

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
May 13, 2021
5:15 p.m.**

- | | | |
|------------------|-------------------|---|
| 5:15 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:20 p.m. | 2. | Presentation of Community Action Partnership of Staunton, Augusta and Waynesboro FY 2020 Annual Report |
| 5:35 p.m. | 3. | Presentation of Office on Youth Annual Report FY 2020 |
| 5:50 p.m. | 4. | Presentation of Quarterly Financial Report |
| 6:00 p.m. | 5. & D | Discussion of Ordinance to Amend the FY2021 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number Five |
| 6:05 p.m. | | Break |
| 6:25 p.m. | 6. | Update on 2018 Virginia Dam Safety, Flood Prevention and Protection Assistance Grant—West Beverley Corridor |
| 6:40 p.m. | 7. | Discussion of Amendments to Council Procedure Memorandum No. 3 |
| 6:55 p.m. | 8. | Discussion of Remote Public Participation in Council Meetings |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
May 13, 2021
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Mead

Mayor's Report

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of April 22, 2021

Special Called Meeting of May 6, 2021

REGULAR MEETING

- A. Public Hearing and Consideration of a Request by Mary Baldwin University for a Special Use Permit for 221 N. Market Street to Allow for the Conversion of an Existing Building to Student Housing**
- B. Public Hearing and Consideration of a Request to Rezone 2040 W. Beverley Street From B-2, General Business District, to I-1, Light Industrial District Conditional**
- C. Public Hearing and Consideration of an Ordinance Authorizing the Lease Agreement Between the City of Staunton and Staunton Baseball, Inc. for the Limited Use of Baseball Field and Operation of Concession Rights**
- D. Introduction and Public Hearing of Ordinance to Amend the FY2021 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number Five**
- E. Appeal of Historic Preservation Commission Denial of a Certificate of Appropriateness for 636 W. Frederick Street (Newtown Historic District)—Roof Replacement**

- F. Appeal of Historic Preservation Commission Denial of a Certificate of Appropriateness for 650 W. Frederick Street (Newtown Historic District)—Roof Replacement**

Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	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 Meeting, the addition/deletion of _____].

City Manager: Steven L. Rosenberg

**Work Session Agenda
Staunton City Council
Rita S. Wilson Council Chambers
May 13, 2021
5:15 p.m.**

- | | | |
|------------------|-------------------|---|
| 5:15 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:20 p.m. | 2. | Presentation of Community Action Partnership of Staunton, Augusta and Waynesboro FY 2020 Annual Report |
| 5:35 p.m. | 3. | Presentation of Office on Youth Annual Report FY 2020 |
| 5:50 p.m. | 4. | Presentation of Quarterly Financial Report |
| 6:00 p.m. | 5. & D | Discussion of Ordinance to Amend the FY2021 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number Five |
| 6:05 p.m. | | Break |
| 6:25 p.m. | 6. | Update on 2018 Virginia Dam Safety, Flood Prevention and Protection Assistance Grant—West Beverley Corridor |
| 6:40 p.m. | 7. | Discussion of Amendments to Council Procedure Memorandum No. 3 |
| 6:55 p.m. | 8. | Discussion of Remote Public Participation in Council Meetings |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Rita S. Wilson Council Chambers
May 13, 2021
7:30 p.m.**

Call to Order

Pledge of Allegiance

Invocation/Moment of Silence—Mead

Mayor's Report

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of April 22, 2021

Special Called Meeting of May 6, 2021

REGULAR MEETING

- A. Public Hearing and Consideration of a Request by Mary Baldwin University for a Special Use Permit for 221 N. Market Street to Allow for the Conversion of an Existing Building to Student Housing**
- B. Public Hearing and Consideration of a Request to Rezone 2040 W. Beverley Street From B-2, General Business District, to I-1, Light Industrial District Conditional**
- C. Public Hearing and Consideration of an Ordinance Authorizing the Lease Agreement Between the City of Staunton and Staunton Baseball, Inc. for the Limited Use of Baseball Field and Operation of Concession Rights**
- D. Introduction and Public Hearing of Ordinance to Amend the FY2021 Budget Ordinance for the City of Staunton by Adding Budget Amendment Number Five**
- E. Appeal of Historic Preservation Commission Denial of a Certificate of Appropriateness for 636 W. Frederick Street (Newtown Historic District)—Roof Replacement**

- F. Appeal of Historic Preservation Commission Denial of a Certificate of Appropriateness for 650 W. Frederick Street (Newtown Historic District)—Roof Replacement**

Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	Staff Member: Anna Leavitt
Item #	2	
Ordinance #		
Department:	Community Action Partnership of Staunton, Augusta, and Waynesboro (CAPSAW)	
Council Vision:	Responsive, Efficient Government	
Subject:	Community Action Partnership of Staunton, Augusta and Waynesboro Annual Report FY 2020	

Background: Anna Leavitt, Director of the Community Action Partnership of Staunton, Augusta, and Waynesboro (CAPSAW), will present an annual report for fiscal year 2020.

