

**Work Session Agenda
Staunton City Council
Caucus Room
September 12, 2019
5:15 p.m.**

Invocation/Moment of Silence—Harrington

- | | | |
|------------------|-----------|--|
| 5:15 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:20 p.m. | 2. | Presentation by Shenandoah Green |
| 5:40 p.m. | 3. | Discussion of Virginia Department of Transportation of Greenville Avenue STARS Study |
| 6:00 p.m. | | Break |
| 6:15 p.m. | 4. | Closed Meeting for (a) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Pertaining to (i) Specific Land Use and Zoning Matters; (ii) a Claim Involving a Former Employee of One of the City's Departments or Agencies, (iii) the Permissible Functions of Local Law Enforcement Officers, and (iv) Transient Occupancy Tax; and (b) Discussion or Consideration of the Possible Acquisition of Real Property(ies) or Interests in Real Property(ies) for Public Purposes and/or Disposition of Publicly Held Real Property Interests, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Council Chambers
September 12, 2019
7:30 p.m.**

Call to Order

Pledge of Allegiance

Mayor's Report

Leaders Advancing Democracy (LEAD)-Mongolia Exchange

Proclamation—Constitution Week

Proclamation—Ms. Virginia Senior America 2019

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of August 8, 2019

Work Session and Regular Meeting of August 22, 2019

REGULAR MEETING

- A. Public Hearing and Consideration of a Request by Charles Clemmer for a Special Use Permit to Construct a Residential Garage at 511 North Coalter Street**
- B. Public Hearing and Consideration of a Request by Blue Ridge Mass Appraisal Company to Amend Section 18.75.020 of Chapter 18.75, I -1, Light Industrial District, of Title 18, Zoning, of the Staunton City Code**

Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 12, 2019	City Council
Item #	1	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Work Session and Regular Meeting Agendas	

Background: Consistent with Procedural Memorandum No. 3, attached are draft meeting agendas for City Council's consideration and for approval as Council prefers.

Suggested Motion: I move to approve the Work Session agenda and the Regular Meeting agenda [as presented] [with the following changes: as to the Work Session, the addition/deletion of _____; as to the Regular Session, the addition/deletion of _____].

City Manager: Steven L. Rosenberg

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Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 12, 2019	Mayor Carolyn Dull
Item #	2	
Ordinance #		
Department:	City Council	
Council Vision:	Resilience	
Subject:	Shenandoah Green	

Background: Last April, at the invitation of Mayor Carolyn Dull, representatives of Shenandoah Green made a presentation to City Council about the organization and its activities. Shenandoah Green will return to attend Council's work session on September 12, 2019, to share details concerning a grant received from the American Geophysical Union-Thriving Earth Exchange (AGU-TEX) and the grant funded project, Staunton Thriving Earth Plastics Project (STEPP). As reported by Shenandoah Green, the purpose of STEPP is to measure for micro-plastics in local waterways.

For each of its funded projects, AGU assigns a scientist to the project. Win Cowger has been assigned to STEPP. Mr. Cowger is a Ph.D. student and National Science Foundation graduate research fellow at the University of California, Riverside, who studies the sources, transport and fate of plastic pollution in the environment. He is scheduled to spend the second week of September in Staunton meeting with various groups, including Lewis Creek Watershed Advisory Committee, Friends of the Middle River, Friends of the North Fork of the Shenandoah River, Trout Unlimited, Shenandoah Green, Mary Baldwin University and Sustainable Shenandoah Valley. He will present a summary of STEPP and the week's activities to Council.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 12, 2019	Staff Members: Billy Vaughn Rodney Rhodes Nickie Mills Tom Sliwoski
Item #	3	
Ordinance #		
Department:	Community Development Public Works	
Council Vision:	Responsive, Efficient Government Built Environment	
Subject:	Discussion of the Greenville Avenue STARS Study	

Background: On October 3, 2018, the Virginia Department of Transportation (VDOT) Staunton District Planning Office announced that Greenville Avenue between Commerce Road in Staunton and the interchange with Route 262 in Augusta County was selected for the FY2018 round of the Strategically Targeted Affordable Roadway Solutions (STARS) program. The purpose of the study is to identify strategies to reduce crashes and enhance facilities serving non-motorized and transit users, while maintaining vehicular capacity through recommended improvements identified by the analysis of existing and forecast conditions. Additionally, the study serves as a primary planning vehicle to identify potential transportation improvements addressing safety and congestion for advancement through VDOT's SMART SCALE program and other state funding programs.

A study scoping and kickoff meeting was held on October 31, 2018, at the VDOT Staunton District Auditorium. City staff have been engaged with VDOT and, early in the process, expressed the need to phase proposed improvements to address transportation needs without negatively impacting local business activity. Staff has provided review of and feedback on the initial draft plan that was developed by VDOT's consultant, Kimley Horn and Associates, Inc. Responding to staff's concerns, the consultant proposed revisions to the study.

At Council's August 22, 2019 work session, Adam Campbell, VDOT Assistant District Planner, provided a brief overview of the draft plan and concepts; however, as a result of time constraints, Council and staff did not have ample time to engage in discussions regarding specific business

locations that may be impacted by the proposed improvements. As a result, staff believes it is necessary to engage Council again, prior to VDOT's public information meetings to be conducted later this month.

During the work session, City staff will provide a brief overview and lead the discussion. Mr. Campbell has been invited to attend.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 12, 2019	Doug Guynn City Attorney Steve Rosenberg City Manager City Council
Item #	4	
Ordinance #		
Department:	City Attorney City Manager	
Subject:	Closed Meeting for (a) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Pertaining to (i) Specific Land Use and Zoning Matters; (ii) a Claim Involving a Former Employee of One of the City’s Departments or Agencies, (iii) the Permissible Functions of Local Law Enforcement Officers, and (iv) Transient Occupancy Tax; and (b) Discussion or Consideration of the Possible Acquisition of Real Property(ies) or Interests in Real Property(ies) for Public Purposes and/or Disposition of Publicly Held Real Property Interests, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy	

Suggested Motion:

Before the closed meeting: I move to enter a closed meeting for (a) consultation with legal counsel for necessary legal-related advice and discussion pertaining to (i) specific land use and zoning matters; (ii) a claim involving a former employee of one of the City's departments or agencies, (iii) the permissible functions of local law enforcement officers, and (iv) transient occupancy tax, pursuant to Virginia Code § 2.2-3711(A)(8); and (b) discussion or consideration of the possible acquisition of real property(ies) or interests in real property(ies) for public purposes and/or disposition of publicly held real property interests, where discussion in an open meeting would

adversely affect the bargaining position or negotiating strategy pursuant to Virginia Code § 2.2-3711(A)(3).

Second. Discussion. Vote – Clerk of Council to poll members of Council.

After the closed meeting: I move that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

Second. Discussion. Vote –Clerk of Council to poll members of Council.



CITY OF STAUNTON, VIRGINIA

Proclamation

Constitution Week September 17-23, 2019

- WHEREAS,** September 17, 2019 marks the two hundred and thirty-second anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and
- WHEREAS,** it is fitting and proper to officially recognize the patriotic celebrations which will commemorate the occasion; and
- WHEREAS,** Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, BE IT PROCLAIMED, by Staunton City Council that September 17-23, 2019, is hereby designated as

Constitution Week

in the City of Staunton and all the City's citizens are asked to reaffirm the ideals established by the Framers of the Constitution in 1787.

Adopted this 12th day of September, 2019.

CAROLYN W. DULL, MAYOR

ATTEST: _____
CLERK OF COUNCIL



CITY OF STAUNTON, VIRGINIA

Proclamation

Ms. Virginia Senior America 2019

WHEREAS, Lilchy Wilson Huffman is a 12th generation Virginian; and

WHEREAS, Ms. Huffman is an honored citizen of Staunton who finds nothing more beautiful and special than the Blue Ridge Mountains and her beloved Virginia; and

WHEREAS, as an educator and volunteer, Ms. Huffman has provided tremendous service to her community; and

WHEREAS, selected by Senior America as Ms. Virginia Senior America 2019, Ms. Huffman graciously exemplifies the dignity, maturity and inner beauty of all senior Americans; and

WHEREAS, Ms. Huffman represents the Commonwealth of Virginia and the City of Staunton with great passion.

NOW, THEREFORE, BE IT PROCLAIMED, by Staunton City Council that the City of Staunton, Virginia honors Lilchy Wilson Huffman on the occasion of her selection as Ms. Virginia Senior America and wishes her great success during her tenure.

Dated this 12th day of September, 2019.

CAROLYN W. DULL, MAYOR

ATTEST: _____
CLERK OF COUNCIL

City Council
WORK SESSION
August 8, 2019
5:00 p.m.

Council Members Present: Mayor Dull, Vice Mayor Kier, Council Members Curren, Harrington, Holmes, Oakes, and Mead.

The Mayor called the meeting to order at 5:00 p.m. and the invocation/moment of silence was given by Dr. Curren.

1. Consideration of Work Session and Regular Meeting Agendas

Consistent with Procedural Memorandum No. 3, the agendas were presented for Council consideration.

Ms. Mead moved to approve the Work Session agenda and the Regular Meeting agenda as presented.

The motion was seconded by Dr. Harrington and carried unanimously as follows:

Mayor Dull	aye	Ms. Mead	aye
Vice Mayor Kier	aye	Ms. Oakes	aye
Dr. Curren	aye	Dr. Harrington	aye
Mr. Holmes	aye		

2. Discussion of FY2019-2023 Five-Year Consolidated Plan and FY2019 Annual Action Plan Relating to the Community Development Block Grant Program of the U.S. Department of Housing and Urban Development for the City of Staunton as a HUD Entitlement Community

Billy Vaughn, Director of Economic Development, stated this item is for the adoption phase of the Consolidated Plan and FY2019 Annual Action Plan. He noted tonight's agenda includes the documented and a mandated public hearing and then thereafter public input with Council possibly taking action to approve the document. He stated that approval is necessary to assure the City is guaranteed not to lose the first year of allocation from HUD for this program.

Mr. Vaughn stated Bill Wasielewski, Principal-in-Charge and Project Manager for Mullin & Lonergan Associates (M&L), was present to answer any questions from Council members. Subsequently, staff worked with Mr. Wasielewski to develop the required draft Five-Year Consolidated Plan and Annual Action Plan.

Mayor Dull asked Mr. Vaughn if any additional public input had been received since the last Council meeting. Mr. Vaughn stated no additional input had been received. He noted he did speak with one individual regarding rehabilitation for her home. Mr. Vaughn stated he explained what this person would need to do in order to go through the process to acquire funding.

This will be Item A on the Regular meeting agenda.

3. Presentation on U.S. Environmental Protection Agency (EPA) Brownfields Program

Mr. Vaughn stated Lori Kroll, Community Resource Specialist, and Debra Filipo, with Draper Aden Associates, were present at tonight's meeting. He noted they were very instrumental in the City receiving funding regarding the Brownfields grant. (?)

Mr. Vaughn stated the U.S. Environmental Protection Agency (EPA) Brownfields Program is a 20-year plus program that has been instrumental in revitalizing communities across the Commonwealth of Virginia. The purpose of the program is to return vacant or underutilized properties to productive reuse by providing funds for initial assessments and planning that will serve to incentivize investment and jumpstart redevelopment and area-wide revitalization of communities. Mr. Vaughn stated the grant would be used to address environmental issues associated with the demolition of the buildings at Staunton Crossing.

Ms. Kroll presented information regarding an opportunity offered by EPA for the City to apply for a Community-Wide Brownfields Assessment Grant totaling \$300,000, which would be funded over three years. This would include funding for sites potentially impacted by both hazardous substances and petroleum. Activities covered by the funding include direct costs associated with:

- community engagement, including targeted, site specific efforts as well as broader community education about the program and its benefits;
- brownfields inventory, including initial site characterization, prioritization, access coordination and eligibility determinations;
- environmental site assessments (ESAs), including Phase I and Phase II ESAs, along with associated work plans required by the program;
- planning for site remediation and/or redevelopment, which can include target area or site-specific planning, such as marketing/feasibility studies and concept plans; and
- grant administration and required federal reporting.

Ms. Kroll stated no direct match is required of the City for this grant. Communities typically provide in-kind services toward grant oversight and contract with a qualified environmental consultant to carry out most of the administrative and technical aspects of the program.

