

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, February 3, 2015**

AGENDA

Consideration of:

- A. 6:00 p.m. - JOINT WORK SESSION WITH PLANNING COMMISSION**
1. Briefing on the proposed amendment to the zoning ordinance to incorporate a mixed use development zoning district provision as well as amending and adding definitions as needed.
- B. 7:00 p.m. - ROLL CALL AND ESTABLISHMENT OF A QUORUM**
- C. MOMENT OF SILENCE**
- D. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG**
- E. UPCOMING COMMUNITY EVENTS/ANNOUNCEMENTS**
- F. CONSENT AGENDA**
1. Consider approval of minutes for the regular Council meeting of January 20, 2015.
- G. AWARDS, RECOGNITIONS, PRESENTATIONS**
- H. CITIZENS' COMMENTS AND PETITIONS - This section is reserved for comments and questions for issues not listed on the agenda.**
- I. TOWN ATTORNEY**
- J. TOWN MANAGER**
1. Consider adoption of a Resolution allowing the Town Treasurer/Finance Director to remove outstanding Personal Property delinquent taxes over five years old from the active records to a permanent file.

2. Consider adoption of a Resolution allowing the Town Treasurer/Finance Director to remove outstanding Water and Sewer delinquent bills over five years old from the active records to a permanent file.
3. Consider adoption of a Resolution allowing the Town Treasurer/Finance Director to have outstanding tax accounts removed from the active records relating to a parcel on Chestnut Street in the Town of Vinton which was sold by Roanoke County at a tax sale.
4. Consider adoption of a Resolution establishing Special Project Fund Accounts and authorizing the funds to be appropriated in the amount of \$21,500.00 for the Tinker Creek Canoe Launch Improvement Project.
5. Consider adoption of a Resolution appropriating funds in the amount of \$1,944.00 received from Virginia DEQ for the Town's share of the \$2,700.00 VSMP construction permit fee for the Vinton Branch Downtown Library.

K. MAYOR

L. COUNCIL

M. ADJOURNMENT

<p>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.</p>

NEXT TOWN COMMITTEE/COUNCIL MEETINGS:

February 9, 2015 – 5:30 p.m. – Finance Committee Meeting – Finance Conference Room

February 17, 2015 – 6:00 p.m. - Work Session followed by Council Meeting at 7:00 p.m. – Council Chambers



Town Council Agenda Summary

Meeting Date

February 3, 2015

Department

Planning and Zoning

Issue

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

Summary

The Planning Commission held a work session on November 13, 2014, and January 13, 2015, to discuss the proposed zoning ordinance amendment. On December 16, 2014, Town Council was briefed by Staff on the proposed zoning ordinance amendment and requested that a joint work session be held with Planning Commission to discuss the matter. A public hearing on the proposed amendment to the zoning ordinance is tentatively scheduled to be held by the Planning Commission on March 5, 2015, and be followed by a Town Council public hearing on March 17, 2015.

Attachment

Staff Report

Recommendations

No action required

MEMORANDUM

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

FROM: Anita J. McMillan, Planning and Zoning Director

DATE: January 26, 2015

SUBJECT: Proposed Amendment to Zoning Ordinance

ISSUE/PURPOSE: Proposed amendments to the zoning ordinance to incorporate a mixed use development zoning district provision, as well as amending and adding definitions as needed.

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 are several vacant parcels, buildings and underutilized properties located throughout the Town of Vinton. Please see attached listing of properties that have the potential for development and/or redevelopment.

The Town's current zoning is considered to be 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 of the 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 lines, 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 Planning Commission held a work session on November 13, 2014, and January 13, 2015, to discuss the proposed zoning ordinance amendment. On December 16, 2014, Town Council was briefed by Staff on the proposed zoning ordinance amendment and requested that a joint work session be held with Planning Commission to further discuss the matter.

In December 2014, the proposed Mixed Use Development (MUD) District provision was reviewed by the Town Attorney and a land use consultant. Staff was informed that proposed MUD District document was well-prepared and may encourage development for underutilized properties that are

located throughout the Town.

A public hearing on the proposed amendment to the zoning ordinance is tentatively scheduled to be held on March 5, 2015, by the Planning Commission and will be followed by a Town Council public hearing on March 17, 2015.

The Benefits of Mixed Use Development

Different communities choose mixed use development for a variety of 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 development 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 development 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 the community's 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 developers 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 of 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 studied communities have opted for 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, restaurants, and in 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, we found out through research that 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 behind buildings.

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 needs.

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, definitions for multi-family dwelling, mixed use, and zero lot-line home.