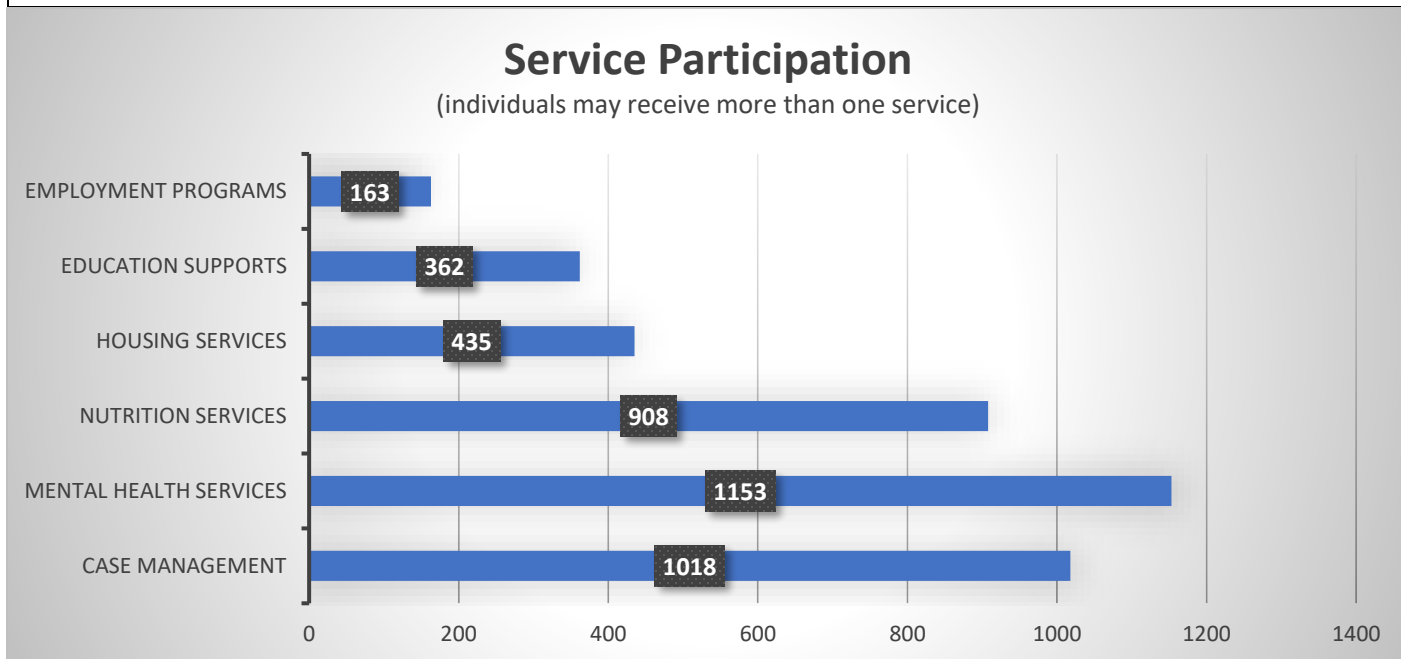
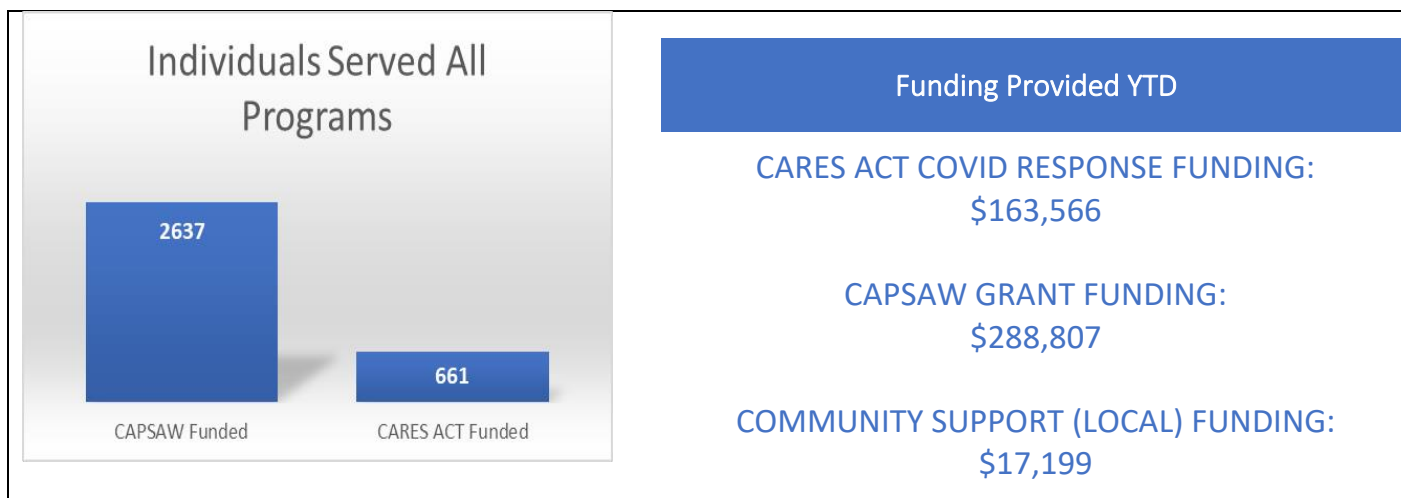
Attachments:

Attachment 1—CAPSAW Program Update
Attachment 2—CAPSAW Fact Sheet
Attachment 3—Arrow Project Presentation

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg



Outcome Highlights	Number Achieved
The number of individuals who demonstrated improved mental and behavioral health and well-being.	310
The number of individuals who demonstrate improved physical health and wellbeing (reduced risk for COVID-19)	199
The number of individuals engaged with the Community Action Agency who report improved financial well-being.	84
The number of CAPSAW program participants who gained skills, knowledge, and abilities to enhance their ability to engage	320

CAPSAW Program Dashboard

July 2020 – March 2021

Grantees	Funding Source
ARROW Project	CARES, Community Support
Augusta County Library	Community Support
Augusta Health Foundation	CARES
Blue Ridge CASA for Children	CAPSAW
Blue Ridge Court Services	CAPSAW, CARES
Blue Ridge Legal Services	CAPSAW, CARES
Boys and Girls Club of Waynesboro, Staunton, and Augusta County	CAPSAW
Brain Injury Connections of the Shenandoah Valley	CAPSAW, CARES
Community Child Care	CAPSAW, CARES
Creative Collaborative Childcare (C4)	CARES
DePaul Family Services	Community Support
Girl Scouts Virginia Skyline	Community Support
Head Start & Early Head Start	CAPSAW
HELP (Health Equipment Lending)	Community Support
New Directions Center	CAPSAW
Renewing Homes Greater Augusta	CAPSAW, Community Support
RISE	Community Support
Salvation Army (Staunton)	CARES
Salvation Army (Waynesboro)	CAPSAW, CARES
Shenandoah LGBTQ Center	Community Support
Staunton Augusta Family YMCA	CAPSAW
Staunton West End Business Assoc.	Community Support
United Way of Staunton, Augusta, and Waynesboro (VITA Program)	CAPSAW
Valley Children's Advocacy Center	CAPSAW
Valley Hope Counseling Center	CAPSAW, CARES
Valley Mission	CAPSAW
Valley Program for Aging Services	CAPSAW
Valley Supportive Housing	CAPSAW, Community Support
WARM (Waynesboro Area Refugee Ministry)	Community Support
Waynesboro Family YMCA	Community Support



Staunton, Augusta, and Waynesboro

2020 ANNUAL REPORT

Photo: A United Way of Staunton, Augusta, and Waynesboro volunteer packaging PPE kits for distribution.

The Community Action Partnership of Staunton, Augusta, and Waynesboro supports local organizations to empower low-income individuals and families, strengthen our community, and create opportunities by providing funding and guidance to programs that address the causes and conditions of poverty.

BOARD OF DIRECTORS

Debbie Battle	John Ochletree
Judy Burtner	Andrew Parr
Pamela Carter	Kristi Pelina
Sarah Crenshaw	Ron Ramsey
Janet Ewing	Scott Seaton
William Flory	Daniel Sullivan
John Lilly	Lana Williams
Andrea Oakes	

STAFF

Anna Leavitt, Director

valleycapsaw@gmail.com

540-292-0017

900 Nelson Street, Staunton, VA 24401

waynesboro.va.us/346/CAPSAW

Photos from small to large: Donated masks mailed to Blue Ridge CASA for Children volunteers; Staunton-Augusta Family YMCA helped move Valley Mission residents to Mary Baldwin University for safe and socially distant emergency housing; Creative Collaborative Coalition for Childcare (C4) planning meeting.

This year provided unique opportunities to serve others. Our community faced the challenges of COVID-19 together.

This mission has never been easy. The agencies and programs supported by CAPSAW have always faced difficult challenges and served our community with passion and dedication. CAPSAW worked to provide financial and technical support to partner agencies directly responding to the devastating impact of the pandemic, and will continue to do so as we move forward. We find hope and inspiration through the innovative and collaborative responses to COVID-19 that will carry on into the next phase of recovery.