Ms. Kroll stated the main aspect of the program is that this is a real estate program that ensures the in-use of underutilized vacant properties that would be better used for new purposes. She noted another aspect of the program is the ability to use these funds as leverage funding for other programs.

Ms. Kroll stated the southwestern quadrant of the city, including West Beverley Street corridor, may be an area that would potentially benefit from the grant program. An application for this area would be strengthened by the active and engaged community group, West End Alliance, which may be willing to help plan and prioritize these sights. Ms. Kroll stated properties don't need to be vacant, but can be in use to qualify for the program.

Ms. Kroll stated the grant program announcement is anticipated around October 1, 2019, with proposals due by December 1, 2019. Grant awards are usually announced in the spring, followed by development and execution of a federal cooperative agreement over the summer. Funds would

become available October 1, 2020. The 3-year grant cycle will end September 30, 2023. Ms. Kroll stated once the EPA invests in a community, they tend to continue investing in that community if the program is successful.

Vice Mayor Kier asked Ms. Kroll about the timetable regarding the consultants. Ms. Kroll explained that Draper Aden proposes to complete the application and the proposal for the City at no charge. She noted the City would need to go through public procurement for the process.

Ms. Mead asked Ms. Kroll how much competition there is to obtain the grant. Ms. Kroll explained that typically 20-25% of proposals are funded. She noted Virginia won 7 of 9 proposals submitted.

Ms. Oakes asked Ms. Kroll if costs to the City would be to procure the consultants. Ms. Kroll explained at present there are no costs, but that costs could be submitted with the funds budget.

Mr. Vaughn stated more details on the grant proposal would be provided to Council in October or early November as well as to get Council's authorization to move forward with submitting the proposal.

4. Presentation on Gypsy Hill Golf Course

Mayor Dull stated this item would not be voted on by Council at tonight's meeting or the next meeting. She noted discussions would be held, data would be obtained as well as public input.

Chris Tuttle, Parks and Recreation Director, stated Gypsy Hill Golf Course celebrates its 100th anniversary this year. It has been a municipal course and is probably the oldest course in the Shenandoah Valley. He stated, as director, he prided himself on the efficiency of how the course is operated. He noted there is a golf pro and 2 part-time shop assistants and Park Maintenance provides all of the labor for the golf course consisting of 3 full-time employees who are assigned to course maintenance during the golf season.

In a briefing provided by Mr. Tuttle there is a summary that includes a brief history of the golf course, details about competing courses and closures in Virginia and information about national trends in the sport. Also attached was a financial analysis of the golf course, including revenues and expenses over the last six fiscal years. Of further note, staff anticipates development of a master plan to incorporate the course, if closed, into the larger park, would cost somewhere in the range between \$80,000 and \$100,000.

Phil Trayer, Chief Finance Officer, stated he was asked to provide the operating costs over the past 5 years, current debt service and outstanding bonds, revenue membership and usage over the last 5 years, and the fiscal assets of the course. He referred Council members to his prepared packet. He noted there were 8,555 rounds played in 2015 down to 7,101 played in FY2019. He stated this was 1,000 more rounds than what experienced in FY2108. Mr. Trayer stated membership is down from 111 to 59 memberships. Revenues have gone from \$120,930 to year to date FY2019 showing about \$89,000. Operating expense, including depreciation, goes from \$132,000 in 2015 to \$136,461 as of FY2019.

Mr. Trayer stated if the golf course was to close, certainly the revenue would go away as would most of the operating expenditures. However, a lot of the costs associated with the allocations provided to Council would still remain. He stated there might be some savings with chemicals

and cart maintenance. Mr. Trayer stated, all in all, between \$30,000-40,000 would be avoiding a year. He noted this is not a significant windfall. He stated the debt service would still be there, which is approximately \$37,000 a year and would expire in 2035.

Discussion ensued among Council members and staff regarding concerns and future options for the golf course.

Mayor Dull stated she would recommend these discussions be continued and perhaps have a separate public meeting where citizens can speak.

Mr. Rosenberg stated there have been requests from Council members for more information. He noted he would speak with Mr. Tuttle about those requests and putting together a meeting for community input.

Mayor Dull noted perhaps an online survey for citizens to voice their thoughts and ideas could be created.

Dr. Curren stated he would be interested of contacting surrounding golf courses who are in a similar situation and have remained open.

5. **Discussion of Request by Staunton-Augusta County African American Research Society to Name Certain Rooms, a Street and a Flower Garden at Montgomery Hall Park to Honor Charles Waller, John Chiles, Alonzo Harden, Kenneth L. Jones, Patsy Robinson and Bertie T. Huggard**

Cynthia Burnett, Interim Assistant City Manager, stated this item is for a request by the Staunton-Augusta County African American Research Society to name specific rooms, a garden, and a street at Montgomery Hall Park be named to honor iconic local African American citizens who made significant contributions to the City.

Ms. Burnett stated Council Procedure Memorandum No.14 provides City Council with the procedures for naming of public facilities.

Brief biographies of the honorees, provided by the Society, follow:

Dr. Charles J. Waller: (March 2, 1898 – August 24, 1969)

Dr. Waller was a doctor in Staunton and surrounding areas for over 49 years. Due to his race, he was initially denied privileges at the former King's Daughters Hospital (KDH). However, in 1968, he was named president of the KDH medical staff. He advocated for a park for the youth, speaking many times to City Council, and he served as a board member and president of Montgomery Hall Park. He was an outstanding spokesperson for the African American community.

Dr. John Chiles: (September 25, 1896 – August 12, 1975)

Dr. Chiles was a spokesman, community leader, and citizen of the Staunton area who provided his time and financial support to many civic projects. He was appointed Acting Principal of D. Webster

Davis School and was the first African American to serve on the Staunton School Board. He served on the Council to Staunton Inter-Racial Committee. Dr. Chiles organized the first Little League at Montgomery Hall Park and assisted in the park's bowling alley being remodeled, and establishing a Red Cross Room in the main building.

Alonzo E. Harden: (October 11, 1895 – October 4, 1993)

Mr. Harden was a contractor who built over 100 homes in Staunton and surrounding areas. He was the main contractor for repairing the two African American Schools—D. Webster Davis and T.C. Edmonds. He served as a Montgomery Hall Park board member. He gave freely of his time and financial resources to help repair Montgomery Hall Park buildings.

Kenneth L. Jones: (October 26, 1905 – December 1, 2004)

Kenneth L. Jones was a funeral director for 49 years in Staunton and surrounding area. Mr. Jones was a NAACP member and provided support to the integration of the Staunton bus and train systems. He was the keynote speaker at the dedication of the Montgomery Hall Park pool in 1950.

Patsye B. Robinson: (March 25, 1945 – January 8, 2017)

Ms. Robinson was a spokesperson for the community and Booker T. Washington alumni to fight to save Montgomery Hall Park. For over four and one-half years she worked toward that end, she wrote grants, and helped to design the park. She was the guest speaker in 2015, when the African American historical marker was dedicated at the park.

Bertie T. Huggard: (January 28, 1931 – September 17, 2000)

Ms. Huggard was a devoted NAACP member who canvassed door-to-door to register African-Americans to vote. She worked at the NAACP state and national level, she helped coordinate the Martin Luther King March on Washington, D.C. in 1963, and then worked to coordinate a local march for civil rights.

The Society requests specifically that (a) in the Irene Givens Administration Building in Montgomery Hall Park the conference room be named the "Dr. Charles J. Waller Conference Room," the activity room be named the "Dr. John Chiles Activity Room," the administrative office be named the "Alonzo E. Harden Administrative Office" and the kitchen be named the "Bertie T. Huggard Kitchen," (b) the loop from Montgomery Avenue through the park and around the Irene Givens Administration Building be named "Kenneth L. Jones Drive," and (c) the garden surrounding the park's front sign be named the "Patsye B. Robinson Garden."

Ms. Oakes stated these citizens were so well accomplished for the City of Staunton and was in favor of the request.

Mayor Dull stated she was hesitant to name another road after a person and would be very upfront after looking at how names are getting changed. She noted she was in favor of the request.

Council members stated they were in favor the request.

This will be Item G on the Regular meeting agenda.

6. Presentation by Rotary Club of Staunton Concerning Construction of Shelter at Montgomery Hall Park

Hal Aaslestad of Rotary Club of Staunton briefed Council on a community project the club plans for Montgomery Hall Park. He stated the centennial for the Rotary Club will be in 2020. They are planning to build a timber frame pavilion in Montgomery Hall Park and to gift it to the City. The pavilion would be near the manor house and pool area to serve families and youth of the city. Mr. Aaslestad stated VMI cadets would perform labor along with Rotary Club members and other volunteers. He stated construction would start in April, 2020.

7. Closed Meeting for (a) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Pertaining to (i) Specific Land Use and Zoning Matters; and (ii) a Claim Involving a Former Employee of One of the City's Departments or Agencies; and (b) for Discussion or Consideration of the Possible Acquisition of Real Property(ies) or Interests in Real Property(ies) for Public Purposes, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy

Ms. Oakes moved to enter a closed meeting for (a) consultation with legal counsel for necessary legal-related advice and discussion pertaining to (i) specific land use and zoning matters; and (ii) a claim involving a former employee of one of the City's departments or agencies, pursuant to Virginia Code § 2.2-3711(A)(8); and (b) for discussion or consideration of the possible acquisition of real property(ies) or interests in real property(ies) for public purposes, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy pursuant to Virginia Code § 2.2-3711(A)(3).

The motion was seconded by Dr. Harrington and carried unanimously as follows:

Vice Mayor Kier	aye	Ms. Oakes	aye
Dr. Curren	aye	Dr. Harrington	aye
Mr. Holmes	aye	Mayor Dull	aye
Ms. Mead	aye		

Ms. Oakes moved that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

The motion was seconded by Dr. Harrington and carried unanimously as follows:

Dr. Curren	aye	Dr. Harrington	aye
Mr. Holmes	aye	Mayor Dull	aye

292 Ms. Mead aye Vice Mayor Kier aye
293 Ms. Oakes aye
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295 The work session adjourned at 7:18 p.m.
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Suzanne F. Simmons
Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, August 8, 2019
7:30 p.m.
Council Chambers

PRESENT: **Mayor Carolyn W. Dull**
 Ophie A. Kier, Vice Mayor
 James L. Harrington
 R. Terry Holmes
 Erik D. Curren
 Andrea Oakes
 Brenda O. Mead

ALSO PRESENT: **Steven Rosenberg, City Manager**
 Douglas L. Guynn, City Attorney
 Suzanne F. Simmons, Clerk of Council

Mayor Dull called the meeting to order. The Pledge of Allegiance was recited in unison.

MAYOR'S REPORT

Mayor Dull introduced Sophia Schwaner, a rising sophomore at Stuart Hall. Ms. Schwaner is one of six winners in the national 2019 Musical Theater Songwriting Challenge. She then performed her winning composition for Council members.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Vice Mayor Kier stated the Episcopal Diocese of Southwest Virginia and Virginia Theological Seminary apologized for the atrocities of the early 16, 17, and 1800's in this country, as well as acknowledging Jamestown celebrating 400 years. He noted it had been 400 years since the first slaves landed in Virginia. He acknowledged local church leaders and invited everyone to a pilgrimage for racial justice on August 17, 2019 at the old Allen Chapel African American Episcopal Church.

Ms. Oakes stated she serves as the liaison for the Staunton Downtown Development Association and recently attended a Virginia Mainstreet conference with Julie Markowitz, Executive Director of SDDA. Ms. Oakes stated the SDDA was awarded a \$25,000 Downtown Investment grant that will go towards the phase 3 project for the HUB in Staunton. Ms. Markowitz introduced SDDA board members and thanked the City for their continued support.

APPROVAL OF MINUTES

Ms. Oakes moved to approve the work session and regular meeting minutes of June 13, 2019.

The motion was seconded by Dr. Harrington and carried as follows:

46	Dr. Harrington	aye	Vice Mayor Kier	aye
47	Mr. Holmes	aye	Ms. Mead	aye
48	Mayor Dull	aye	Ms. Oakes	aye
49	Dr. Curren	aye		

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53 Ms. Oakes moved to approve the work session and regular meeting minutes of July 11, 2019.