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 Development 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-driven 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 (MUD) district or amend the development plan of MUD 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 MUD 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 MUD 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.
- (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) Music and dance instruction;
 - (8) Libraries and museums;
 - (9) 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;
 - (10) Repair service, including bicycles, but not including motorized vehicles;
 - (11) Community markets;
 - (12) Indoor sports facilities, including bowling alley, racquet sports, and health club;
 - (13) 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 proposed 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 proposed public streets will be accepted into the public street system by VDOT and Town, 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 Town and 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 new proposed Town right-of-way shall be designed and constructed according to VDOT Secondary Street Acceptance Requirements. Reasonable accommodation for bicycles should be considered in existing street systems.
 - (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.
 - (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 or for existing building which may be located to the sides of the principal structure.
- (e) Parking for retail and service uses 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) Generally, site lights should be dark-sky-friendly, and not cast light upward into the sky. 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 new streets throughout the MUD district with a general 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 and approved 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 district, 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) Where adjacent to a non-compatible land use, as determined by zoning administrator, 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) Except as may be specifically approved by the town council in conjunction with the MUD 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.
 - (g) 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.

- (h) 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, at the discretion of the Zoning Administrator.
 - (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.

DEFINITIONS

~~*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

February 3, 2015

Department

Town Clerk

Issue

Consider approval of minutes for the regular Council meeting of January 20, 2015

Summary

None

Attachments

January 20, 2015 minutes

Recommendations

Motion to approve minutes

MINUTES OF A REGULAR MEETING OF VINTON TOWN COUNCIL HELD AT 6:00 P.M. ON TUESDAY, JANUARY 20, 2015, 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
Donna Collins, Human Resources Specialist
Chris Linkous, Fire/EMS Captain
Anita McMillan, Planning & Zoning Director
Mary Beth Layman, Special Programs Director
Barry Thompson, Finance Director/Treasurer
Kevin Kipp, War Memorial Manager
Mark Vaught, Lieutenant-Services
Joey Hiner, Public Works Assistant Director

The Mayor called the work session to order at 6:00 p.m.

for a further briefing on the Priority Based Budget process for the FY2015-2016 budget. The Town Manager first commented that his PowerPoint presentation will show in more detail what the Priority Based Budget model looks like. The actual list of all of the services will be completed in another week and provided to Council.

Traditionally we have approached the budget by looking at what was spent over the past three years. That does not really identify what is most important when there are limited funds. Priority Based Budgeting is not a new concept and GFOA provides a lot of literature on the subject.

Priority Based Budgeting is bringing vision into focus with a new "lens". Four steps to success with this type of budgeting are to determine and clarify results reflecting the town's goals and objectives; to identify programs and services; to value programs based on results and to allocate resources based on priorities.

The Town Manager next commented on the six core goals set by Council in 2009--neighborhood vibrancy, downtown reinvented, destination and a gateway, talk of the town-communication, Vinton's community spirit shines and best managed town-good governance. He then briefly commented on the next six slides that showed four or five objectives for each of the six core goals.

The next slides showed the basic program attributes and how each service or program will be scored. The attributes to be used for scoring are if a program is mandated to be provided; options for providing a program; if a cost recovery is tied to a program and the portion of the community that is served by a particular program. Every single program will be scored in these four categories to get a total score.

The Town Manager next commented that the Council goals were rated in 2011 by a citizens' survey. In the survey, every citizen was asked to allocate \$100 to the six goals set by Council and the final ranking went from 22.2% for commercial areas reinvented to 9.7% for talk of the town. These goals will also be used to rate our programs. Every department has listed all of their services and after scoring each service, they will be grouped in four quartiles. Based on direction from Council, we can then allocate resources to those services based on prioritization.

Vice Mayor Hare asked about sub-components to services. The Town Manager responded that this will give us a tool to identify what to look at and then we will have to ask more questions. For example, certain services are done a certain way and the question will be are we doing them the most cost effective way.

The Mayor asked about changing the Council meeting schedule. The Town Manager responded that we have added March 31st as an additional meeting, but we have not changed the regular meeting schedule.

The Mayor called the regular meeting to order at 7:05 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, Council Member Weeks led the Pledge of Allegiance to the U.S. Flag.

Roll call

Under upcoming community events/ announcements, Council Member Weeks announced the Valentine's Dance at the Woodland Place on February 14th. The Mayor announced the Community Meeting regarding the skate park on January 29th at the War Memorial. The Town Clerk announced that the next Council meeting on February 3rd will have a joint work session with the Planning Commission starting at 6:00 p.m.

Council Member Nance made a motion to approve the Consent Agenda as presented; 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).

Approved minutes for the regular Council meeting of January 6, 2015

Council Member Nance read a Memo from Chief Cook naming Sergeant Fabricio Drumond, Sergeant Gregory Quesinberry, Officer James Spence and Officer Michael Giles as Officers of the month for December.