ANNUAL IMPACT July 1, 2019 - June 30, 2020

OUR IMPACT AREAS



Employment



Education & Cognitive Development



Income & Asset Building



Housing



Health

\$448,000

in grant funding awarded

23

funded programs

\$3,376,761

total economic impact

5,325 individuals served

37% children

16% people 65+

50% people with disabilities

4,036 families served

64% low-income families

Of those served,

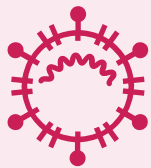
51% were single adults

48% were not in the labor force
(age- or disability-related)

22% employed full- or part-time

20% unemployed

10% retired



\$16,900

in Community Support Grants provided local-only dollars for emergency or unanticipated programming needs to 11 agencies.

\$19,226

in local funding for response to COVID-19 aided in securing needed protective equipment, facility upgrades, and technology to allow services to be provided in a safe and secure environment. Just over half of these funds were used to provide rental, mortgage, and utility assistance to families in need of emergency supports.



RESULTS FROM PROGRAMS



95

adults obtained employment



111

individuals increased their savings, demonstrating increased financial well-being



267

families experiencing homelessness found safe temporary shelter



90

families found safe and affordable housing



1,533

individuals demonstrated improved physical health and well-being



369

people demonstrated improved mental and behavioral health and well-being



168

seniors (aged 65+) or adults with disabilities maintained independent living



606

children enrolled in educational support services, including before- and after-school care as well as daycare services, for essential workers and other COVID-19-related supports



854

volunteers provided 11,261 hours of support; 40% of the volunteers were income-eligible service participants

ARROW Project

Augusta Resources for Resilience, Opportunity, and Wellness

Augusta Resources for Resilience, Opportunity, and Wellness



CONNECT • COLLABORATE • CULTIVATE

arrow-project.org

Getting to Know ARROW Project!

1. ARROW Overview
2. Program Descriptions
3. 2020 Outcomes
4. Funding

Our Mission

The mission of ARROW is to
alleviate barriers
to access to mental health services by creating innovative
partnerships, programming,
and professional development
opportunities in the Staunton-Augusta-Waynesboro
(SAW) Region of Virginia.

Who We are- The Founders



Sabrina Burress, Resident In Counseling
Co-Founder, Executive Director

Charles Shepard, PhD, LPC, NCC
Co-founder, Clinical Director



Who We Are: Board of Advisors

• President •
Kevyn Burn, RN
Staunton Resident

• Treasurer •
Nitch Narduzzi
Staunton Resident.

• Secretary •
Courtney Coduri, MA,
Resident in Counseling
Staunton Resident

Jenny Taylor-Jones,
MA/Ed.S, LPC
Staunton Resident

Kami Barbour, LPC.
Waynesboro Resident

Andrea Jones, FAPT
Coordinator, Augusta
County.
Staunton Resident

Shea Rosa, MSW,
Supervisee in Social
Work
Staunton Resident

Ryan Blosser, MA, Ed.S
Waynesboro Native
Augusta County
Resident

Community Board advisors: Julie Clough, Lance Crawford, LPC, and Marion Ward

Who We Are: Clinical/Program Team

Clinical Leadership-

- Darius Green, PhD, NCC
- Amanda Francis, LPC
- Jenny Taylor-Jones, LPC

Program Leadership- Our model of service allows us to serve more community members by utilizing our field training staff to develop, facilitate, and evaluate the programs we bring the community.

- Since 2018 we have provided ~45 student placements for:
 - students on an academic track to become clinical professionals
 - students interested in experiential field opportunities related to the field of human services
- and
- Students who simply have a passion for community work

Who Oversees Our Work

- The Virginia Board of Counseling.
- University accreditation bodies, including the Council for Accreditation of Counseling and Related Educational Programs (CACREP).
- Administrative bodies of our partner agencies.
- Funding sources.

— We abide by the 2014 American Counseling Association Code of Ethics.

Who we are: Bringing a Vision to Fruition

- Community-facing mental health services provider.
- Established on March 27, 2018; incorporated on December 19, 2018.
- 501(c)3 non—profit organization since July 14, 2020.

The Outpatient Clinic: Opened October 2019

- Traditional office setting through which we can provide:
 - Individual counseling.
 - Couple's counseling.
 - Family counseling.
 - Group counseling.
 - Telehealth.

Community-Facing Programs

- Available for contact through community partnership with other community organizations, leaders, or initiatives.
 - Providing brief/incidental supports
 - Providing training and Psychoeducation
 - Providing clinical consultation services
 - Can be tailored to meet a specific need of a population being served
 - Can be a bridge to accessing more personalized services, such as what is provided in the outpatient setting.
 - Can eliminate the lack of access, exposure, participation in mental health programming

Community-Facing Programs

- We have established more than 30 program partnerships facilitating more than 20 unique programs in the community setting.
 - Early partners included:
 - Boys & Girls Club (Staunton and Waynesboro)
 - Office On Youth & Rosenwald Community Center
 - New Directions
 - Valley Mission,
 - Infant & Toddler Connection
 - Staunton Y
 - Shenandoah LGBTQ Center.

COVID-19's Call to Action

- SAW Mental Health Response Task Force-
 - A cohort of community practitioners and partners connecting to identify ways to increase collective impact and decrease negative stressors of the pandemic, the rise of racial unrest, and other mitigating factors to poor mental health. And perhaps most importantly ensuring the most vulnerable among us have access to quality care/supports.
 - Partners- To date we have worked with more than 5 private providers, two additional nonprofit counseling organizations, 7 non-counseling organizations, as well as Augusta Health, and Valley Community Services Board.
 - We have collaboratively initiated 8 unique mental health programs through this task force.
 - Blueprints for future programming- this team continues to convene to look at other opportunities for collective impact past the pandemic

COVID-19's Call to Action

- Programs created since March 2020
 - Volunteer Training- to increase community members' ability to show up in support of one another.
 - Community Training- around important issues that affect us on a personal, professional, and community level.
 - Community Outreach- to understand specific needs for populations such as: our older and aging adults, substance abuse, LGBTQ, BIPOC, and Latinix community members.
 - Situational programs- to address a specific need that has arisen
 - The downtown flood
 - Traumatic events in various settings/under unexpected circumstances.

Other Partnerships

- In support of our goal to remain a constant partner in collective impact efforts we also participate in various local, regional, and even statewide collaboratives/initiatives/partnerships.
 - Current Partnerships-
 - Greater Augusta Wellness Partnership
 - Augusta Health Vulnerable Populations Workgroup
 - Staunton Pride Leadership committee
 - Staunton City Schools Equity Committee
 - Central Valley Counselor's Association
 - James Madison University's Community Partnership Coalition
 - Marcus Alert Statewide Stakeholders' Group

Funding: Three Major Funding Streams

- Billable services-licensed clinicians in our outpatient counseling practice bill insurance companies for behavioral health services
 - Invoiceable services- partner organizations that have the capacity to pay for services provided to the community members they serve. i.e., Staunton Highschool, Shenandoah LGBTQ Ctr.
- Local and state grants-individual grants for our organization as well as collaborative grants with our partner organizations
- Donations/in-kind services- donations from our community members as well as other community partners that have expertise outside of our own professional competencies.
- The current FY financial breakdown of funding is as follows: billable/invoiceable services revenue 30%, grant funding 65%, other in-kind/donations 5%.
- As we plan for FY 4 (July 21-Jun 22) our proposed budget and strategic plan show a shift in funding to service revenue 55%, grant funding of 40%, and in-kind donations 5%.
-

Q&A

Thanks for your interest in this work.