54

55 Mayor Dull noted she would abstain as she was not present at that meeting. Dr. Harrington noted
56 he would abstain as he was not present at that meeting.

57

58 The motion was seconded by Mr. Holmes and carried as follows:

59

60	Mr. Holmes	aye	Ms. Mead	aye
61	Mayor Dull	abstain	Ms. Oakes	aye
62	Dr. Curren	aye	Dr. Harrington	abstain
63	Vice Mayor Kier	aye		

64

65

66 **REGULAR MEETING**

67

68 **A. Public Hearing and Consideration of FY2019-2023 Five Year Consolidated Plan and** 69 **FY2019 Annual Action Plan for Community Development Block Grant Program Funds**

70

71 Billy Vaughn, Director of Economic Development, stated this item is to take the final steps
72 towards qualifying to receive HUD allocation for the City appropriated by Congress in the
73 amount of \$354,433 for its FY2019 allocation.

74

75 Mr. Vaughn stated staff had worked with the consultant for approximately 6 months to put together
76 the draft plan. He noted copies are required to be posted at the Library, Redevelopment and
77 Housing Authority, City Hall for 30 days. Mr. Vaughn stated the next requirement is for the City
78 to conduct a public hearing to gain input from citizens and Council members. He noted staff has
79 engaged with a number of local entities and organizations which they have proposed that they
80 would receive funding to meet the goals and objectives outlined in the plan. Mr. Vaughn stated
81 the last part would require the Mayor to sign forms certifying that all steps necessary had been met
82 in the adoption of the plan and conduction of the process. He stated if these steps and criteria are
83 not met by August 15, 2019, the City will lose their first year of funding.

84

85 In an effort to obtain input from various entities, a series of stakeholder meetings was held on June
86 4 and 5, 2019, in the Council Caucus Room. The following organizations, as well as numerous
87 City departments, were invited to the meetings:

88

- 89 • Blue Ridge CASA
- 90 • Community Action Partnership of Staunton-Augusta-Waynesboro
- 91 • Community Foundation of Central Blue Ridge

- Community Housing Partners
- Greater Augusta Wellness Partnership
- Renewing Homes of Greater Augusta
- Staunton Augusta Waynesboro Habitat for Humanity
- Staunton Redevelopment and Housing Authority
- United Way of Greater Augusta
- Valley Community Services Board - Permanent Supportive Housing
- Valley Mission
- Valley Program for Aging Services
- Valley Supportive Housing

The Public Hearing was opened.

Representatives from the following organizations spoke:

- Janice Gentry, Director of Senior Services, Valley Program for Aging Services
- Juan Pablo Molina, Executive Director, Blue Ridge CASA
- Phil Holbrook, Executive Director, Renewing Homes of Greater Augusta
- Susan Richardson, Executive Director, Valley Mission

Council members posed questions to the representatives regarding services offered to citizens.

There being no one else wishing to speak, the Public Hearing was closed.

Dr. Harrington moved to adopt the FY 2019-2023 Five-Year Consolidated Plan and FY2019 Annual Action Plan, as presented.

The motion was seconded by Ms. Oakes.

Ms. Mead thanked Mr. Vaughn and EDA staff for responding to a complicated and detail-oriented planning process. She stated she hoped more dollars could be committed in the future to address making housing more affordable for low-income residents.

The motion carried as follows:

Mayor Dull	aye	Ms. Oakes	aye
Dr. Curren	aye	Dr. Harrington	aye
Vice Mayor Kier	aye	Mr. Holmes	aye
Ms. Mead	aye		

B. Public Hearing and Consideration of a Request by the City of Staunton to Amend Chapter 18.65, B-3, Planned Business District, of Title 18, Zoning, of the Staunton City Code

Rodney Rhodes, Senior Planner, stated the proposed amendment would add the ground and basement floor living quarters and private day nurseries to the list of uses permitted in the B-3

District, with a Special Use Permit. He noted this was also an opportunity to edit language in this section of the ordinance.

Mr. Rhodes stated currently, in the B-3, Planned Business District, all uses require issuance of a Special Use Permit. Uses permitted in the B-3 District by Special Use Permit are the same uses that are permitted *by right* in the B-1, Local Business District. Certain, additional uses are permitted in the B-1 District by Special Use Permit. Mr. Rhodes stated the proposed amendment would allow those same additional uses in the B-3 District upon issuance of a Special Use Permit. The B-3 District is designed to function much like the B-1 District. They are located close to residential areas along primary streets where commercial activities could occur without creating a negative impact on the surrounding residential areas. According to the *City of Staunton, Virginia, Comprehensive Plan 2018 – 2040*, B-3 Districts are reserved for areas where careful controls are needed to ensure compatibility with adjacent land uses. While residential uses and day nurseries—among the uses that would be permitted with a Special Use Permit upon adoption of the proposed amendment—may not meet the original intent of these districts, property owners would enjoy more flexibility in the use of their land, and such uses would be compatible with surrounding uses.

Mr. Rhodes stated the Planning Commission conducted a public hearing on this matter on July 18, 2019. No one spoke in opposition to the amendment. One resident spoke in support of the amendment. On a 5-0 vote, the Commission voted unanimously to recommend approval of the amendment, concurring with staff's recommendation.

Ms. Mead asked Mr. Rhodes approximately how many properties would be impacted by this amendment.

Mr. Rhodes stated there are very few properties that are actually zoned B-3 in the City.

The Public Hearing was opened.

There being no one wishing to speak, the Public Hearing was closed.

Dr. Harrington moved that Council adopt the proposed amendment to Chapter 18.65, B-3, Planned Business District, of Title 18, Zoning, of the Staunton City Code, as recommended by the Planning Commission.

The motion was seconded by Mr. Holmes and carried as follows:

Dr. Curren	aye	Dr. Harrington	aye
Vice Mayor Kier	aye	Mr. Holmes	aye
Ms. Mead	aye	Mayor Dull	aye
Ms. Oakes	aye		

Ordinance No. 2019-30

AN ORDINANCE AMENDING, RESTATING AND REORDAINING CHAPTER 18.65, B-3 PLANNED BUSINESS DISTRICT,

184 **OF TITLE 18 ZONING,**
185 **OF THE STAUNTON CITY CODE**
186
187

188 **Recitals**
189
190

191 A. As part of City staff's periodic review of the Staunton City Code (SCC), it has been
192 ascertained that SCC Section 18.65.020 merits amendment to clarify the uses permitted, as well
193 as the uses permitted on review, in the B-3, Planned Business District;
194

195 B. In the B-3, Planned Business District, the uses permitted are the same as those
196 permitted in the B-1, local Business District, however, all uses in B-3 require application and
197 approval of the contemplated use;
198

199 C. City staff has initiated a proposed amendment to SCC § 18.65.020 to add uses
200 permitted on review within the B-1, Local Business District, as permitted uses on review in the
201 B-3, Planned Business District, and recommended to the Planning Commission that it endorse
202 the proposed amendment;
203

204 D. The Staunton Planning Commission, after study and review, has now recommended
205 approval of the proposed amendment to SCC § 18.65.020, to allow uses permitted on review in
206 the B-1, Local Business District, also to be uses permitted on review in the B-3, Planned Business
207 District;
208

209 E. The proposed modifications also include repealing the provisions of one section of
210 Chapter 18.65, and recaptioning of another section;
211

212 F. This matter has been properly advertised, heard, and considered; and
213

214 G. These recitals are an integral part of this ordinance.
215

216 **NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Staunton,
217 Virginia, that Chapter 18.65, B-3 Planned Business District, of Title 18 Zoning, of the Staunton
218 City Code be, and hereby is amended as follows, including the repeal of the provisions of Section
219 18.65.050:
220
221
222
223

224 **Chapter 18.65**
225 **B-3 PLANNED BUSINESS DISTRICT**

226 **Sections:**

18.65.010 General description.

18.65.020 Uses permitted on review.

18.65.030 Area regulations.

18.65.040 Signs.

....

18.65.020 Uses permitted on review.

Within the planned business district, no building, structure, or premises shall be used and no building or structure shall be erected or altered until and unless the same has been approved by the planning commission and by city council in accordance with the provisions contained in Chapter [18.210](#) SCC, and until and unless the following conditions have been complied with:

(1) Uses permitted will be the same as those permitted in the B-1 district under SCC 18.55.020 and shall also include those uses permitted on review in the B-1 district under SCC 18.55.060.

....

In all other respects, the provisions of Chapter 18.65 of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: August 8, 2019

Adopted: August 8, 2019

Effective Date: August 8, 2019

/s/ Carolyn W. Dull

Carolyn W. Dull, Mayor

ATTEST: /s/ Suzanne F. Simmons

Suzanne F. Simmons

Clerk of Council

C. Public Hearing and Consideration of a Request by Charles and Robin Kehoe, for a Special Use Permit Under the Provisions of SCC 18.65.020, Uses, of the B-3, Planned Business District, of Title 18, Zoning, of the Staunton City Code

Mr. Rhodes stated this public hearing is related to the previous item. Charles and Robin Kehoe, owners of 1932 Springhill Road, are requesting a Special Use Permit in order to reestablish a single-family dwelling, in an existing building, on the property. In 2006, this property, as well as the adjacent property, were rezoned from R-1, Low Density Residential District, to B-3, Planned Business District. He noted there have been several commercial businesses at this location. In a B-3, Planned Business District, all uses require a Special Use Permit, and living quarters is not a permitted use of a ground or basement level.

Mr. Rhodes stated recently, a request to locate a Dollar General Store at this location generated significant opposition from the neighbors who suggested that a return to residential use would be more compatible with the surrounding area.

Mr. Rhodes stated the Planning Commission conducted a public hearing on this matter at its meeting of July 18, 2019. No one spoke in opposition to the request. Two residents along Springhill Road spoke in favor of the application. On a 5-0 vote, the Commission voted unanimously to recommend approval of the Special Use Permit with the condition that only one dwelling unit be permitted, concurring with staff's recommendation.

The Public Hearing was opened.

Charles Kehoe, owner of 1932 Springhill Road, stated he would like to be able to rent the property for income purposes and noted he would also maintain the property.

Baldwin Jennings, 332 Sharon Lane, stated he felt the property should be left as to allow for development on that side of town.

There being no one else wishing to speak, the Public Hearing was closed.

Ms. Oakes moved that Council approve the Special Use Permit for 1932 Springhill Road, as recommended by the Planning Commission, with the condition that only one dwelling unit shall be permitted.

The motion was seconded by Dr. Curren and carried as follows:

Vice Mayor Kier	aye	Mr. Holmes	aye
Ms. Mead	aye	Mayor Dull	aye
Ms. Oakes	aye	Dr. Curren	aye
Dr. Harrington	aye		

D. Public Hearing and Consideration of a Request by Valley Conservation Council, for a Special Use Permit Under the Provisions of SCC 18.60.070(3)(a), Uses Permitted on Review, of the B-2, General Business District, of Title 18, Zoning, of the Staunton City Code

Mr. Rhodes stated Valley Conservation Council, owner of 17 Court Place (recently readdressed as 17 Barristers Row), is requesting a Special Use Permit in order to create one dwelling unit on the ground level of the building. The property is zoned B-2, General Business District, which permits living and sleeping quarters on the ground and basement levels only with Special Use Permit.

Mr. Rhodes stated the property is unique in the downtown business district and has limited visibility from North Augusta and North New streets. Barristers Row was an alley that was accepted into the City Street System in 2009. However, it still looks and functions as an alley and has very limited vehicular traffic. Parking is not allowed on the majority of the street, and

commercial deliveries are a challenge due to the lack of access. Therefore; the owners of the property are requesting the option of establishing residential use on the first floor.

Mr. Rhodes stated at the Planning Commission meeting on July 18, 2019, a public hearing was conducted and no one spoke in opposition to the request. On a 5-0 vote, the Planning Commission voted unanimously to recommend approval of the Special Use Permit with the condition that only one dwelling unit be permitted on the ground level.

The Public Hearing was opened.

There being no one wishing to speak, the Public Hearing was closed.

Ms. Mead moved that Council approve the Special Use Permit for 17 Barristers Row, as recommended by the Planning Commission, with the condition that only one dwelling unit shall be permitted on the ground level.

