,911,001	343,503	1,775,851	(135,151)	93%
Accrued Revenue Adjustment			270,868	270,868		
Total Adj. Revenues	8,566,220	1,911,001	614,370	2,046,718	135,717	107%
Expenditures	8,566,220	2,880,770	871,475	2,685,347	(195,423)	93%
Revenues over/(under) Expenditures		(969,769)	(257,105)	(638,628)		
<b>Utility Fund 300</b>						
Revenues	3,449,935	1,079,779	443,829	1,154,601	74,822	107%
Less: Tinker Creek Project Revenue		0	0	0		0%
Less: Bond Series 2013		0	0	0	0	
Operating Revenues	3,449,935	1,079,779	443,829	1,154,601	74,822	107%
Expenditures	3,449,935	1,325,227	343,498	1,040,262	(284,965)	78%
Less: Tinker Creek Project Expenditures		0	0	0	0	0%
Less: Bond Series 2013		0	62,675	62,675	62,675	
Operating Expenditures	3,449,935	1,325,227	280,824	977,587	(347,640)	74%
Revenues over/(under) Expenditures		(245,448)	163,005	177,014		
<b>Total All Funds</b>						
Revenues	12,016,155	2,990,780	1,058,199	3,201,320	210,539	107%
Expenditures	12,016,155	4,205,997	1,152,299	3,662,934	(543,063)	87%
Revenues over/(under) Expenditures		(1,215,217)	(94,100)	(461,614)		



## Town Council Agenda Summary

### Meeting Date

December 16, 2014

### Department

Council

### Issues

Appointments to Boards/Commissions/Committees

### Summary

The terms of the following individuals will soon expire:

#### Board of Zoning Appeals

Frederick J. "Mick" Michelsen, whose term expires January 16, 2015  
(Mr. Michelsen has been contacted and is willing to serve another five-year term)

#### Highway Safety Commission

James Warren Childress, II, whose term expires February 4, 2015  
Fred L. Swisher, whose term expires February 4, 2015  
(Mr. Childress and Mr. Swisher have been contacted and are willing to serve another three-year term)

A new applicant, Michael Hopkins, has been contacted concerning the unexpired vacant position on the Highway Safety Commission and he is willing to complete this term and serve an additional three-year term

#### Planning Commission

David R. Jones, whose term expires February 28, 2015  
(Mr. Jones has been contacted and is willing to serve another four-year term)

### Attachments

None

### Recommendations

Motion to reappoint Mick Michelsen to the Board of Zoning Appeals; James Childress and Fred Swisher to the Highway Safety Commission and Dave Jones to the Planning Commission

Motion to appoint Michael Hopkins to the Highway Safety Commission