Any follow up questions may be directed to us via
hello@arrow-project.org
540-255-0972

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	Staff Member: Ginny Newman
Item #	3	
Ordinance #		
Department:	Central Shenandoah Valley Office on Youth	
Council Vision:	Responsive, Efficient Government	
Subject:	Office on Youth Annual Report FY 2020	

Background: The Central Shenandoah Valley Office on Youth (OOY) was formed in 1978, with the purpose of crossing government and organizational boundaries to foster collaborative efforts to prevent juvenile delinquency and develop youth programs.

In 2019-2020, OOO staff served 4,213 youth school age youth in the region in a face-to-face encounter. The OOO provided parenting support to 189 parents/guardians and case management to 90 juveniles involved with the courts.

The OOO builds the capacity of government agencies/departments and non-profits through a balance of direct service to youth and active support of other government and community agencies.

Ginny Newman, Executive Director of the Central Shenandoah Valley Office on Youth, will present an annual report for fiscal year 2020 based on the OOO 2020-2023 Strategic Plan.

Attachment:

FY 2020 Update

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

Central Shenandoah Valley Office on Youth

JULY 1, 2019 – MARCH 31, 2020: BEFORE COVID

- **OOY staff taught over 1,000 Staunton students and over 1,500 Waynesboro students in family life and sexual health education.**

Despite the shortened school year, OOO staff were able to serve 81% of scheduled students

- **OOY staff served 90 youth involved in the juvenile justice system.**
- **OOY staff offered case management to 25 habitually truant youth in Staunton, Waynesboro, and Augusta County Public schools.**

68% improved their attendance and 60% improved their grades from the previous year.

- **OOY staff served 189 parents through parent education classes and workshops**
- **OOY programming was expanded to include Safe Routes to School (SRTS) in the City of Waynesboro.**

1,600 students participating in Walk to School Day.

133 students learned to ride a bicycle and/or practice bicycle safety on actual bikes.

238 students received pedestrian safety education in the classroom by the Waynesboro Police Department.

A Tale of Two Halves

APRIL 1, 2020 – JUNE 30, 2020: AFTER QUARANTINE

Staff worked almost entirely from home with occasional days in the office. Like much of the world, we became experts in Zoom meetings and balancing life and work in the same room. Staff:

- **pivoted** programs online, ramped up social media presence, created a COVID resource webpage, and made contacts with youth and parents via phone call, text message, and email.
- **assisted** schools with “graduations,” meal distribution, mask distribution, and creating parenting tips and family activities.
- **facilitated** youth leaders’ participation in a 2-day online drug prevention conference.
- **volunteered** with the Green Hanger Project to provide gently used clothes to low-income youth and families.
- **supported** community organizations such as the United Way by packing care packages for families, sorting and packing small business reopening kits.
- **aided** parents by creating online videos with parenting tips and strategies and updating parents via social media on a host of topics from how to detect mental health issues in children to how to talk to children about COVID.

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	Staff Member: Phil Trayer
Item #	4	
Ordinance #		
Department:	Finance	
Council Vision:	Responsive, Efficient Government	
Subject:	Presentation of Quarterly Financial Report	

Background: Phil Trayer, Chief Finance Officer, will present a financial report for the third quarter of fiscal year 2021. The quarterly financial report, the sales, meals and lodging tax reports, and the golf report are attached.

Attachments:

Attachment 1—Financial Report
Attachment 2—Sales, Meals and Lodging Tax Reports
Attachment 3—Golf Report

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

FY 2021 FINANCIAL REPORT - UNAUDITED

MARCH 31, 2021

GENERAL FUND REVENUES	FY2021 BUDGET	ACTUAL YTD	AVAILABLE BUDGET	% RECEIVED	Comment
PROPERTY TAXES					
Real Estate Taxes 2020 (75%) & 2021 (25%)	\$ 18,212,500	\$ 5,287,300	\$ 12,925,200	29%	75% of 2021 Taxes due June 20, 2021 25% of 2020 Taxes due Dec 5, 2020
Real Estate - Public Service	902,500	925,893	(23,393)	103%	100% of 2020 Taxes due Dec 5, 2020
Real Estate - Interest	160,000	74,479	85,521	47%	
Real Estate- Penalty	120,000	87,591	32,409	73%	
Real Estate Tax -Downtown Serv District	118,750	34,615	84,135	29%	25% due Dec 5; 75% due June 20
Personal Property Taxes 2020-...	5,217,000	5,677,367	(460,367)	109%	100% of 2020 PP Tax due December 5, 2020
Personal Property Taxes -Prior Written Off	-	209	(209)	#DIV/0!	
Personal Property Taxes- Public Service	4,000	2,685	1,315	67%	
Personal Property -Interest	55,000	51,306	3,694	93%	
Personal Property - Penalty	85,000	80,007	4,993	94%	
Machinery & Tools Tax	486,000	471,286	14,714	97%	100% Tax Due December 5, 2020
TOTAL PROPERTY TAXES	\$ 25,360,750	\$ 12,692,739	\$ 12,668,011	50%	
OTHER LOCAL TAXES					
Business & Occupational Licenses	\$ 1,650,000	\$ 2,427,074	\$ (777,074)	147%	BPOL License due March 1, 2021
Water Utility Tax	285,000	187,976	97,024	66%	Paid Monthly w/ 1-2 months delay in collection
Gas Utility	300,000	195,593	104,407	65%	Paid Monthly w/ 1-2 months delay in collection
Electric Utility	585,000	393,506	191,494	67%	Paid Monthly w/ 1-2 months delay in collection
Local Sales Tax	3,393,750	2,864,937	528,813	84%	Paid Monthly w/ 2 months delay in payment from State
Bank Stock	498,000	1,494	496,506	0%	Paid in June
Recordation	220,000	176,816	43,184	80%	Paid Monthly w/ 1 month delay in collection
Cigarette Tax	390,000	312,058	77,942	80%	Paid at sale date, no delay in collection
Lodging Tax	836,000	405,847	430,153	49%	Paid Monthly w/ 1 month delay in collection
Meals Tax	3,562,500	2,886,955	675,545	81%	Paid Monthly w/ 1 month delay in collection
Probate Tax on Wills	7,000	4,873	2,127	70%	
Short Term Rental Tax	26,000	12,666	13,334	49%	
Local Communications Tax	1,211,250	611,888	599,362	51%	Paid Monthly w/ 1-2 months delay in collection
TOTAL OTHER LOCAL TAXES	\$ 12,964,500	\$ 10,481,683	\$ 2,482,817	81%	
PERMITS					
Short Term Rental Registration/Precious Metal	\$ -	\$ 700	\$ (700)	#DIV/0!	Airbnb Fees
Judicial Charges for Services	900	583	317	65%	
Public Safety Charges for Services	224,500	161,753	62,747	72%	
Planning and Development Charges for Services	10,000	9,500	500	95%	
TOTAL PERMITS	\$ 235,400	\$ 172,537	\$ -	\$ 62,864	73%