The motion was seconded by Mr. Holmes and carried as follows:

Ms. Mead	aye	Mayor Dull	aye
Ms. Oakes	aye	Dr. Curren	aye
Dr. Harrington	aye	Vice Mayor Kier	aye
Mr. Holmes	aye		

E. Appeal of Historic Preservation Commission Grant of a Certificate of Appropriateness for 103-105 Madison Place (Newtown Historic District)

Mr. Rhodes stated this item is from Barbara Whipple and Paul Kazarov for an appeal to City Council regarding the Historic Preservation Commission's decision on June 25, 2019 to grant a Certificate of Appropriateness for the construction of a new detached garage at 103-105 Madison Place. He noted nine other residents of general area also signed a letter supporting the appeal.

The owners of the property, Emilie Kissman and Dan Burke, recently purchased a single-family structure, located at 103-105 Madison Place, in the Newtown Historic District. Ms. Kissman and Mr. Burke applied to the Commission for Certificates of Appropriateness for a screened porch addition, rear deck addition, and a new detached two-car garage which is the subject of the appeal.

Mr. Rhodes stated a compromised solution had been generated and the owner of the property is amenable to the compromise. He noted he'd spoken to the adjoining property owners who were appealing the decision and were agreeable to the compromise. Mr. Rhodes explained why constructing a garage off of St. Clair Street would be very difficult to do and also explained why a variance is not an appropriate method because Virginia Code states when a variance should be granted is when there is a land-imposed hardship that prevents reasonable use of property. Mr. Rhodes stated if there is reasonable use of property, a variance should be denied. He stated having a house on this property for over 100 years is reasonable use of the property. Also, Code requires there must be something unique about the property that is different from the adjoining properties.

Mr. Rhodes stated there is nothing unique about the property and it is very steep. He noted before granting a variance, the board would look to see if there were other alternatives and noted all requirements must be met. Mr. Rhodes also noted from a safety perspective, an amendment would not be appropriate regarding the setback.

Mr. Rhodes stated the proposed compromise is that Council amend or modify the Historic Preservation Commission's approval of the garage to require it to be moved back an additional 10 feet – that would move it back to 32 feet from Madison Place. He noted the original application showed 22 feet and would have had to be moved back an additional 3 feet in order to meet Zoning requirements.

Mr. Rhodes stated he and Frank Strassler, Executive Director of Historic Staunton Foundation, would be available for questions from Council.

The Mayor called on Ms. Whipple.

Barbara Whipple, 111 Madison Place, noted Mr. Kazarov and nine other members of the neighborhood were present as well. She noted it was important to them to understand the spirit in which the appeal was made. Ms. Whipple stated the appeal was made with how highly they regard the historic design guidelines. She stated what was particularly objectionable to the residents was the garage with front facing houses on Madison Place and certainly not in line with the fronts of historic homes. Ms. Whipple stated in trying to reach a compromise, constructing the garage further back was a possibility.

Ms. Oakes stated she would like to hear Mr. Strassler's comments on the matter. Mayor Dull asked Mr. Strassler if he had reviewed the alternative solution.

Mr. Strassler stated he had not reviewed the alternative solution, but noted from the description presented it appeared to meet the guidelines and continues in the relationship to the reviews that he had conducted.

Ms. Mead asked Mr. Strassler how he determined that it was appropriate to sight a garage in the side yard. Mr. Strassler explained the step by step process on how he arrived at that decision.

Ms. Oakes asked Mr. Strassler if he needed to review the alternative motion that had been placed before Council regarding the compromise and also asked what were his thoughts.

Mr. Strassler stated he did not need to review the alternative motion. He noted the compromise sets the building back further on the lot, but it is still within the Zoning that is allowed for the neighborhood. He stated he did not believe that it would be altering the relationship of buildings that significantly by moving further back on the block. He noted it would not make that much difference between where it was proposed in the first review as to now.

Dr. Harrington stated he had not heard Ms. Whipple address the compromise itself. He asked if it was a head nod compromise for her.

Ms. Whipple stated she had polled all of the residents that were present at the meeting and they agreed that this was probably the best compromise that they could ask for. She noted one of the biggest problems had to do with the garage being in-line with the fronts of the houses on the street and did not make sense to them visually. She stated the setback would put the garage in better balance with the street so that is why they agreed to the compromise.

Ms. Oakes asked Mr. Rosenberg if all parties were in truly agreement with the compromise and without any reluctance.

Mr. Rosenberg stated it was his understanding, and noted Mr. Rhodes could confirm it, that the two actual named individuals who appealed the decision of the Historic Preservation Commission were present and they had indicated they assent to the compromise. He noted the property owner had indicated their assent to the compromise. He stated there were other neighborhood residents who spoke at the HPC meeting, but they were not recognized formally as parties to the appeal. Mr. Rosenberg stated the property owner had communicated their agreement with the compromise to Mr. Rhodes.

Mr. Rhodes stated he heard back from the property owner on August 7, 2019 through Frazier Associates that they were agreeable to move the garage 10 feet further back.

Dr. Curren stated after careful consideration of the information, concluding that there is merit in considering alternatives for placement of the garage at a greater distance from the edge of Madison Place, he moved that Council affirm, in part, the Certificate of Appropriateness (COA) for the screened porch addition, deck and fence, but modify the decision of the Historic Preservation Commission by amending the COA to require a minimum setback of 32' for the detached garage.

The motion was seconded by Dr. Harrington.

Mayor Dull stated she greatly appreciated the work of staff, Mr. Strassler, and the cooperation of the neighbors and the owners to come up with a good compromise.

The motion carried as follows:

Ms. Oakes	aye	Dr. Curren	aye
Dr. Harrington	aye	Vice Mayor Kier	aye
Mr. Holmes	aye	Ms. Mead	aye
Mayor Dull	aye		

F. Consideration of a Final Plat for Olde South Village, Section Three

Mr. Rhodes stated this item is for the final plat of Olde South Village, Section Three, dated May 9, 2019. Olde South Village is a Planned Residential Development (PRD) located off Commerce Road and Green Hills Drive.

Mr. Rhodes stated the PRD and preliminary plat for the entire subdivision were approved by City Council in January 2006. In the fall of 2007, Council approved the first section of the development,

which included the development of the first 30 lots.

Mr. Rhodes stated an amended preliminary plat and master plan were approved by Council in 2013, reducing the total number of lots to 286. A final plat for Section Two was approved by City Council in 2014, creating 20 additional lots.

Mr. Rhodes stated the proposed plat for Section Three creates 33 additional lots and a new street named Chamberlain Drive.

At its meeting of June 20, 2019, the Planning Commission considered the request. On a 4-0 vote, the Commission voted to recommend approval of the final plat with the following conditions, concurring with staff's recommendation:

1. Facility fees to be paid in the amount of \$235,950.00 prior to the item being placed on a City Council agenda.
2. A Storm Water Maintenance Agreement must be recorded prior to the item being placed on a City Council agenda.
3. A deed or right-of-way dedication will need to be recorded prior to Chamberlain Drive being accepted into the public street system.

Mr. Rhodes noted the developer has paid the facility fees and a storm water maintenance agreement has been recorded, leaving the right-of-way dedication as the only unresolved issue.

Mr. Holmes moved that Council approve the final plat for Olde South Village, Section Three, as recommended by the Planning Commission, with the condition that a deed or right-of-way dedication shall be recorded prior to Chamberlain Drive being accepted into the public street system.

The motion was seconded by Ms. Mead and carried as follows:

Dr. Harrington	aye	Vice Mayor Kier	aye
Mr. Holmes	aye	Ms. Mead	aye
Mayor Dull	aye	Ms. Oakes	aye
Dr. Curren	aye		

G. Consideration of Request by Staunton-Augusta County African American Research Society to Name Certain Rooms, a Street and a Flower Garden at Montgomery Hall Park to Honor Charles Waller, John Chiles, Alonzo Harden, Kenneth L. Jones, Patsye Robinson and Bertie T. Huggard

Cynthia Burnett, Interim Assistant City Manager, stated this item, supported by Vice Mayor Kier's plea, that citizens who have supported the city through the years be recognized.

Ms. Burnett stated the Staunton-Augusta County African American Research Society is requesting that specific rooms, a garden, and a street at Montgomery Hall Park be named to honor certain

local African American citizens who made significant contributions to the City. Brief biographies of the honorees, provided by the Society, follow:

Dr. Charles J. Waller: (March 2, 1898 – August 24, 1969)

Dr. Waller was a doctor in Staunton and surrounding areas for over 49 years. Due to his race, he was initially denied privileges at the former King's Daughters Hospital (KDH). However, in 1968, he was named president of the KDH medical staff. He advocated for a park for the youth, speaking many times to City Council, and he served as a board member and president of Montgomery Hall Park. He was an outstanding spokesperson for the African American community.

Dr. John Chiles: (September 25, 1896 – August 12, 1975)

Dr. Chiles was a spokesman, community leader, and citizen of the Staunton area who provided his time and financial support to many civic projects. He was appointed Acting Principal of D. Webster Davis School and was the first African American to serve on the Staunton School Board. He served on the Council to Staunton Inter-Racial Committee. Dr. Chiles organized the first Little League at Montgomery Hall Park and assisted in the park's bowling alley being remodeled, and establishing a Red Cross Room in the main building.

Alonzo E. Harden: (October 11, 1895 – October 4, 1993)

Mr. Harden was a contractor who built over 100 homes in Staunton and surrounding areas. He was the main contractor for repairing the two African American Schools—D. Webster Davis and T.C. Edmonds. He served as a Montgomery Hall Park board member. He gave freely of his time and financial resources to help repair Montgomery Hall Park buildings.

Kenneth L. Jones: (October 26, 1905 – December 1, 2004)

Kenneth L. Jones was a funeral director for 49 years in Staunton and surrounding area. Mr. Jones was a NAACP member and provided support to the integration of the Staunton bus and train systems. He was the keynote speaker at the dedication of the Montgomery Hall Park pool in 1950.

Patsye B. Robinson: (March 25, 1945 – January 8, 2017)

Ms. Robinson was a spokesperson for the community and Booker T. Washington alumni to fight to save Montgomery Hall Park. For over four and one-half years she worked toward that end, she wrote grants, and helped to design the park. She was the guest speaker in 2015, when the African American historical marker was dedicated at the park.

Bertie T. Huggard: (January 28, 1931 – September 17, 2000)

Ms. Huggard was a devoted NAACP member who canvassed door-to-door to register African-Americans to vote. She worked at the NAACP state and national level, she helped coordinate the Martin Luther King March on Washington, D.C. in 1963, and then worked to coordinate a local march for civil rights.

Ms. Burnett stated the Society requests specifically that (a) in the Irene Givens Administration Building in Montgomery Hall Park the conference room be named the “Dr. Charles J. Waller Conference Room,” the activity room be named the “Dr. John Chiles Activity Room,” the administrative office be named the “Alonzo E. Harden Administrative Office” and the kitchen be named the “Bertie T. Huggard Kitchen,” (b) the loop from Montgomery Avenue through the park and around the Irene Givens Administration Building be named “Kenneth L. Jones Drive,” and (c) the garden surrounding the park’s front sign be named the “Patsye B. Robinson Garden.”

Ms. King, representative of the Society, acknowledged committee members present and asked Council to support their request.

Vice Mayor Kier stated this was a tremendous move forward and appreciated the Society’s efforts.

Vice Mayor Kier moved that City Council approve the naming of certain locations within Montgomery Hall Park as follows:

- in the Irene Givens Administration Building in Montgomery Hall Park, the conference room be named the “Dr. Charles J. Waller Conference Room,” the activity room be named the “Dr. John Chiles Activity Room,” the administrative office be named the “Alonzo E. Harden Administrative Office” and the kitchen be named the “Bertie T. Huggard Kitchen;”
- the loop from Montgomery Avenue through Montgomery Hall Park and around the Irene Givens Administration Building be named “Kenneth L. Jones Drive;” and
- the garden surrounding Montgomery Hall Park’s front sign be named the “Patsye B. Robinson Garden.”

The motion was seconded by Dr. Harrington.

Ms. Oakes stated she would like it to be put on record that Mr. Kenneth Jones did serve on the Staunton City Council. She noted she was agreement with the motion on the floor and would like to see the Caucus Room named after Vice Mayor Jones.