The next item on the agenda was a Public Hearing to receive comments concerning a request by James Wright for a fifty (50) foot wide by approximately one hundred and ninety (190) foot long undeveloped portion of right-of-way, known as S. 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.

The Mayor opened the Public Hearing at 7:14 pm. Anita McMillan first commented that the Planning Commission had a work session to review the matter on November 13th and that Council was briefed on December 16th. Letters were sent to the adjoining property owners and to all of the utility companies. Staff did not receive any comments from the adjoining property owners. Verizon has requested a 20 foot long by 50 foot wide public utility easement on the vacated undeveloped portion of South Pollard Street be retained for access to their facility.

The Planning Commission held a Public Hearing on January 13, 2015 and there were no public comments. After the Public Hearing, the Planning Commission voted unanimously to recommend that Council approve the vacation requests of said right-of-way and alley. Mr. Kasey, the adjoining property owner, has indicated that he does not want any portion of the 7.5 feet of the alley and Mr. Kasey will have to do a quit-claim deed in order for the 7.5 feet x 170 feet to be given to Mr. and Mrs. Wright.

Regarding the South Pollard Street right-of-way, usually one-half goes to each of the adjoining property owners. However, in this instance, the entire 50 foot wide by 190 foot long will go to Mr. Wright because that portion of South Pollard Street was created with that subdivision and not when the property to the west was created.

Council Member Nance asked if the Town Attorney has approved of the language in the proposed Ordinance and the Town Attorney responded yes.

Hearing no comments, the Public Hearing was closed at 7:20 p.m. Vice Mayor Hare made a motion to adopt the Ordinance 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).

Public Hearing opened

Public Hearing closed

Adopted Ordinance No. 957 permanently abandoning, vacating, and deeding a fifty (50) foot wide by approximately one hundred and ninety (190) foot long undeveloped portion of right-of-way, known as S. 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

The next item on the agenda was an update on the Vultures/3rd Street dumpsters. The Town Manager made opening comments and then turned the meeting over to Lieutenant Mark Vaught and Gary Woodson. Lieutenant Vaught began by commenting that they have been harassing the vultures, which is not a violation with the Department of Agriculture. However, if they kill one, it is a Federal offense since they are federally protected. After making every effort for an extended period of time to get rid of them, the Town can apply for a permit which takes about six to eight weeks for approval. This permit would allow them to kill some of the vultures and place them in certain areas as a deterrent. However, the downside of using this permit is that once you place a dead one in a tree where they are roosting, they will simply move to another tree. There is no sure way to get completely rid of them.

The harassment methods they have been using are recommended by the U. S. Department of Agriculture and use power technics. These are bottle rocks that are discharged from a handgun which has a blank that ignites the rocket and it propels out. Because they do not provide pinpoint accuracy, they are not conducive to be used in neighborhoods. They have been modifying these by just using blanks which sound like a regular pistol.

Lieutenant Vaught next commented that since they have been using these for some time, it now takes three or four to make them move. They have had some progress near the dumpster site and have incorporated longer range projectiles that are fired from a 12-gauge shotgun. They have been running them out from the trees around Public Works or the neighborhoods. Once they are in a safe-enough area and they start to circle, they can shoot up through the middle and the projectile will travel about 200 feet and explode and bust them up. They have purchased a second pistol and the Sergeant on-duty is able to shoot at night as well as Lieutenant Vaught shooting in the morning and during the day.

Lieutenant Vaught also commented that PFG has purchased an electronic device to mount on their building to keep them from picking on the rubber membrane. This device appears to have worked for them and costs around \$700.00. Another option that is available is a propane canon which is pretty loud. However, it is very unsafe to leave unattended and if they decided to use it, it would have to be manned. This would be a last resort.

Council Member Adams asked what has been spent over the past few years in time, manpower and supplies. Lieutenant Vaught responded that the propane canon was purchased and used when it was being manned by our Animal Control Officer. The other power technics probably

cost around \$1,500. He indicated he would probably spend one hour, three times a day during two seasons. He felt like we are in a position to apply for the permit, but it still will not be a complete fix.

In response to a question from the Mayor about the dumpsters attracting the vultures as a food source, Lieutenant Vaught said they look for trees that do not have a lot of leaves and limbs. If it is not a good day for them to fly and hunt for food, they go to the dumpsters.

Council Member Nance commented that he is very appreciative to Lieutenant Vaught's attention to the vulture matter because it is very important to our community.

Gary Woodson next commented that Public Works has tried different deterrents to the vultures which have worked for a period of time. The vultures have also damaged the roof to the 3rd Street lift station and their feces have created a lot of mess in the Public Works storage yard.