MARCH 31, 2021

GENERAL FUND REVENUES	FY2021 BUDGET	ACTUAL YTD	AVAILABLE BUDGET	% RECEIVED	
FINES & FORFEITURES					
Circuit Court Fines	\$ 168,000	\$ 42,248	\$ 125,752	25%	
Court Recorder Fees	46,000	28,650	\$ 17,350	62%	
Courthouse Maintenance Fee	12,000	4,005	7,995	33%	
Animal Control Fines	6,000	4,998	1,002	83%	
TOTAL FINES & FORFEITURES	\$ 232,000	\$ 79,901	\$ 152,099	34%	
REVENUE FROM USE OF PROPERTY					
Interest Revenue	\$ 200,000	\$ 74,206	\$ 125,794	37%	
Rental of Real Property	40,920	48,995	(8,075)	120%	
Rental of Real Property-Recreation	5,580	5,560	21	100%	
TOTAL REVENUE FROM USE OF PROPERTY	\$ 246,500	\$ 128,760	\$ 117,740	52%	
CHARGES FOR SERVICES					
Property Clean Up Fees	\$ 2,000	\$ 1,934	\$ 66	97%	
Payment in Lieu of Tax from Proprietary Funds	1,137,510	1,217,260	(79,750)	107%	Allocation transfers from Enterprise Funds
DMV Stop Fees	5,500	6,712	(1,212)	122%	
Administrative Fees	23,000	4,262	18,738	19%	
Judicial Operations Charges for Services	109,717	42,486	67,231	39%	
Public Safety Tax Exempt Service Charge	6,357	6,358	(1)	100%	
Sale of Publications & Maps	-	378	(378)	#DIV/0!	
Recreation Charges for Services	\$ 560,500	192,149	368,351	34%	
TOTAL CHARGES FOR SERVICES	\$ 1,844,584	\$ 1,471,539	\$ 373,045	80%	
MISCELLANEOUS					
Sale of Salvage & Surplus	\$ 15,000	\$ 2,412	\$ 12,588	16%	
Payment in Lieu of Taxes SRHA	14,000	14,023	(23)	100%	
Donations	9,997	28,642	(18,645)	287%	
Miscellaneous	-	51,814	(51,814)	#DIV/0!	
TOTAL MISCELLANEOUS	\$ 38,997	\$ 96,891	\$ (57,894)	248%	
RECOVERED COSTS					
Wellness Program Reimbursement	\$ 10,000	\$ -	\$ 10,000	0%	
Recovered Costs - General Govt	-	581	\$ (581)	#DIV/0!	
Recovered Costs - Courts	58,000	-	58,000	0%	
Recovered Costs- Public Safety	589,874	634,387	(44,513)	108%	Buy-In from Harrisonburg/Rockingham for Regional Jail
Recovered Costs- Police Security	45,000	17,885	27,115	40%	
Recovered Costs- Insurance Recovery	59,826	63,900	(4,074)	107%	
Recovered Costs- Public Works	25,000	3,639	21,361	15%	
Recovered Costs- Education	379,000		379,000	0%	Software Annual Costs and Bus Mechanic Services
Recovered Costs- Recreation/ Library	55,000	37,854	17,146	69%	Talking Book Center Reimbursement
TOTAL RECOVERED COSTS	\$ 1,221,700	\$ 758,246	\$ 463,454	62%	
TRANSFERS					
Transfers From Health	\$ 150,000	\$ -	\$ 150,000	0%	
Transfers From City CIP	307,478		307,478	0%	
TOTAL TRANSFERS	\$ 457,478	\$ -	\$ 457,478	0%	

MARCH 31, 2021

GENERAL FUND REVENUES	FY2021 BUDGET	ACTUAL YTD	AVAILABLE BUDGET	% RECEIVED	
COMMONWEALTH OF VIRGINIA REVENUE					
Public Facilities Tax	\$ 105,000	\$ 19,819	\$ 85,181	19%	State sales tax revenue from Hotel 24 South
Recordation	70,000	-	70,000	0%	
Rolling Stock Taxes	10,000	9,647	353	96%	
Motor Vehicle Rental Tax	87,500	76,875	10,625	88%	
HB599 Law Enforcement	954,888	769,926	184,962	81%	Quarterly Payments from State
Personal Property Tax Relief Act (PPTRA)	1,652,200	1,569,590	82,610	95%	
Recordation - Grantor's Tax	50,000	47,217	2,783	94%	
Juror/Witness Fees	10,000	-	10,000	0%	
Va Forestry Ash Borer	-	1,380	(1,380)	#DIV/0!	
DCJS- Victim Witness Grant	28,137	9,329	18,808	33%	
DMV Four for Life Funds	23,305	23,738	(433)	102%	
DMV Animal License Plates	750	1,004	(254)	134%	
State Crime Forfeited Assets- Police	-	16,750	(16,750)	#DIV/0!	Revenue based on criminal drug activity
Fire Programs Fund	90,496	90,496	-	100%	
E911 Wireless Funds	95,000	73,318	21,682	77%	Grants from the Wireless Board of Virginia
Street & Highway Maintenance	4,214,682	3,223,982	990,700	76%	Quarterly Payments from State
Miscellaneous State Aid	20,000	37,296	(17,296)	186%	
Public Assistance	1,370,208	797,638	572,570	58%	
CSA Administrative Fees	10,787	10,787	-	100%	
Comprehensive Services Act (CSA)	2,192,100	862,077	1,330,023	39%	
VA Comm for the Arts	4,500	4,500	-	100%	
Library	153,150	124,981	28,170	82%	Quarterly Payments from State
Commissioner of Revenue	127,423	73,736	53,687	58%	
Treasurer	123,602	70,286	53,316	57%	
Electoral Board & Registrar	38,525	-	38,525	0%	
Commonwealth Attorney	544,150	294,962	249,188	54%	
Sheriff	339,484	199,013	140,471	59%	
Circuit Court Clerk	310,151	176,261	133,890	57%	
Circuit Court Technology Grant	16,929	7,816	9,113	46%	
VA Tourism Corp Grants	20,000	10,000	10,000	#DIV/0!	
TOTAL COMMONWEALTH OF VIRGINIA	\$ 12,662,967	\$ 8,602,423	\$ 4,060,544	68%	
FEDERAL REVENUES					
Victim Witness Federal Grant	\$ 84,411	\$ 27,987	\$ 56,424	33%	
FEMA Disaster Payment	-	-	0	#DIV/0!	
Federal DMV Grant	12,352	-	12,352	0%	
U S Marshall Forfeited Asset	8,901	5,026	3,875	56%	
FEMA Fire SAFER Grant	121,324	61,200	60,124	50%	
CARES Act Funding	4,251,182	4,282,588	(31,406)	101%	
DCJS GRANTS	6,912	4,275	2,637	62%	
Welfare Public Assistance	1,176,404	798,519	377,885	68%	
Federal Forfeited Assets	-	-	-	#DIV/0!	
TOTAL FEDERAL REVENUE	\$ 5,661,486	\$ 5,179,595	\$ 481,891	91%	
Appropriation of Prior Year Fund Balance	5,390,649	-	\$ 5,390,649		
TOTAL PRIOR YEAR APPROPRIATIONS	\$ 5,390,649	\$ -	\$ 5,390,649	0%	
TOTAL GENERAL FUND REVENUES	\$ 66,317,011	\$ 39,664,314	\$ 26,652,697	59.8%	
		\$ (0)			