The motion carried as follows:

Mayor Dull	aye	Dr. Curren	aye
Mr. Holmes	aye	Ms. Oakes	aye
Vice Mayor Kier	aye	Dr. Harrington	aye

Ms. Mead aye

Matters from the City Manager

Mr. Rosenberg stated he had received a compliment regarding two City employees from Public Works who had assisted a driver with a stalled car. The employees were David Stokes and Jason Byram. He thanked staff for their willingness to go above and beyond.

Matters from the Public

John Hartless, 826 Lammermor Drive, stated he hoped Council would continue to seek further information regarding the discussion earlier on the golf course. He felt the two biggest needs were revenue improvements and better promotion through Tourism.

Jonathan Howard, 401 Amherst Road, thanked the City for creating the left turn lane from Greenville Avenue onto Amherst Road.

Barbara Lee, 959 Donaghe Street, Apt. 1, stated she would like to see a banner placed at the underpass to welcome arriving Mary Baldwin University students. Mr. Rosenberg noted a continued agreement had been reached with the City and the University to place a banner on the face of the New Street parking garage. He stated the underpass property belonged to the railroad.

There was no one else wishing to speak.

Adjournment

There being no further business to come before Council, the meeting adjourned at 9:16 p.m.

Suzanne F. Simmons
Clerk of Council

City Council
WORK SESSION
August 22, 2019
5:45 p.m.

Council Members Present: Mayor Dull, Vice Mayor Kier, Council Members Curren, Harrington, Holmes, Oakes, and Mead.

The Mayor called the meeting to order at 5:45 p.m. and the invocation/moment of silence was given by Mayor Dull.

1. Consideration of Work Session and Regular Meeting Agendas

Consistent with Procedural Memorandum No. 3, the agendas were presented for Council consideration.

Dr. Harrington moved to approve the Work Session agenda and the Regular Meeting agenda as presented.

The motion was seconded by Ms. Mead and carried unanimously as follows:

Vice Mayor Kier	aye	Ms. Oakes	aye
Dr. Curren	aye	Dr. Harrington	aye
Mr. Holmes	aye	Mayor Dull	aye
Ms. Mead	aye		

2. Virginia First Cities Legislative Program

Steve Rosenberg, City Manager, stated Virginia First Cities (VFC), to which the City of Staunton belongs, recently requested submissions of legislative proposals for inclusion in the organization's 2020 legislative program to be presented to the General Assembly. VFC is a coalition of sister cities that advocates for increased support and better policies from the state while sharing best practices among members.

Mr. Rosenberg stated this item will allow Council members an opportunity to discuss the reply to VFC's inquiry.

Discussion ensued among Council members. Subjects that City Council requested that Virginia First Cities address included:

- Election security
- Equal Rights Amendment
- Meaningful gun legislation
- Authority of cities to annex
- Authority of localities to regulate disposable plastic bags and single-use plastics
- Improvements to roads, rail, general transportation, and infrastructure

City Council also asked that the Virginia First Cities' board act to condemn hate speech.

50 **3. Discussion of Sister City Relationship with Çair, Skopje, North Macedonia**

51
52 Mr. Rosenberg stated this item was on the agenda following a recent visit of Albanian delegates
53 to Staunton and The Woodrow Wilson Presidential Library and Museum. The City of Staunton
54 has been invited by the mayor of the Albanian district of Çair, Skopje, North Macedonia to
55 consider a symbolic sister city agreement. As proposed, the sister city relationship would require
56 no financial assistance or commitment to long-term projects. Mr. Rosenberg stated this would
57 involve exchanging symbols of importance in each of the two cities. Representatives of Çair
58 propose to present a bust or medallion of Mother Theresa, born in their city, to the City of Staunton,
59 and to place a bust of Woodrow Wilson in the main park in their district.

60
61 Mr. Rosenberg stated the City of Staunton still enjoys sister city relationships with Dabas,
62 Hungary; Maiche, France; and Hordt, Germany. He noted staff needs to further investigate a
63 possible relationship with Viseu de Sus, Romania.

64
65 Fred Blanton, representative of Sister Cities International, presented information to Council
66 members regarding the Sister Cities program.

67
68 Discussion ensued among Council members regarding the extent of the possible relationship with
69 Çair. Council members Curren, Holmes, Harrington, and Mead were in favor of establishing a
70 sister city relationship and asked staff to proceed with arrangements.

71
72 **4. Presentation by Virginia Department of Transportation of Greenville Avenue STARS**
73 **Study**

74
75 Adam Campbell, Assistant District Planner with the Virginia Department of Transportation
76 (VDOT), provided a PowerPoint presentation on the Greenville Avenue corridor study. The
77 purpose of the presentation is to update City Council on the study and its implications for
78 Greenville Avenue and corridor businesses that will be affected by the proposed improvements.

79
80 Mr. Campbell stated on October 3, 2018, the VDOT Staunton District Planning Office announced
81 that Greenville Avenue between Commerce Road in Staunton and the interchange with Route 262
82 in Augusta County was selected for the FY2018 round of the Strategically Targeted Affordable
83 Roadway Solutions (STARS) program. Mr. Campbell stated the study program is an annual
84 program that focuses on corridor safety and operational issues.

85
86 Mr. Campbell stated the purpose of the study is to identify strategies to reduce crashes and enhance
87 facilities serving non-motorized and transit users, while maintaining vehicular capacity through
88 recommended improvements identified by the analysis of existing and forecast conditions.
89 Additionally, the study serves as a primary planning vehicle to identify affordable solutions
90 focusing on safety or operations that can be competitive in the various state transportation funding
91 programs.

92
93 Mr. Campbell answered Council members questions regarding pedestrian accommodations and
94 proposed bike lanes. He did state VDOT would not provide funding for any of the proposed
95 projects.

96
97

5. **Discussion of an Ordinance Amending, Restating, and Reordaining Section 9.05.120, Alcoholic Beverages, Taking or Offering Drink in Public, of Chapter 9.05, Offenses – Miscellaneous, of Title 9, Public Peace, Morals and Welfare, of the Staunton City Code to Update Citations to the Virginia Code**

Due to time constraints, this item was deferred to the Regular meeting.

This will be Item A on the Regular meeting agenda.

6. **Discussion of Valley Community Services Board FY2020/2021 Performance Contract**

Dave Deering, Executive Director of Valley Community Services Board (VCSB), gave a presentation to City Council concerning VCSB's performance contract with the Virginia Department of Behavioral Health & Developmental Services (DBHDS).

Mr. Deering stated the main purpose of the performance contract is to memorialize VCSB's status as the official provider of behavioral health services (mental health, developmental disabilities, and substance use disorder services) for the City of Staunton, as well as Augusta County, Highland County and the City of Waynesboro. He updated Council on services and programs VCSB provides to citizens. It was noted 6,209 clients had been served over the past year. Mr. Deering also explained the nine components of the System Transformation Excellence Performance Virginia (STEP VA) program. Mr. Deering explained how Case Management Services help coordinate services to clients.

Mr. Deering reviewed elements of the performance contract as well as FY2020 administrative requirements and the partnership agreement. He requested Council's endorsement of performance contract.

Dr. Curren asked how many clients were seen in a month. Mr. Deering stated 360 clients were seen in a month and varied between 15 and 25 clients per day. He noted two-thirds of the clients are able to be seen on the same day, but stated further development was needed.

Mayor Dull asked if there was still a regional crisis in the area. Mr. Deering stated there was a regional crisis in Charlottesville, Harrisonburg, and Winchester.

Mayor Dull thanked Mr. Deering for the presentation.

This will be Item B on the Regular meeting agenda.

7. **Discussion of Resolution to Appoint City Manager to Valley Alcohol Safety Action Program Policy Board**

Due to time constraints, this item was deferred to the Regular meeting.

This will be Item C on the Regular meeting agenda.

The work session adjourned at 7:17 p.m.

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Suzanne F. Simmons
Clerk of Council

DRAFT

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, August 22, 2019
7:30 p.m.
Council Chambers

PRESENT: **Mayor Carolyn W. Dull**
 Ophie A. Kier, Vice Mayor
 James L. Harrington
 R. Terry Holmes
 Erik D. Curren
 Andrea Oakes
 Brenda O. Mead

ALSO PRESENT: **Steven Rosenberg, City Manager**
 Douglas L. Guynn, City Attorney
 Suzanne F. Simmons, Clerk of Council

Mayor Dull called the meeting to order. The Pledge of Allegiance was recited in unison.

MAYOR'S REPORT

Mayor Dull stated she had attended an informational meeting regarding PharmaCann, which will be opening its medical cannabis facility at the Green Hills Industrial Park. She welcomed students from the Government class at Riverheads High School.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Vice Mayor Kier stated on August 16, 2019, the March on Racial Justice was well attended, and he thanked everyone for participating.

Vice Mayor Kier stated the Nominations Committee recently met and moved to make the following appointments:

Lewis Creek Committee – To appoint Frederick Blanton to a three-year term beginning August 22, 2019, and expiring June 30, 2022.

Historic Preservation Commission – To appoint Carter Lively to fill the unexpired term of David Brown beginning August 22, 2019, and expiring June 30, 2021.

The motion was seconded by Dr. Harrington and carried unanimously as follows:

Mayor Dull	aye	Vice Mayor Kier	aye
Dr. Harrington	aye	Dr. Curren	aye
Mr. Holmes	aye	Ms. Oakes	aye
Ms. Mead	aye		

Ms. Oakes thanked everyone who attended her town hall meeting on August 20, 2019, regarding the fate of the Gypsy Hill Golf Course.

REGULAR MEETING

A. Consideration of an Ordinance Amending, Restating, and Reordaining Section 9.05.120, Alcoholic Beverages, Taking or Offering Drink in Public, of Chapter 9.05, Offenses – Miscellaneous, of Title 9, Public Peace, Morals and Welfare, of the Staunton City Code to Update Citations to the Virginia Code

Doug Guynn, City Attorney, stated the City has an ordinance which makes it unlawful for any person to take a drink of alcoholic beverages or to offer or tender a drink of alcoholic beverages to another whether accepted or not at or in any public place in the City. Mr. Guynn stated a public place includes the City's parks, baseball fields, public streets, sidewalks, and public buildings.

Mr. Guynn stated this is a housekeeping matter in this particular section of the City Code with references to the Code of Virginia that are outdated. He noted this ordinance updates the two references to the Virginia Code to make it correspond to what is actually found in the volume of the Code of Virginia. Mr. Guynn stated while people have the impression that no alcohol in public places is permitted, the City had allowed alcohol to be served at the former Shakin' at the Station events and another parking lot was used for a special event. Mr. Guynn stated the City Code makes an exception for those types of events and that exception would also apply to the City's parks. He noted the idea is to bring the statute up to date so in any of those circumstances the general public and others will see there is an up to date code and that there is an exception for what is called a Special Events ABC license obtained from the Alcoholic Beverage Control Authority.

Mr. Guynn stated no public hearing is required and recommended Council adopt the ordinance.

Dr. Curren asked Mr. Guynn to summarize in lay person terms the changes that were made in the Virginia Code that the City is updating. Mr. Guynn stated the ordinance reflects the corrected state code references that have since been recodified.

Mayor Dull asked Mr. Guynn to clarify that this ordinance only applied to special events. Mr. Guynn stated that was correct. He stated a person who wanted to seek permission from the City to have a special event in the City would need to obtain a special event license from the State ABC Board. Mr. Guynn stated the special event would need to be held in a very confined area on City property.

Ms. Mead asked Mr. Guynn if a special event might include a golf tournament. Mr. Guynn stated it could include a golf tournament or a group that wanted to hold a multi-day event. He noted times are changing, and the City may receive requests to consider modification of the administration's prior approach.

Dr. Curren moved that City Council adopt the proposed ordinance amending Section 9.05.120, Alcoholic Beverages, Taking or Offering Drink in Public, of Chapter 9.05, Offenses –

Miscellaneous, of Title 9, Public Peace, Morals and Welfare, of the Staunton City Code, as indicated in the proposed ordinance to update citations to the Virginia Code.