Mr. Woodson and Lieutenant Vaught traveled to Bedford to view one of their facilities and talked with their Public Works Director to get a sense of how they handle their dumpster sites. They do not have curbside pickup, but manage their waste very well. They do not take construction debris and hazardous waste, but have a separate dumpster to take large appliances such as refrigerators and stoves. They have compactible dumpsters that do not allow birds or other animals to get into them. They are manned seven days a week, from 7 am to 7 pm with four guys working six-hour shifts.

Mr. Woodson next presented four options for consideration for the dumpster site. Option 1 would be to leave the site as it is, open 24/7 with the refuse crew emptying the three dumpsters every morning, seven days a week. If there are any illicit refuse discharges in the dumpsters that would damage the refuse truck, they have to separate them by hand. They pull them to the side and the bulk refuse truck picks them up on Monday. They are planning to put some screening in the area with funds from the grant received for the canoe launch to dress up the site. Option 2 would be to eliminate the dumpster site and then screen the wall and dress up the site.

Option 3 would be to do low-level improvements. The dumpsters would be flipped so that the parking area would be screened off and the yard entrance would be opened. A barrier would be created so that trash could be dropped off and the site would continue to be maintained in the current fashion. The price for hard plastic lids for the dumpsters would run approximately \$500 per dumpster which would keep any wildlife or the vultures from getting in them. Mr.

Woodson next commented that in the Fall of the year there is more of a problem when there is a lot more household food waste and hunters disposing of carcasses there. Also, before when they would pick up roadside kill, it would be discarded on the side on the weekend and would be buried on Monday by our backhoe operator. Now, they are buried when they come in. The other part of Option 3 would be ingress and egress modifications to move the gate down so people could come down into the yard area. That would probably run \$3,000 to \$3,500 for this option.

Option 4 would include a high level of improvements. This would allow the site to be opened from 7 am to 5 pm, Monday through Friday, and from 8 am to 12 pm, Saturday and Sunday. The regular Public Works staff could handle the site Monday through Friday and the individual who currently comes in on Saturday and Sunday to read the wells could open the site and close it up at 12. Some ingress and egress modifications could be done and an electronic gate could be installed. The gate could be wired into the Public Works facility and staff could open the gate during the working hours. This option would also include security cameras. Mr. Woodson indicated that he has obtained prices for security cameras that would take care of the gas pumps, the canoe launch area, the 3rd Street lift station and the yard area. The screening would still go up with the grant money for the canoe launch site.

Mr. Woodson next commented that we could use a rollback dumpster and two containers that can be compacted. There is already money in the budget to purchase the roll back truck and they would need to purchase the container at a cost of \$3,300. The rollback dumpster would be provided for large items in order to keep them out of the other dumpsters. The total cost is estimated at \$64,000. The camera systems are estimated at \$7,300 and an electronic gate would cost approximately \$20,000. The refuse compactors are \$30,000 for two, if leased, and \$40,000 if purchased plus the electric hookups of \$4,000.

The Town Manager commented in summary that we are going to screen the site and we have grant money for that purpose. There is a need for some type of covers either on the dumpsters themselves or some type of shelter with a covering to keep the wildlife and vultures out. Council will need to give some direction as we go through the budget process.

The Mayor commented that the dumpsters are an enhanced service that we have in the town. He then asked how other localities handle this if they have curbside recycling and do they have dumpsters. The Town Manager responded that Roanoke City provides the same service that the Town does and they do not have any drop sites.

Roanoke County has curbside trash and provides recycle drop sites throughout the County just like we have at Kroger. He was not sure about Salem, but they do have curbside trash pickup with a transfer facility and a recycle drop site.

The next item on the agenda was an update on the Downtown Revitalization Project. Ryan Spitzer began by commenting on the current progress of the project. The conduit is underground for the streetlights and they are currently working on putting in the concrete bases for the two lights on Pollard Street. This should be completed within the next three to four weeks after which time AEP will come in and set the light poles on top of the bases. This should be completed by the end of February.

After the street lights project and the construction of the library began, people began taking a look at what is being done downtown. Up to that point none of the businesses who had voluntarily signed up for the façade work at the beginning of the process wanted to commit their money until they saw work being done. Once they contacted us, we had to coordinate meetings with the business and property owners with our architect to get their design plans. Those design plans were submitted to the Department of Historic Resources and Mr. Spitzer indicated he just received approval today. This allows us to move along with those designs. Mr. Spitzer next commented that the momentum has just picked up with the Revolving Loan Fund and two businesses have contacted us for an application to do improvements downtown. The Farmers' Market has been put on hold until we apply for the extension. We want to work around our downtown events because the main focus of the grant is to have people come downtown to spend more money.