MARCH 31, 2021

GENERAL FUND EXPENDITURES	FY2021 BUDGET	ACTUAL YTD	ENCUMBRANCES	AVAILABLE BUDGET	% EXPENDED
GENERAL GOVERNMENT ADMINISTRATION					
CITY COUNCIL	\$ 142,707	\$ 103,705	\$ -	\$ 39,002	73%
CLERK OF COUNCIL	54,442	31,498	5,048	17,895	67%
CITY MANAGER	541,461	402,064	-	139,397	74%
HUMAN RESOURCES	603,972	440,999	9,226	153,747	75%
CITY ATTORNEY	360,706	271,491	11,468	77,747	78%
COMMUNICATIONS MANAGER	88,586	21,237	-	67,349	24%
PROFESSIONAL CONSULTANTS	70,000	55,500	-	14,500	79%
CITY MEMBERSHIPS	28,284	26,784	-	1,500	95%
FINANCE	1,743,319	887,697	129,847	725,775	58%
ASSESSOR	288,674	218,816	8	69,850	76%
COMMISSIONER OF REVENUE	333,181	258,222	205	74,754	78%
TREASURER	358,382	322,832	334	35,216	90%
REGISTRAR	193,933	126,832	24	67,077	65%
INFORMATION TECHNOLOGY	1,371,250	906,510	67,082	397,658	71%
RISK MANAGEMENT	745,000	471,972	-	273,028	63%
TOTAL GENERAL GOV'T ADMINISTRATION	\$ 6,923,896	\$ 4,546,161	\$ 223,242	\$ 2,154,493	69%
JUDICIAL ADMINISTRATION					
CIRCUIT COURT	\$ 158,904	\$ 108,439	\$ -	\$ 50,465	68%
GENERAL DISTRICT COURT	10,900	3,395	-	7,505	31%
MAGISTRATES	2,000	111	-	1,889	6%
JUVENILE DOMESTIC RELATIONS COURT	75,092	-	-	75,092	0%
CLERK OF THE CIRCUIT COURT	549,284	425,838	646	122,800	78%
SHERIFF	664,900	499,820	6,212	158,868	76%
VICTIM/WITNESS GRANT	120,267	65,478	-	54,789	54%
COMMONWEALTH ATTORNEY	817,556	527,940	852	288,765	65%
TOTAL JUDICIAL ADMINISTRATION	\$ 2,398,903	\$ 1,631,021	\$ 7,710	\$ 760,172	68%
PUBLIC SAFETY					
POLICE	\$ 5,439,323	\$ 3,853,583	\$ 41,950	\$ 1,543,790	72%
E911 CENTER	849,788	544,092	26,953	278,743	67%
FIRE	3,286,496	2,671,915	-	614,581	81%
COMMUNITY PUBLIC SAFETY	270,413	103,669	9,988	156,755	42%
JUVENILE DETENTION HOME	110,058	90,642	-	19,416	82%
JAIL	2,534,515	1,904,159	-	630,356	75%
OFFICE ON YOUTH	158,500	72,797	-	85,703	46%
INSPECTIONS	363,978	281,928	30	82,020	77%
ANIMAL CONTROL	85,500	28,756	-	56,744	34%
MEDICAL EXAMINER	250	400	-	(150)	160%
TOTAL PUBLIC SAFETY	\$ 13,098,820	\$ 9,551,942	\$ 78,921	\$ 3,467,958	74%

MARCH 31, 2021

GENERAL FUND EXPENDITURES	FY2021 BUDGET	ACTUAL YTD	ENCUMBRANCES	AVAILABLE BUDGET	% EXPENDED	
PUBLIC WORKS						
ENGINEERING	\$ 337,657	\$ 180,723	\$ -	\$ 156,934	54%	
PUBLIC WORKS ADMINISTRATION	277,695	229,697	513	47,485	83%	
STREETS	3,125,005	1,188,956	56,397	1,879,651	40%	
TRAFFIC ENGINEERING	244,748	67,864	40	176,845	28%	
TRAFFIC SIGNALS	328,639	164,631	8,451	155,556	53%	
BUILDING MAINTENANCE	1,881,031	958,229	26,203	896,599	52%	
EQUIPMENT MAINTENANCE	445,034	346,089	1,707	97,238	78%	
TOTAL PUBLIC WORKS	\$ 6,639,809	\$ 3,136,189	\$ 93,312	\$ 3,410,308	49%	
HEALTH AND WELFARE						
PUBLIC HEALTH	\$ 308,738	\$ 205,722	\$ -	\$ 103,016	67%	
VALLEY COMM SERVICES BOARD	184,139	184,139	-	-	100%	Quarterly Payments
COMMUNITY POLICY MGMNT TEAM (CSA)	3,150,000	1,719,815	-	1,430,185	55%	
DEPT OF SOCIAL SERVICES	3,459,478	2,490,868	-	968,610	72%	
TAX RELIEF FOR THE ELDERLY	199,883	-	-	199,883	0%	Real Estate Tax Relief- processed May each year
COMMUNITY WELFARE ASSISTANCE	310,143	302,643	-	7,500	98%	Outside Agency Contributions
TOTAL HEALTH AND WELFARE	\$ 7,612,381	\$ 4,903,187	\$ -	\$ 2,709,194	64%	
EDUCATION -OTHER						
EDUCATIONAL CONTRIBUTIONS-BRCC	\$ 9,000	\$ 8,200	\$ -	\$ 800	91%	Contribution to Blue Ridge Community College
TOTAL EDUCATION-OTHER	\$ 9,000	\$ 8,200	\$ -	\$ 800	91%	
PARKS, RECREATION, LIBRARY, CULTURAL						
PARKS AND RECREATION ADMIN	\$ 1,151,637	\$ 438,238	\$ 29,872	\$ 683,526	41%	
HORTICULTURE	167,242	125,659	-	41,583	75%	
GOLF COURSE	137,404	65,582	-	71,822	48%	
COMMUNITY RECREATION ASSISTANCE	20,000	16,000	-	4,000	80%	Boys and Girls Club
PARK MAINTENANCE	1,115,972	595,412	35,102	485,458	56%	
COMMUNITY CULTURAL CONTRIBUTIONS	15,500	14,500	-	1,000	94%	Outside Agency Contributions
LIBRARY	1,120,260	721,162	15,645	383,453	66%	
TOTAL PARKS, RECREATION, LIBRARY, CULTURAL	\$ 3,728,015	\$ 1,976,552	\$ 80,620	\$ 1,670,843	55%	
PLANNING AND COMMUNITY DEVELOPMENT						
PLANNING	\$ 414,802	\$ 206,565	\$ 25	\$ 208,213	50%	
COMMUNITY DEVELOPMENT ASSISTANCE	641,374	535,044	-	106,330	83%	Outside Agency Contributions
ECONOMIC DEVELOPMENT	1,445,327	760,019	3,039	682,269	53%	
TOURISM	479,127	342,537	5,991	130,599	73%	
STAUNTON WELCOME CENTER	56,181	18,684	-	37,497	33%	
TRANSPORTATION-CSPDC	1,513	-	-	1,513	0%	
TOTAL PLANNING AND COMMUNITY DEVELOPMENT	\$ 3,038,324	\$ 1,862,849	\$ 9,054	\$ 1,166,420	62%	