The motion was seconded by Dr. Harrington and carried as follows:

Dr. Curren	aye	Dr. Harrington	aye
Vice Mayor Kier	aye	Mr. Holmes	aye
Ms. Mead	aye	Mayor Dull	aye
Ms. Oakes	aye		

Ordinance No. 2019-31

AN ORDINANCE AMENDING, RESTATING, AND REORDAINING SECTION 9.05.120, ALCOHOLIC BEVERAGES, TAKING OR OFFERING DRINK IN PUBLIC, OF CHAPTER 9.05, OFFENSES - MISCELLANEOUS, OF TITLE 9, PUBLIC PEACE, MORALS AND WELFARE, OF THE STAUNTON CITY CODE TO UPDATE CITATIONS TO THE VIRGINIA CODE

Recitals

A. Pursuant to Staunton City Charter Section 11, Fifth, and Section 4.1-128(B) of the Code of Virginia, the City Council has the authority to regulate or prohibit the possession of opened alcoholic beverage containers in its local parks, playgrounds, public streets, and any sidewalk adjoining any public street;

B. The City Council has exercised such authority, as reflected in Staunton City Code Section 9.05.120;

C. To avoid misunderstanding or misapprehension, Section 9.05.120 of the Staunton City Code (SCC) merits amendment to update citations to referenced sections of the Code of Virginia that have since been recodified;

D. Section 4.1-308(C) of the Code of Virginia and Section 9.05.120(3) of the SCC include a permissible exception to be made to any general prohibition against opened alcoholic beverage containers in public places for which a special events license has been granted by the Virginia Alcohol Beverage Control Authority (ABCA). While the City has long administratively applied the exception to allow opened alcoholic beverage containers in locations such as the Wharf and Hardy parking lots, there has been a general City administrative policy by practice of prohibiting the possession of opened alcoholic beverage containers in its local parks, as recognized in its Special Event Application;

E. In the view of the City Attorney, the effect of Section 9.05.120(3) of the SCC is to allow reasonable administrative flexibility in a special event ABCA licensing context;

F. To the extent that City administrative policy by practice regarding special events ABCA licenses merits modification as to City parks, corrected citations in the SCC to the Virginia Code also will assist the user of the SCC to understand the sources of the applicable law in that context;

G. This matter has been properly heard and considered; and

H. These recitals are an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Section 9.05.120 be amended as follows:

9.05.120 Alcoholic beverages, taking or offering drink in public.

(1) It shall be unlawful for any person to take a drink of alcoholic beverages or to offer or tender a drink of alcoholic beverages to another, whether accepted or not, at or in any public place in the city.

(2) For the purposes of this section, the terms “alcoholic beverages” and “public place” shall have the meanings ascribed to them in Section ~~4-2~~ 4.1-400 of the Code of Virginia.

(3) This section shall not apply to drinking alcoholic beverages or offering a drink thereof where the same is permitted by Section ~~4-78 (b) and (c)~~ 4.1-308 of the Code of Virginia.

In all other respects, the provisions of Section 9.05.120, Alcoholic beverages, taking or offering drink in public, of Chapter 9.05, Offenses - Miscellaneous, of Title 9, Public Peace, Morals and Welfare, of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced: August 22, 2019

Adopted: August 22, 2019

Effective Date: August 22, 2019

/s/ Carolyn W. Dull
Carolyn W. Dull, Mayor

ATTEST: /s/ Suzanne F. Simmons
Suzanne F. Simmons
Clerk of Council

Mr. Rosenberg referred Council members to a copy of the City’s special event application. He noted on page 7 there are administrative guidelines developed by the City Manager to govern the conduct of special events in the city. He referred to page 8, which addresses the consumption of alcoholic beverages. Mr. Rosenberg stated over the years it had been administrative policy that the City had not taken advantage of the exception to which Mr. Guynn referred, which allows special events with alcoholic beverages in any public place, including parks, provided an event organizer complies with the ABC requirements. He stated the City is considering making a change

to that administrative policy so that the same exception that is available at all other locations in the City would be available as well in the City's parks. Mr. Rosenberg asked Chris Tuttle, Director of Parks and Recreation, to share examples of what other localities in the immediate region are doing currently in the area.

Mr. Tuttle stated in his research and speaking with colleagues, he had discovered Natural Chimneys Park, which is operated by Augusta County, allowed the Red Wings Roots Music festival an alcohol permit. He noted the City of Waynesboro allows alcohol in the parks for private groups and also sponsored two events on park property. Mr. Tuttle stated Harrisonburg Parks and Recreation allows alcoholic beverages only at Turner Pavilion at events not affiliated with the city. Mr. Tuttle stated he has received numerous requests over the years to serve alcoholic beverages at events in the parks.

Mr. Rosenberg stated it would not be necessary for Council to take any action this evening. He noted he was giving very strong consideration to changing the administrative policy and to let the existing City ordinance essentially be effective at all locations in the City whether they are in a park or not in a park. Mr. Rosenberg stated he wanted to afford Council an opportunity to provide input.

Mr. Holmes asked if the City would be running an event that offered alcohol. Mr. Rosenberg stated that discussion had not been held as of yet, but referred to the two City-conducted events held in Waynesboro.

Mr. Rosenberg stated what is driving the City to consider making the change is the requests that have been received from external organizations.

Ms. Oakes stated she was in agreement with City staff pursuing this possibility and continuing the conversation to allow alcoholic beverages to be served during events in the park. She noted at this point it is only in the investigative stage.

Mr. Rosenberg stated it was more progressed than that and he and Mr. Tuttle were ready to make a final decision. He noted he would be open to hear any serious objections or not so serious objections on the part of Council members. Council members indicated their assent to the proposed change in administrative policy.

B. Consideration of Valley Community Services Board FY2019/2020 Performance Contract

Mr. Rosenberg referred Council members to the presentation made earlier during the Work Session by Dave Deering, Executive Director of the Valley Community Services Board (VCSB). He noted Mr. Deering provided an explanation of the performance contract between the VCSB and the Virginia Department of Behavioral Health & Developmental Services (DBHDS).

Mr. Rosenberg stated the main purpose of the performance contract is to memorialize VCSB's status as the official provider of behavioral health services (mental health, developmental disabilities, and substance use disorder services) for the City of Staunton, Augusta County,

Highland County, and the City of Waynesboro. He noted Mr. Deering had requested that Council approve the performance contract as submitted by the VCSB which is a requirement that is imposed by the state department.

Dr. Harrington moved to approve the annual performance contract as submitted by Valley Community Services Board.

The motion was seconded by Mr. Holmes and carried as follows:

Vice Mayor Kier	aye	Mr. Holmes	aye
Ms. Mead	aye	Mayor Dull	aye
Ms. Oakes	aye	Dr. Curren	aye
Dr. Harrington	aye		

C. Consideration of Resolution to Appoint City Manager to Valley Alcohol Safety Action Program Policy Board

Mr. Rosenberg stated this is another appointment that needed to be made as the result of the retirement of Steve Owen as City Manager. He noted the bylaws of the Valley Alcohol Safety Action Program (VASAP) require that the appointment be made by action of the local governing bodies which participate in VASAP. He noted he was prepared to serve in that capacity.

Ms. Oakes moved to adopt the proposed resolution terminating the appointment of Stephen F. Owen to the Valley Alcohol Safety Action Program Policy Board and appointing Steven L. Rosenberg a City representative on the board.

The motion was seconded by Dr. Harrington and carried as follows:

Ms. Mead	aye	Mayor Dull	aye
Ms. Oakes	aye	Dr. Curren	aye
Dr. Harrington	aye	Vice Mayor Kier	aye
Mr. Holmes	aye		

**RESOLUTION
OF THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA
TO TERMINATE THE APPOINTMENT OF THE FORMER CITY MANAGER,
STEPHEN F. OWEN, AS THE VALLEY ALCOHOL SAFETY ACTION PROGRAM
POLICY BOARD MEMBER AND CONCURRENTLY APPOINT THE CURRENT CITY
MANAGER, STEVEN L. ROSENBERG, AS THE CITY'S REPRESENTATIVE
MEMBER ON THE BOARD**

Recitals

A. The Valley Alcohol Safety Action Program (VASAP) is a public body corporate duly formed under the provisions of Article 2, Chapter 7, of Title 18.2 of the Code of Virginia to operate a program to provide public information, probation, education, prevention, and

rehabilitation services for persons charged under the laws with operating motor vehicles while under the influence of alcohol or drugs;

B. The City of Staunton, Virginia, is a participating locality of VASAP;

C. Under the April 9, 2019 Bylaws of VASAP (the Bylaws), "[t]he Policy Board (Board) shall consist of not more than twelve members and shall develop policies for operation of the Program. One of such members shall be selected by the governing body of each participating locality for a term of three years and shall be either the Chief Operating Officer of the locality, or his/her designee;"

D. Stephen F. Owen retired as City Manager for the City of Staunton, effective June 30, 2019;

E. Steven L. Rosenberg was appointed successor City Manager by Staunton City Council at its June 13, 2019 regular meeting, effective July 1, 2019;

F. It is appropriate for Staunton City Council to terminate Stephen F. Owen's appointment to the VASAP Board and appoint Steven L. Rosenberg, successor City Manager, as the City's Board Member; and

G. These recitals are an integral part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia that:

1. To the extent necessary, the appointment of Stephen F. Owen to the Valley Alcohol Safety Action Program Policy Board is terminated and Steven L. Rosenberg, successor City Manager, is appointed as a City representative on the Board, effective retroactively to and including July 1, 2019; and

2. It directs the Clerk of Council to transmit immediately an attested copy of this Resolution to the Board.

Adopted: August 22, 2019, effective retroactively to and including July 1, 2019

/s/ Carolyn W. Dull
Carolyn W. Dull, Mayor

ATTEST: /s/ Suzanne F. Simmons
Suzanne F. Simmons
Clerk of Council

Matters from the City Manager

Mr. Rosenberg reminded Council members to share their preferences with him regarding new chairs for Council Chambers. He stated he had nothing else to add.

Matters from the Public

John Hartless, 826 Lammermoor Drive, thanked Ms. Oakes for conducting the town hall meeting on August 20, 2019, regarding the future of the Gypsy Hill Golf Course. He asked Council members to review minutes taken from that meeting. He noted the weather had been better this year and hopefully would be reflected in increases in playing.

Lance Barton, 525 Oak Hill Road, referred to the Albanian delegates who recently visited the Woodrow Wilson Presidential Library and offered a statue of Mother Theresa. He stated he was in support of that idea. Mr. Barton also invited Council members to a pig roast on August 24, 2019, to celebrate the groundbreaking of nine new properties on the west end for Habitat for Humanity. He noted one of the houses belonged to Vice Mayor Kier's grandfather.

There was no one else wishing to speak.

Adjournment

There being no further business to come before Council, the meeting adjourned at 8:02 p.m.

Suzanne F. Simmons
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 12, 2019	Staff Members: Rodney Rhodes Tim Hartless
Item #	A	
Ordinance #		
Department:	Community Development — Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Public Hearing and Consideration of a Request by Charles Clemmer for a Special Use Permit to Construct a Residential Garage at 511 North Coalter Street	

Background: Charles Clemmer has requested a Special Use Permit to construct a garage at 511 North Coalter Street. The use of the garage would be accessory to the residential use on the property. The property is zoned B-1, Local Business District. In the B-1 District, the ground floor of any building is reserved for business use only. The construction of a garage, as requested, would be considered a residential use on a ground floor permitted only upon issuance of a Special Use Permit.

Review: The existing structures and uses at 511 North Coalter Street consist of a single-family dwelling with a commercial addition on the rear and several residential accessory structures. City staff conducted a review of the proposal and identified no issues. Zoning to the north is R-2, Low Density Residential District, to the east is R-4, High Density Residential District, to the west is B-3, Planned Business District, and to the south is B-1, Local Business District. This is a corner lot, and the proposed garage would be in close proximity to the adjacent R-2 and R-4 zoning. Given that residential use is permitted on the property on the second floor, that the garage is accessory to that use, and that the garage would be located on the rear of the lot near the residential uses to the north and east, the requested Special Use Permit is deemed appropriate.

Planning Commission Recommendation: At its meeting of August 15, 2019, the Planning Commission conducted a public hearing and considered the request. No one spoke in opposition to the request. On a 5-0 vote, the Commission voted unanimously to recommend approval of the Special Use Permit, concurring with staff's recommendation.