The Washington/Pollard intersection is the final part of the project. We thought it would be a good idea to co-mingle this intersection with the downtown street lights; however, the bid came back at \$700,000, which was the total amount of the grant. The reason for the high bid was the fact that because the two projects were so different whoever would bid on it would have to hire so many subcontractors to do the work, that inflated the price. Another factor to be considered was traffic control on a four-lane highway because two lanes would have to be blocked on Pollard at a time to do the intersection work and repave it. We decided to separate the streetlights and get that project completed and do the intersection work when we go out for paving in the Spring.

Our two-year deadline is coming up in March, so we want to request a nine-month extension. While an extension is not the ideal way to go and we would like to have

completed the entire project in the two-year timeframe, an extension is not out of the norm for any project that DHCD has done. There have been other projects that have asked for multiple extensions and our Community Specialist indicated she does not think two years is enough time to complete the project. DHCD expects a locality to do all the design work before receiving the grant, but no one is going to do that if there is no guarantee. All the other communities that Mr. Spitzer has talked with have received approval of their requested extensions.

The next item was an update on the Spot Blight Abatement Plan. The Town Manager commented there are five identified current blighted properties that we are actively pursuing under our new Ordinance. Karla Turman has spearheaded the implementation of this Policy. She has organized a COMBAT Team (Community Blight Abatement Team) which reviews a piece of property comprehensively before they send a notice to the owner that the property has been declared a blighted/nuisance property. A Memo on each of the five properties was provided with the agenda.

Not every property leads to a Public Hearing with Council for demolition. Ms. Turman has had success in having 1323 Hardy Road torn down. The property owners at 530 North Blair Street have an engineer and are working on remediating the property.

The two properties that will come back with a request for a Public Hearing are 123 Gus Nicks Boulevard and 830 South Pollard Street. After the Ordinance was adopted, the owner of the Gus Nicks property had a dumpster placed on the site, but nothing else has been done.

The owner of 830 South Pollard responded, but the property is now owned by several heirs. Ultimately, the property needs to be torn down and the Memo includes two quotes. If we decide to proceed with the demolition, the Town would have to pay for the demolition and then put a lien on the property.

Anita McMillan commented that the Planning Commission discussed these five properties at their January 13th work session. They would like to schedule a Public Hearing on the two properties in question. Staff has completed all of the necessary paperwork and the costs to demo the properties are provided in the Memos.

Vice Mayor Hare asked if Council would get a recommendation from the Planning Commission before they made a decision. Ms. McMillan responded that if Council would want the Planning Commission to have a Public Hearing, they would schedule it in March. They need to know in February so they can have the proper time to advertise to give the property owners an additional 30 days'

notice once it is advertised. The property owners will have the option to come before the Planning Commission and Council to comment if they agree with the recommendation to demolish their houses.

Council Member Nance commented on the process and the progress that has been made through the COMBAT Team. He also commented that he appreciated how they are taking a different approach with each property depending on how each of the property owners has responded.

Vice Mayor Hare asked if any determination had been made concerning the use of the grant funds to deal with the property at 123 Gus Nicks. Mr. Spitzer responded that we could not because it was not part of the original grant application. If there are funds left over, we can then apply to use those funds for other reasons.

Vice Mayor Hare next commented concerning the liens that will be placed on these properties and the issues we had before when Roanoke County had a tax sale and we were not able to recover our costs. The Town Manager responded that our Town Attorney's office is now more directly involved in the tax sales. However, we may or may not recover our costs based on other liens that may be ahead of ours.

The Mayor asked if Council waited until February to make a decision on scheduling the Public Hearing, will that work with the schedule or do they need to decide tonight. Ms. McMillan commented that waiting until February would still give enough time to the necessary advertisements.

Council Member Nance asked if Council would take action on the same date as the Public Hearing. Ms. McMillan responded that Council will need to make a decision to have the structures demolished at their Public Hearing. The Planning Commission will have their Public Hearing first and are proposing to schedule it for March 5th for the two subject properties.

Ms. McMillan further commented that the Planning Commission would also like to have the Public Hearing on the zoning amendment to add the mixed use development zoning district on March 5th with the Council Public Hearing being scheduled for April 7th. If Council so desires, the Public Hearing for the two properties and the zoning amendment can be scheduled for April 7th. Council gave their consensus to schedule the Public Hearings for April 7, 2015.

The Town Manager next gave a brief update on Walnut Avenue and 5th Street with regard to the new bridge and the "no left turn" at the intersection. Staff will be meeting with VDOT and the design consulting firm on Monday to discuss

the site distance, the inadequate lighting on the Southern States side of the bridge as well as the lane stripping which was supposed to be reflective.