MARCH 31, 2020

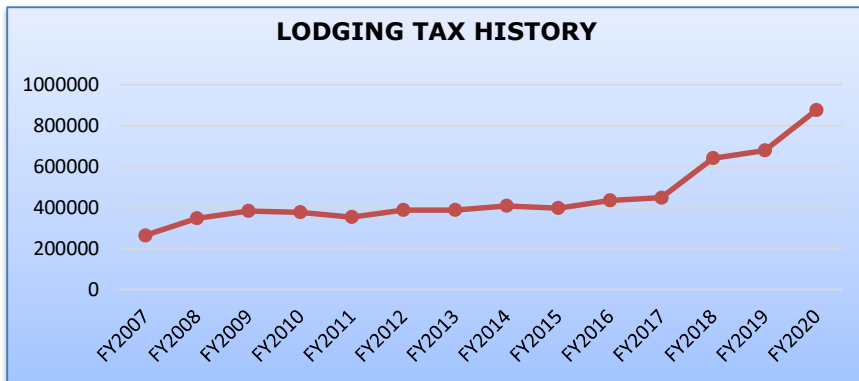
GENERAL FUND EXPENDITURES	FY2021 BUDGET	ACTUAL YTD	ENCUMBRANCES	AVAILABLE BUDGET	% EXPENDED	
<u>TRANSFERS TO OTHER FUNDS/NON-DEPARTMENTAL</u>						
TRANSFER TO DEBT SERVICE FUND	\$ 5,844,415	\$ 5,844,415	\$ -	\$ (0)	100%	Annual Debt Payments
TRANSFER TO CIP FUND	2,515,000	2,515,000	-	-	100%	
TRANSFER TO EDUCATION FUND	13,637,502	7,615,297	-	6,022,205	56%	Education Transfer/ Second half to occur in June
NON-DEPARTMENTAL EXPENDITURES	870,947	5,560	-	865,387	1%	Distribution account-equal to zero at year end
TOTAL TRANSFERS AND NON-DEPARTMENTAL	\$ 22,867,863	\$ 15,980,272	\$ -	\$ 6,887,591	70%	
TOTAL GENERAL FUND EXPENDITURES	\$ 66,317,011	\$ 43,596,374	\$ 492,860	\$ 22,227,778	66.5%	

FY2021 GENERAL FUND BUDGET

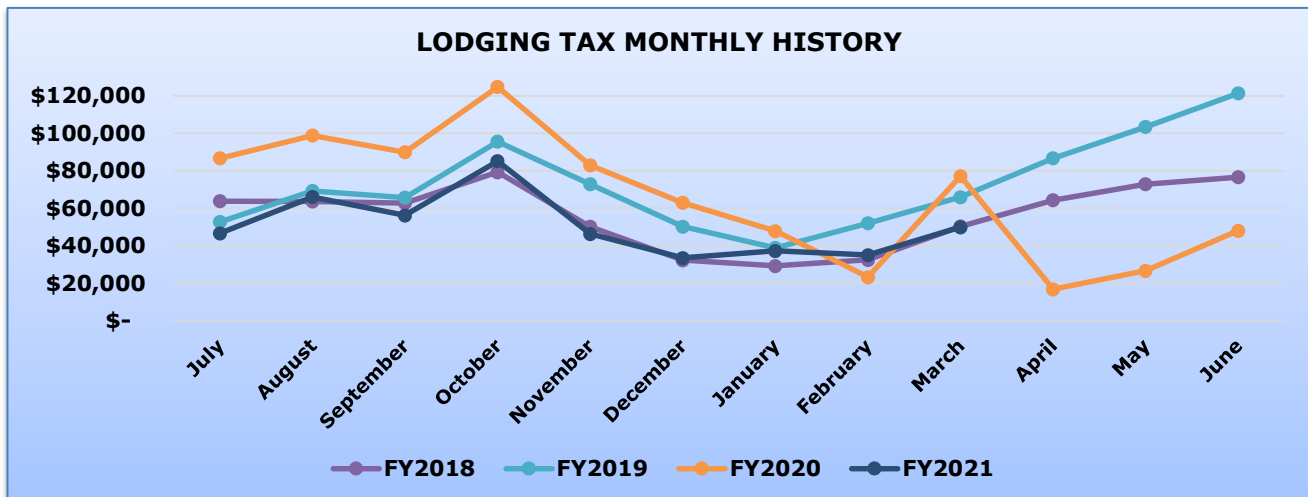
ADOPTED BUDGET	\$ 56,374,701	JULY 1, 2020
ENCUMBRANCE CARRY FORWARDS	344,295	JULY 1, 2020
FY2021 BUDGET AMENDMENT NO. 1	41,250	July 23, 2020
FY2021 BUDGET AMENDMENT NO. 2	500,000	August 27, 2020
FY2021 BUDGET AMENDMENT NO. 3	3,960,460	September 24, 2020
FY2021 BUDGET AMENDMENT NO. 4	5,096,305	December 10, 2020
FY2021 REVISED BUDGET	\$ 66,317,011	
FY2021 REVENUES	\$ 39,664,314	
FY2021 EXPENDITURES	<u>\$ (43,596,374)</u>	
FY2021 NET YTD	\$ (3,932,060)	

FY 2021 LODGING TAX - 6.7% Tax Rate

TAX RATE	6.70%						
	FY2017	FY2018	FY2019	FY2020	FY2021	% CHANGE	\$ Change
July	\$ 52,799	\$ 63,907	\$ 52,798	\$ 86,792	\$ 46,648	-86.1%	(40,143.07)
August	\$ 67,072	\$ 63,738	\$ 69,287	\$ 98,765	\$ 66,056	-33.1%	(32,708.41)
September	\$ 61,866	\$ 62,756	\$ 65,785	\$ 89,978	\$ 56,235	-37.5%	(33,743.12)
October	\$ 85,289	\$ 79,262	\$ 95,600	\$ 124,738	\$ 85,131	-31.8%	(39,607.56)
November	\$ 51,208	\$ 50,187	\$ 72,869	\$ 82,915	\$ 46,252	-44.2%	(36,663.39)
December	\$ 35,136	\$ 32,225	\$ 50,208	\$ 63,057	\$ 33,471	-46.9%	(29,586.70)
January	\$ 25,091	\$ 29,239	\$ 38,856	\$ 47,730	\$ 37,127	-22.2%	(10,602.89)
February	\$ 31,475	\$ 32,490	\$ 52,085	\$ 23,204	\$ 34,928	50.5%	11,723.94
March	\$ 43,728	\$ 50,304	\$ 65,973	\$ 77,152	\$ 49,894	-35.3%	(27,257.86)
April	\$ 59,636	\$ 64,326	\$ 86,719	\$ 16,730		0.0%	
May	\$ 65,931	\$ 72,905	\$ 103,399	\$ 26,667		0.0%	
June	\$ 61,612	\$ 76,577	\$ 121,369	\$ 47,878		0.0%	
Actuals	\$ 640,843	\$ 677,917	\$ 874,948	\$ 785,605	\$ 455,741		\$ (238,589.06)
Budget Totals	\$ 540,000	\$ 575,000	\$ 890,000	\$ 890,000	\$ 836,000		
Budget Variance	\$ 100,843	\$ 102,917	\$ (15,052)	\$ (104,395)	\$ (380,259)		
% of BUDGET	119%	118%	98%	88%	55%		
% CHANGE-YEAR	47.3%	5.8%	29.1%	-10.2%			