Attachments:

Attachment 1—Application for Special Use Permit

Attachment 2—Vicinity Map-511 North Coalter Street

Attachment 3—Current Zoning for 511 North Coalter Street

Suggested Motion (to be made after the public hearing is conducted): I move that Council approve the Special Use Permit for 511 North Coalter Street, as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg



DEPARTMENT OF PLANNING &
INSPECTIONS
116 W. BEVERLEY STREET | P.O. BOX
58 | STAUNTON, VA 24402
540.332.3862 (OFFICE)
540.332.3807 (FAX)

APPLICATION FOR SPECIAL USE PERMIT

DATE: July 23, 2019

NAME OF APPLICANT: Charles & Jean Ann Clemmer

ADDRESS OF APPLICANT: 511 North Coalter Street, Staunton, VA 24401

PHONE #: 540 292-8197

E-MAIL ADDRESS: cclemmer54@gmail.com

IF APPLICANT IS **NOT** THE OWNER OF THE PROPERTY IN QUESTION, EXPLAIN. A COPY OF A PENDING CONTRACT OR OPTION AGREEMENT MUST BE ATTACHED HERETO AND MADE A PART OF THIS APPLICATION.

LOCATION OF PROPERTY: 511 North Coalter Street, Staunton, VA 24401

MAP PROVIDED: YES ☒ NO ☐ SITE PLAN PROVIDED: YES ☒ NO ☐

FEE PAID: YES ☒ NO ☐ *check or cash only

PRESENT ZONING OF THE PROPERTY: B-1

APPLICABLE SECTION OF ZONING CODE STATING USE IS PERMITTED ON REVIEW:
18.55.060(3)

ARE PUBLIC UTILITIES AVAILABLE AND ADEQUATE FOR PROPOSED USE? IF **NO**, EXPLAIN HOW UTILITIES WILL BE PROVIDED:
Yes

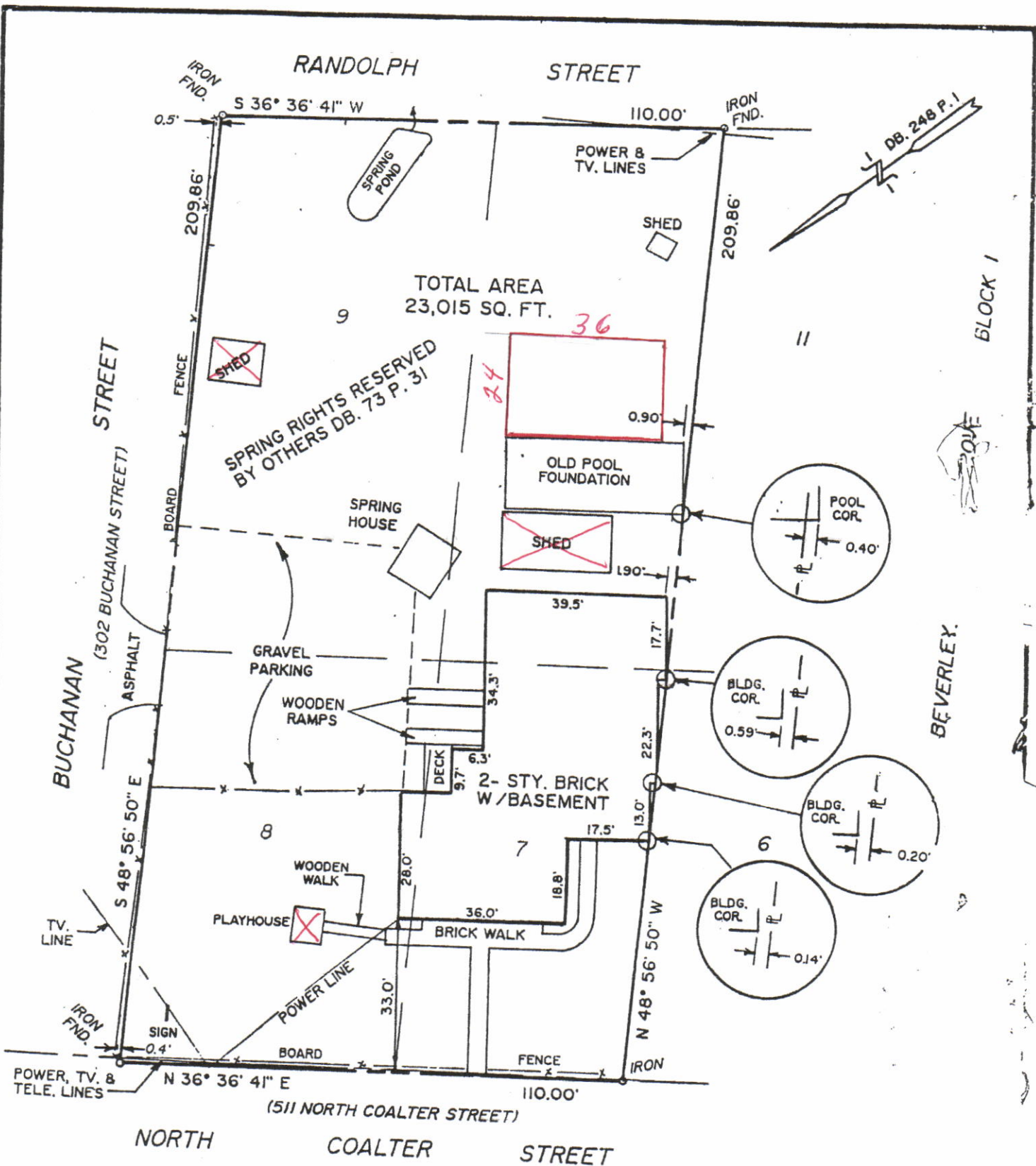
LEGAL DESCRIPTION OF PROPERTY: Beverly Grove Block 1 Lots 7, 8, 9, 10.

DETAILED DESCRIPTION OF PROPOSED USE (DRAWINGS MUST BE INCLUDED IF NEW CONSTRUCTION, ADDITIONS, OR CHANGES TO THE EXTERIOR OF THE PROPERTY ARE PROPOSED).

Single story garage to house and service personal automobiles

SIGNATURE: _____

A handwritten signature in black ink, appearing to be "CJCL", written over a horizontal line.



ON SEPT. 2, 1993 E B HIGGS PERSONNEL
 INSPECTED THIS PROPERTY AND NO VIS
 ENCROACHMENTS, EXCEPT AS SHOWN
 FOUND. PREMISES LOCATED IN FLOOD
 INSURANCE ZONE X AS DEFINED BY FEMA
 PANEL #510155-0003-C DATED DEC. 17, 1987



Map of property with surrounding properties.



Photo of site – Proposed building will take place of wooden storage shed. (Filled-in pool on right in Photo)



Example of type of building proposed

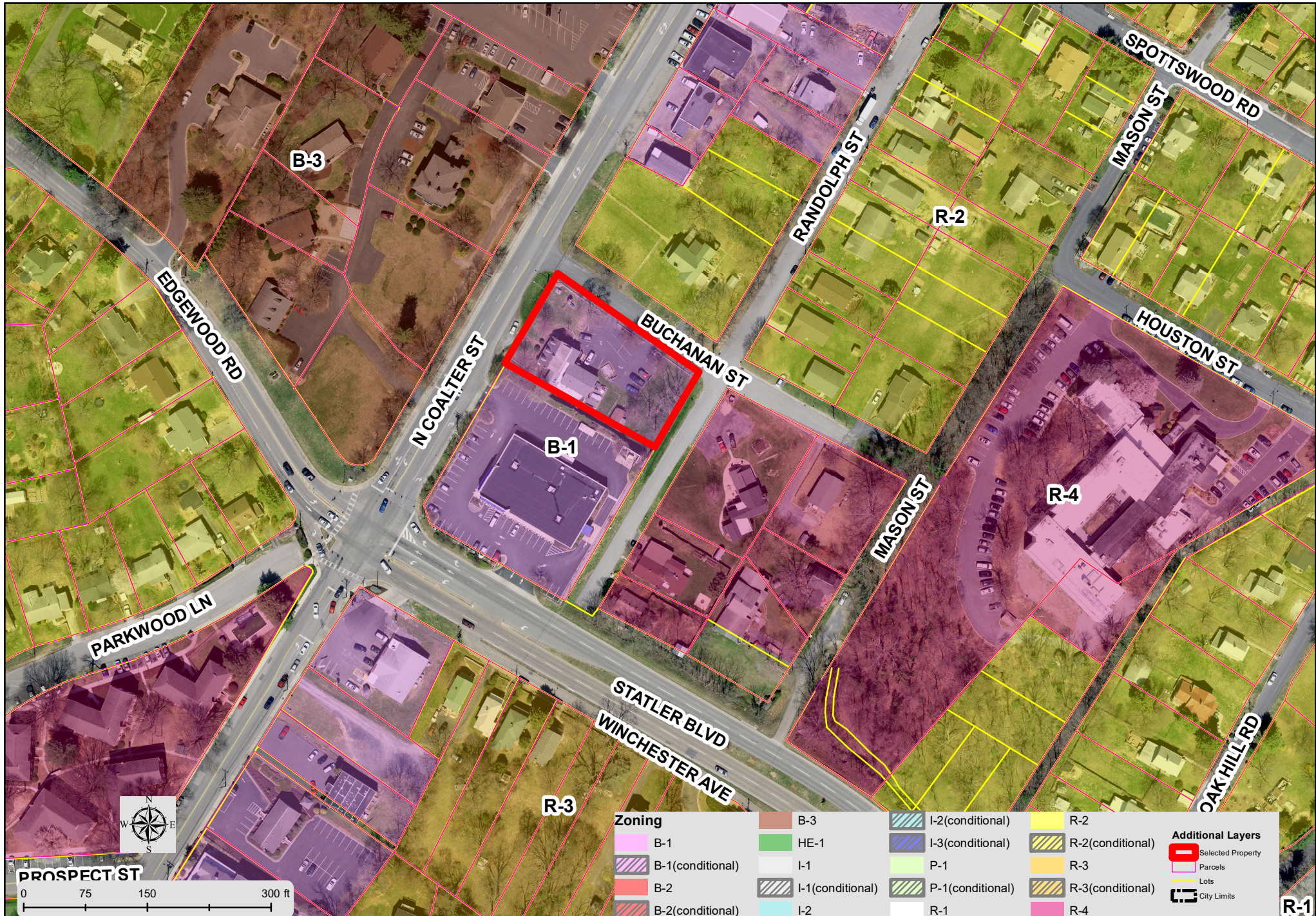


View of inside of building

Vicinity Map - 511 N Coalter St



Current Zoning for 511 N Coalter St



CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	September 12, 2019	Staff Members: Rodney Rhodes Tim Hartless
Item #	B	
Ordinance #		
Department:	Community Development — Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Public Hearing and Consideration of a Request by Blue Ridge Mass Appraisal Company to Amend Section 18.75.020, Uses Permitted, of Chapter 18.75, I - 1, Light Industrial District, of Title 18, Zoning, of the Staunton City Code	

Background: Blue Ridge Mass Appraisal Company has requested an amendment to the Uses Permitted section of the I-1, Light Industrial District. The applicant proposes to add “business and professional offices” to the list of uses that are permitted by right in I-1, Light Industrial District. As a permitted use in I-1, Light Industrial District, business and professional offices would also be permitted in the I-2, Heavy Industrial District. Blue Ridge Mass Appraisal is located at 104 Industry Way, in the Green Hills Industrial Park. The building was constructed to look and function as a business office even though the zoning is I-2, Heavy Industrial District. The property has been for sale and several potential purchasers have contacted the Planning and Zoning Office to inquire about the zoning and permitted uses. They have all expressed interest in using the property as a business or professional office; however, such uses are not a permitted use in I-2 District.

Review: Staff has conducted an analysis of the industrially zoned areas of the City. The following table includes several office facilities that were identified as being located in industrial districts:

Address	Original Use	Zoning District
817 Middlebrook Ave	Augusta Dairy Offices	I-1
2507 W Beverley St	Braden VanFossen Offices	I-1
2509 W Beverley St	Property Management	I-1
104 Industry Way	Blue Ridge Mass Appraisal	I-2

These buildings all include office uses which are nonconforming to the existing industrial zoning. If the buildings are to continue to be used and maintained, a solution is needed to ensure their present and future usability. The proposed amendment would only allow office uses in existing buildings, and the use would be limited to office only; retail sales would not be permitted. Nor would business or professional use be permitted in any new development occurring in an industrial district after the adoption of the ordinance. This is a suitable compromise which allows existing buildings to be reused for office use while ensuring that future development is limited to uses that are industrial in nature.