The Mayor thanked staff for all the work they have done in preparing for the reports that were given at this meeting.

Council Member Adams gave a report of the Public Safety Committee meeting. He began by commenting that with Captain Linkous now being on the 24-hour shift, the Committee met to make sure that everyone was aware of what was going on (career and volunteers). There were some issues that needed to be addressed and they were able to come to an agreement at the meeting. This agreement will be put in writing and after the final version is approved, it will be distributed to all the volunteers in both departments so they are aware of how things should be handled. They are working to make sure that there is adequate Fire coverage and EMS and at no time will the Station be without an ALS truck there. A brief update was given on the fire house renovations. The construction has begun upstairs and they will put up a dust barrier so that the meeting rooms upstairs can continue to be used.

Comments from Council Members: Vice Mayor Hare commented on the Public Safety Committee meeting and how encouraging it was to see a group of people who really are concerned about keeping the citizens of East Roanoke County and Vinton safe. Mr. Hare also commented on a phone call he received regarding the parking policies downtown and lack of enforcement. The Town Manager asked if it related to the two-hour parking standard. Lieutenant Vaught commented that he also spoke to an individual last week concerning the parking issue and he has stressed to the officers that if manpower permits they should walk downtown, especially during the construction. The Town Manager commented that when we had an Animal Control Officer, he was available to walk downtown. We are down four officers at the present time, two who are in the academy and two who are not certified. The Mayor asked if we would notify our business owners if we are going to step up enforcement.

Council Member Weeks expressed thanks to staff for their reports and for the hard work. Council Member Adams commented about some complaints he has received concerning the road closures downtown. Vice Mayor Hare asked what accommodations are being made when the drive-through is closed. The Town Manager responded that staff will see what can be done through signage to alert citizens and give instructions if they need assistance.

Council Member Weeks made a motion to adjourn the regular meeting; 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. The meeting was adjourned at 8:45 p.m.

Meeting adjourned

APPROVED:

Bradley E. Grose, Mayor

ATTEST:

Susan N. Johnson, Town Clerk



Town Council Agenda Summary

Meeting Date

February 3, 2015

Department

Finance/Treasurer

Issue

Consider adoption of a Resolution allowing the Town Treasurer/Finance Director to remove outstanding Personal Property delinquent taxes and Vehicle License Fees over five years old from the active records to a permanent file.

Summary

According to State Code Section 58.1-3940, property taxes over five years old are not collectible. Also, according to State Code, these taxes may not be written off until after December 31st of the year for which such taxes were assessed. All efforts were made to collect the taxes including reporting them to the State Debt Set-Off Program.

Attachments

Resolution

Recommendations

Motion to adopt Resolution

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, FEBRUARY 3, 2015 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

WHEREAS, the Town of Vinton is maintaining records of outstanding Personal Property delinquent taxes for 2009 in the amount of \$6,036.42; and

WHEREAS, the Town of Vinton is maintaining records of outstanding Vehicle License Fees for 2009 in the amount of \$10,496.59; and

WHEREAS, the personal property taxes and vehicle license fees are over five years old and not collectible as prescribed by Section 58.1-3940, of the 1950 Code of Virginia as amended; and

WHEREAS, the Finance Department has made all efforts to collect on these balances and has turned them over to collections and the State of Virginia Debt Set-Off Program.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council does hereby direct the Town Treasurer/Finance Director to have the outstanding accounts removed from the active records and placed in a permanent file where, if the opportunity arises, the accounts may be collected.

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

February 3, 2015

Department

Finance/Treasurer

Issue

Consider adoption of a Resolution allowing the Town Treasurer/Finance Director to remove outstanding Water and Sewer delinquent bills over five years old from the active records to a permanent file.

Summary

As of December 31, 2014, the water and sewer accounts over five years old and inactive have been deemed uncollectible in the amount of \$9,910.13. These accounts and amounts are from the following years as follows:

2009 in the amount of \$9,910.13

All efforts have been made to collect the delinquent water and sewer bills including submitting them to debt set-off program for collection. The Delinquent listings are available in the Treasurer's office and will be maintained in the event that an opportunity should arise to collect one of these outstanding accounts.

Attachments

Resolution

Recommendations

Motion to adopt Resolution

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, FEBRUARY 3, 2015 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

WHEREAS, the Town of Vinton is maintaining records of outstanding water and sewer accounts from 2009; and

WHEREAS, as of December 31, 2014 the water and sewer accounts over five years old and inactive have been deemed uncollectible in the amount of \$ 9,910.13; and

WHEREAS, the Finance Department has made all possible efforts to collect on these outstanding balances including the submitting of these accounts to the debt set-off program.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council does hereby direct the Town Treasurer/Finance Director to have the outstanding amounts removed from the active records and placed in a permanent file where, if the opportunity arises, the accounts may be collected.