Planning Commission Recommendation: At its meeting of August 15, 2019, the Planning Commission held a public hearing on the matter. No one spoke in opposition to the amendment. One individual, representing an entity interested in purchasing an adjacent property, spoke in support of the amendment. On a 5-0 vote, the Commission voted unanimously to recommend approval of the amendment, concurring with staff's recommendation.

Attachments:

Attachment 1—Application for Zoning Amendment

Attachment 2—Letter from Peter Wray, Real Estate Agent for the Applicant

Attachment 3—Draft Ordinance

Suggested Motion (to be made after the public hearing is conducted): I move that Council adopt the ordinance, as presented, amending Chapter 18.75.020, Uses Permitted of the I-1, Light Industrial District, of Title 18, Zoning, of the Staunton City Code as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg



Applicant: Blue Ridge Mass Appraisal Co. Date: July 30, 2019

104 Industrv Wav. Staunton. VA 24401
Present Zoning Regulation:

I-2 Industrial

Proposed Zoning Amendment:

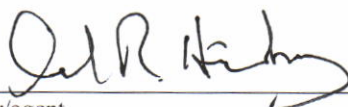
Proposed Amendment to SCC 18 75 020(7)
(7) Business Offices not involving on-premises retail or wholesale trade nor the
maintenance of a stock of goods for display or sale. This use shall be limited to
only enclosed buildings constructed prior to September 1, 2019.

Purpose of Request:

To Allow existing and all future use of current Structure as a Professional Office

Ordinance Provided ☒ Yes ☐ No (Please Provide An Electronic Copy of
Proposed Ordinance) (see Attached)

Fee Paid (\$250.00) ☒ Yes ☐ No

Signature of Applicant: 
Owner/agent



Real Estate Appraisers and Consultants

June 14, 2019

Mr. Rodney Rhodes
Senior Planner
City of Staunton Planning & Zoning
City Hall, 3rd Floor
116 W. Beverly Street
Staunton, Virginia 24401

RE: Zoning Change Request for 104 Industry Way, Staunton, Va. 24401

Dear Mr. Rhodes,

As you are aware, my property which is located at the address above is presently zoned I-2 Industrial. When I was in the process of purchasing a property upon which to build my new office building in the fall of 2002, I was directed to Mr. Bill Hamilton who was in charge of city development at that time. He suggested several sites in older downtown properties which did not interest me as I did not want to have the added cost of demolition of existing structures assuming we could find contiguous lots available which would be acceptable given the size I needed.

Mr. Hamilton then brought me to our site here in the Greenhill Industrial park adjacent to the Planters Bank Processing facility. This site appeared to be suitable provided that the down sloping portion of the lot could be filled in with the excavated material from our Basement and Driveway. Once that question was settled and permission was given to us by the owner Mr. Bruce McIntosh for the digging of test holes to check for significant Rock outcroppings which Planters Bank warned me about we proceeded with the submission of plans etc in pursuance of a Building Permit.

The plans were clearly laid out for an 'Office' and in the entirety of my discussions with Mr. Hamilton, I always referred to the building as my 'New Office'. I remember Mr. Hamilton making a comment that the site was zoned I-2 Industrial. But it was clear that due to its small size and poor terrain characteristics that it would never be suitable for 'Industrial Usage'.

As you are aware from previous discussions with myself and Peter Wray we are attempting to sell the property and in fact have had several potential purchasers fall through because of the current I-2 zoning. Unfortunately my salability is extremely hampered by this problem.

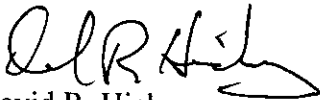
Obviously, Mr. Hamilton knowing full well what the building was going to be used for as well as its obvious design as a Professional Office building, the city should have never granted me a Building Permit for this site.

I know there is a process for a Zoning Variance but I do not know the proper steps. From the documents I have downloaded from the City Web Site it appears that they mainly pertain to potential new structures or uses. Because this is an existing structure with no potential for any other uses than as an Office I am appealing to you for help in getting a zoning classification which will allow for the continued use of the property as an Office Building.

I am enclosing a 'Application for a Zoning Verification Letter' but I am not sure that it is applicable in this case along with a Variance Application. I am also attaching a copy of the current Staunton City Real Estate Record Card which describes the building as an 'Office'. There is also a copy of the City GIS plat which shows the relative location of the existing structure to the surrounding properties along with a Photo of the existing structure.

Please let me know if you require any other information or fees. Thank you in advance for all of your assistance in this matter.

Respectfully Submitted,



David R. Hickey
Blue Ridge Mass Appraisal Company
104 Industry Way
Staunton, VA 24401

CC: Carolyn W. Dull, Mayor



Zoning Map

Inform



Find Owner, ID, or Address



300ft
-79.019 38.186 Degrees

104 INDUSTRY WAY**Location** 104 INDUSTRY WAY**Acct#** 11552**Owner** BLUE RIDGE MASS
APPRAISAL**Assessment** \$590,840**PID** 11552**Building Count** 1**Legal Description** LOT B-5-B 3.258 AC**Historic Dist****Zoning** I2**Map Number** 182**Subdivision** NO SUBDIVISION**Current Value**

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$499,300	\$91,540	\$590,840

Owner of Record

Owner BLUE RIDGE MASS APPRAISAL
Co-Owner COMPANY, L.L.C.
Address P O BOX 2523
 STAUNTON, VA 24402

Sale Price \$85,000
Certificate
Book & Page 020005137
Sale Date 12/19/2002
Instrument 01

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
BLUE RIDGE MASS APPRAISAL	\$85,000		020005137	01	12/19/2002
MCINTOSH BRUCE, II TRUSTEE	\$0		020003224	00	08/12/2002

Building Information**Building 1 : Section 1**

Year Built: 2004
Living Area: 5,111
Replacement Cost
Less Depreciation: \$476,800

Building Photo

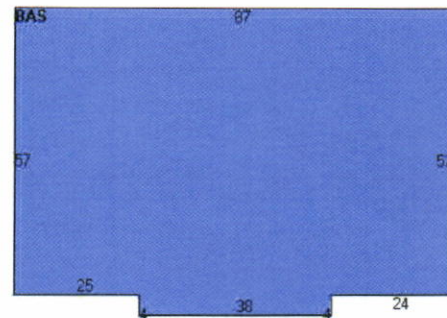
Building Attributes	
Field	Description
STYLE	Office
MODEL	Comm/Ind

Grade	D Level 7
Stories:	2
SF Bsmt	
Exterior Wall 1	Brick Veneer
Exterior Wall 2	
Roof Structure	Hip
Roof Cover	Comp Shingle
Interior Wall 1	Drywall
Adjustment	
Interior Floor 1	Cpt/Vinyl
Occupancy	
Heating Fuel	Electric
Heating Type	Heat Pump
AC Type	Central
Foundation	Cinderblock
Bldg Use	General Office
Total Rooms	12
Total Bedrms	
Total Baths	
Half Baths	3
Bsmt Type	
1st Floor Use:	
Attic Type	
Frame Type	
Attic SF	
Ceiling/Wall	
Rooms/Prtns	
Wall Height	
% Comn Wall	



(<http://images.vgsi.com/photos/StauntonVAPhotos//\00\00\81\36.JPG>)

Building Layout



(<http://images.vgsi.com/photos/StauntonVAPhotos//Sketches/11>)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	5,111	5,111
UUS	Unfinished Upper Story	2,999	0
		8,110	5,111

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 230
Description General Office
Zone I2
Neighborhood INGLESIDE
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 3.26
Frontage
Depth
Assessed Value \$91,540

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
DRV1	Asphalt Driveway			25000 SF	\$22,500	1

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2018	\$489,000	\$91,540	\$580,540
2017	\$489,000	\$91,540	\$580,540
2016	\$489,000	\$91,540	\$580,540

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Triangle
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—TELEPHONE: 540-885-5181, EXT. 11—FAX: 540-885-5177

August 7, 2019

Mr. Rodney Rhodes
Senior Planner
City of Staunton
City Hall, 3rd Floor
Staunton, VA 24401

RE: 104 Industry Way- Hickey Property

Dear Mr. Rhodes:

I represent Mr. David and Linda Hickey as a Realtor for their property (“Hickey Property”) located at 104 Industry Way in Staunton, Virginia. I have been marketing the Hickey Property for sale since August 2017 and have had multiple parties interested in purchasing the property. Unfortunately, the interested parties each decided not to pursue the property due to the use restrictions associated with the property’s current zoning classification.

The property is a well-built professional office building with over 8,000 square feet of space situated on 3.26 acres. The Hickey Property is unique in that it is a professional office building located in the City’s Green Hills Industrial Park. The property’s current zoning of I-2 requires most users to be industrial businesses. The building, however, is designed for professional office businesses. The previously mentioned interested parties have been professional office related businesses.

The City permitted the Hickeys to construct their building at 104 Industry Way but unfortunately the Hickeys are now “stuck” with a professional office building with an industrial zoning classification that precludes most interested parties from operating their business on the property. On behalf of my clients, please consider a rezoning action that would allow the Hickeys to sell their property to non-industrial businesses.

Respectfully,

Peter Wray

Peter H. Wray, Principal Broker
Triangle Realtors
2903 North Augusta Street
Staunton, VA 24401

DRAFT 9.4.19

Ordinance No. 2019-__

AN ORDINANCE AMENDING, RESTATING AND REORDAINING
SECTION 18.75.020, USES PERMITTED
OF CHAPTER 18.75, I-1 LIGHT INDUSTRIAL DISTRICT,
OF TITLE 18 ZONING,
OF THE STAUNTON CITY CODE

Recitals

A. As part of City staff's periodic review of the Staunton City Code (SCC), it has been ascertained that SCC Section 18.75.020 merits amendment to expand the uses permitted in the I-1, Light Industrial District;

B. Blue Ridge Mass Appraisal has initiated a proposed amendment, which City staff has supported, to SCC § 18.75.020 to add business office to the uses permitted within the I-1, Light Industrial District, and City staff has recommended to the Planning Commission that it endorse the proposed amendment;

C. The Staunton Planning Commission, after study and review, has now recommended approval of the proposed amendment to SCC § 18.75.020, to allow business and professional offices as permitted uses in the I-1, Light Industrial District;

D. This matter has been properly advertised, heard, and considered; and

E. These recitals are an integral part of this ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that Chapter 18.75, I-1 Light Industrial District, of Title 18 Zoning, of the Staunton City Code be, and hereby is amended as follows:

Chapter 18.75
I-1 LIGHT INDUSTRIAL DISTRICT

Sections:

18.75.010 General description.

18.75.020 Uses permitted.

18.75.030 Area regulations.

18.75.040 Uses permitted on review.

18.75.050 Height regulations.

18.75.060 Minimum off-street parking and loading requirements.

18.75.070 Landscaping and screening.

DRAFT 9.4.19

18.75.080 Minimum distance for building construction from any residential or professional district.

18.75.090 Uses permitted on review.

18.75.010 General description.

These districts are composed of land and structures used for light manufacturing or wholesaling, or suitable for such uses, where the use and its operation do not directly adversely affect nearby residential and business uses. These districts are usually separated from residential areas by business areas or by natural barriers. The district regulations are designed to allow a wide range of industrial activities subject to limitations designed to protect nearby residential and business districts. (Zoning ordinance Art. 4, § 12).

18.75.020 Uses permitted.

Property and buildings in the I-1 light industrial district shall be used only for the following purposes:

....

(7) Business and professional offices not involving on-premises retail or wholesale trade nor the maintenance of a stock of goods for display or sale. This use shall be limited to only fully enclosed buildings constructed prior to September 1, 2019.

....

In all other respects, the provisions of Chapter 18.65 of the Staunton City Code remain the same and are hereby restated, confirmed and reordained.

Introduced:

Adopted:

Effective Date:

Carolyn W. Dull, Mayor

ATTEST: _____

Suzanne F. Simmons

Clerk of Council