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

February 3, 2015

Department

Finance/Treasurer

Issue

Consider adoption of a Resolution allowing the Town Treasurer/Finance Director to have outstanding tax accounts removed from the active records relating to a parcel on Chestnut Street in the Town of Vinton which was sold by Roanoke County at a tax sale.

Summary

The County of Roanoke executed a tax sale of certain properties in the County and Town in June 2014 at which time the sale of parcel 060.20-02-14.00-000, Chestnut Street, Vinton, VA with the amount of \$110.88 taxes, penalty and interest did not deliver enough return to pay the taxes to the Town. The new property owner was given clear title and the current property owner was deceased and with no heirs

The Finance Director is requesting to remove these outstanding tax accounts from the active records and placed in a permanent file where, if the opportunity arises, the accounts may be collected. Also, the lien needs to be released from the property.

Attachments

Resolution

Recommendations

Motion to adopt Resolution

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, FEBRUARY 3, 2015 AT 7:00 PM IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING, 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

WHEREAS, the Town of Vinton is maintaining records of outstanding Real Estate delinquent taxes for twenty years; and

WHEREAS, the County of Roanoke executed a tax sale of certain properties in the County and Town in June 2014; and

WHEREAS, the sale of parcel 060.20-02-14.00-000, Chestnut Street, Vinton, VA with the amount of \$110.88 taxes, penalty and interest did not deliver enough return to pay the taxes to the Town; and

WHEREAS, the new property owner was given clear title and the current property owner was deceased and with no heirs; and

WHEREAS, the Finance Department has made all efforts to collect these balances.

NOW, THEREFORE, BE IT RESOLVED that the Vinton Town Council does hereby direct the Town Treasurer/Finance Director to have the outstanding tax accounts removed from the active records and placed in a permanent file where, if the opportunity arises, the accounts may be collected. Council also directs that the lien be released from the property.

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

February 3, 2015

Department

Planning and Zoning

Issue

Consider adoption of a Resolution establishing Special Project Fund Accounts and authorizing the funds to be appropriated in the amount of \$21,500.00 for the Tinker Creek Canoe Launch Improvement Project.

Summary

On July 1, 2014, Town Council was briefed on proposed improvements to the Tinker Creek Public Boating Access site, located at 801 3rd Street, for use as a blueway connection to the Roanoke River Greenway and Tinker Creek Greenway, both part of the Roanoke Valley greenways and trails system. Some of the improvements including a kiosk with safety information, a picnic table and benches will be undertaken by Jack Cranwell as an Eagle Scout Service Project.

On September 26, 2014, Town Council adopted a resolution authorizing the Town Manager to submit an application for VA DGIF grant funding that can be used to complete the rest of the proposed improvements to the site. On September 26, 2014, Staff submitted a funding request application to the American Electric Power Foundation/Appalachian Power, to be used to improve the Tinker Creek Canoe Launch site. On October 27, 2014, Appalachian Power awarded \$11,500.00 to the Town for the improvement project. On December 30, 2014, the VA DGIF awarded the Town \$10,000.00 in grant funding for the improvement project of the Tinker Creek Canoe Launch site.

Attachment

List of Improvements
Resolution

Recommendation

Motion to adopt Resolution

Town of Vinton Public Boating Access Facility, 801 3rd Street, Vinton, VA 24179

Boat/Canoe Ramp Site Improvements Project for Blueway Access

List of Proposed Improvements to the Canoe Ramp Site

List of Improvements/Materials	VA Department of Game and Inland Fisheries (DGIF)	American Electric Power (AEP)	Vinton: In-Kind, Staff Labor	Eagle Scout Project
Parking Areas – 5 Spaces	\$1,000.00			
Canoe Storage Rack Materials and Installation		\$1,000.00	\$1,000.00 - Installation	
Recognition, Identification, Rules and Directional Signs – Five (5) Signs	\$1,500.00 – Recognition (1), Identification (1) and Directional Signs (2)	\$ 500.00 – Rules Sign (1)	\$1,000.00 – Installation	
Kiosk Materials				\$800.00
Kiosk Fabrication and Installation				\$600.00
Fencing/Screening		\$10,000.00		
Red Cedar Trees	\$1,500.00			
Picnic Table with Benches				\$600.00
Slope Stabilization along the Canoe Ramp	\$5,000.00		\$3,000.00 - Installation	
Gate and Bollards*	\$1,000.00			
Real Estate – Town-Owned Property				
Total	\$10,000.00	\$11,500.00	\$5,000.00	\$2,000.00
TOTAL IMPROVEMENTS PROJECT COST <u>\$28,500.00</u>				

*Needed for safety purposes, in case the site needs to be closed due to weather conditions.

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, FEBRUARY 3, 2015, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

TINKER CREEK CANOE LAUNCH IMPROVEMENT PROJECT

A **RESOLUTION** to establish Special Project Fund Accounts which will include the budget, as listed, for the Tinker Creek Canoe Launch Improvement Project.

WHEREAS, the Town of Vinton wishes to make improvements to the existing Tinker Creek Canoe Launch site for a blueway connection to existing Roanoke River Greenway and Tinker Creek Greenway, both part of the Roanoke Valley greenways and trails system; and

WHEREAS, on September 16, 2014, Town Council adopted Resolution No. 2078, authorizing the Town Manager for and on behalf of the Town of Vinton, to file an application for allocation of Virginia Department of Game and Inland Fisheries (DGIF) Fiscal Year 2015 funds to be used to improve the Tinker Creek Canoe Launch site; and

WHEREAS, on September 26, 2014, Staff submitted a funding request application to the American Electric Power Foundation/Appalachian Power, to be used to improve the Tinker Creek Canoe Launch site; and

WHEREAS, on October 27, 2014, Appalachian Power awarded the Town of Vinton \$11,500.00 for the improvement project of the Tinker Creek Canoe Launch site; and

WHEREAS, on December 30, 2014, the VA DGIF awarded the Town of Vinton \$10,000.00 in grant funding for the improvement project of Tinker Creek Canoe Launch site; and

WHEREAS, the Town of Vinton has entered into an agreement with the VA DGIF to administer this grant project using funds approved and awarded by VA DGIF, and matched with funding from the Town of Vinton and Appalachian Power; and

WHEREAS, in order for these funds to be better accounted for and audited, new accounts must be established and the funds appropriated for this project.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Vinton, Virginia, does hereby establish Special Project Fund Accounts and authorize the funds to be appropriated in the amount of \$21,500.00 for the Tinker Creek Canoe Launch Improvement Project as follows:

GENERAL FUND REVENUE

200-2404-058 Tinker Creek Canoe Launch Improvement Project \$21,500.00

GENERAL FUND EXPENSE

200-8101-740 Tinker Creek Canoe Launch Improvement Project \$21,500.00

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

February 3, 2015

Department

Planning and Zoning

Issue

Consider adoption of a Resolution appropriating funds in the amount of \$1,944.00 received from Virginia DEQ for the Town's share of the \$2,700.00 VSMP construction permit fee for the Vinton Branch Downtown Library.

Summary

Staff was informed that, on December 18, 2014, an electronic deposit in the amount of \$1,944.00 from DEQ was received by the Vinton Finance Department. This amount represents 72% of the locality's (Town of Vinton) share of the \$2,700.00 VSMP construction permit fee paid by Avis Construction Company, Inc. in January 2014 to DEQ, for the construction of the Vinton Branch Downtown Library.

Attachment

Resolution

Recommendations

Motion to adopt Resolution

RESOLUTION NO.

AT A REGULAR MEETING OF THE VINTON TOWN COUNCIL HELD ON TUESDAY, FEBRUARY 3, 2015, AT 7:00 P.M., IN THE COUNCIL CHAMBERS OF THE VINTON MUNICIPAL BUILDING LOCATED AT 311 SOUTH POLLARD STREET, VINTON, VIRGINIA

A **RESOLUTION** to appropriate funds received from Virginia Department of Environmental Quality (VA DEQ) in the amount of \$1,944.00.

WHEREAS, on December 18, 2014, the Town received an electronic deposit in the amount of \$1,944.00 from VA DEQ; and

WHEREAS, this \$1,944.00 represents the 72% of the Town of Vinton's share of the \$2,700.00 Virginia Stormwater Management Plan (VSMP) construction permit fee paid by Avis Construction Company, Inc. to VA DEQ prior to July 1, 2014, for the construction of the Vinton Branch Downtown Library; and

WHEREAS, in order for these funds to be expended, they need to be appropriated from General Fund Revenue line item Miscellaneous Income from Other Governments to General Fund Expenditure line item Environmental Compliance.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Vinton, Virginia, does hereby appropriate the funds in the amount of \$1,944.00 as follows.

GENERAL FUND REVENUE

200-1899-005	Miscellaneous Income from Other Governments	\$1,944.00
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GENERAL FUND EXPENSE

200-8101-371	Environmental Compliance	\$1,944.00
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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