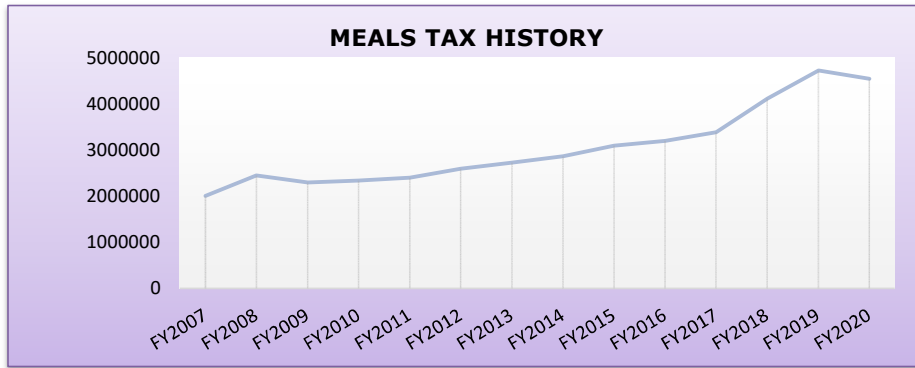


	TOTAL REVENUE	% CHANGE
FY2007	\$ 348,115	
FY2008	\$ 383,716	31.9%
FY2009	\$ 376,829	10.2%
FY2010	\$ 354,239	-1.8%
FY2011	\$ 388,022	-6.0%
FY2012	\$ 388,721	9.5%
FY2013	\$ 408,906	0.2%
FY2014	\$ 397,786	5.2%
FY2015	\$ 447,792	-2.7%
FY2016	\$ 448,175	9.4%
FY2017	\$ 640,843	3.0%
FY2018	\$ 677,917	43.0%
FY2019	\$ 874,948	5.8%
FY2020	\$ 785,605	-10.2%

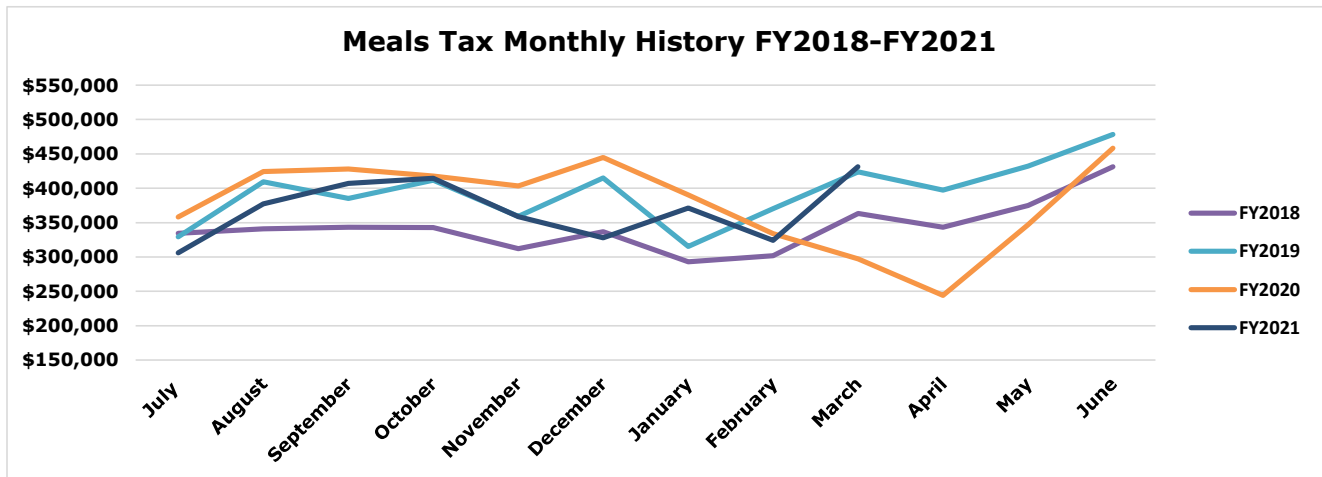


FY 2021 MEALS TAX - 7% Tax Rate

	6% TAX RATE	7% TAX RATE	7% TAX RATE	7% TAX RATE	7% TAX RATE		
	FY2017	FY2018	FY2019	FY2020	FY2021	% Change	\$ Change
July	277,144.75	334,578.70	329,572.70	358,211.89	305,920.13	-17.1%	(52,291.76)
August	296,419.00	341,094.46	409,425.39	424,089.70	377,519.13	-11.0%	(46,570.57)
September	292,135.16	343,277.21	385,385.11	427,994.74	407,128.28	-4.9%	(20,866.46)
October	285,660.12	342,809.63	411,876.40	417,689.65	414,546.00	-0.8%	(3,143.65)
November	274,337.57	312,114.40	359,315.82	403,285.45	358,586.27	-11.1%	(44,699.18)
December	286,909.42	336,803.99	415,029.83	444,990.45	327,793.42	-26.3%	(117,197.03)
January	240,970.03	293,064.10	315,163.07	390,332.83	371,173.61	-4.9%	(19,159.22)
February	251,855.24	301,835.99	370,264.93	334,123.44	324,288.32	-2.9%	(9,835.12)
March	283,281.51	363,206.78	423,831.12	297,411.19	431,307.56	45.0%	133,896.37
April	309,789.07	343,386.30	397,109.84	244,201.14		0.0%	-
May	300,966.20	374,830.10	432,042.64	347,244.34		0.0%	-
June	291,868.85	431,265.13	478,306.06	458,277.82		0.0%	-
Actuals	\$ 3,391,336.92	\$ 4,118,266.79	\$ 4,727,322.91	\$ 4,547,852.64	\$ 3,318,262.72		\$ (179,866.62)
Budget	3,200,000.00	3,850,000.00	4,112,500.00	4,600,000.00	3,562,500.00		
Budget Variance	191,337	268,267	614,823	(52,147)	(244,237)		
% of BUDGET	106.0%	107.0%	115.0%	98.9%	93.1%		



FY2007	\$ 2,004,839	
FY2008	\$ 2,456,629	22.5%
FY2009	\$ 2,304,448	-6.2%
FY2010	\$ 2,344,698	1.7%
FY2011	\$ 2,406,577	2.6%
FY2012	\$ 2,599,776	8.0%
FY2013	\$ 2,732,598	5.1%
FY2014	\$ 2,868,910	5.0%
FY2015	\$ 3,099,130	8.0%
FY2016	\$ 3,203,638	3.4%
FY2017	\$ 3,391,337	5.9%
FY2018	\$ 4,118,267	21.4%
FY2019	\$ 4,727,323	14.8%
FY2020	\$ 4,547,853	-3.8%



MEALS TAX HISTORY- RATE INCREASES

JULY 1, 1986

JULY 1, 1994

SEPTEMBER 1, 1998

JULY 1, 2007

JULY 1, 2017

NEW STREET PARKING GARAGE FUNDING

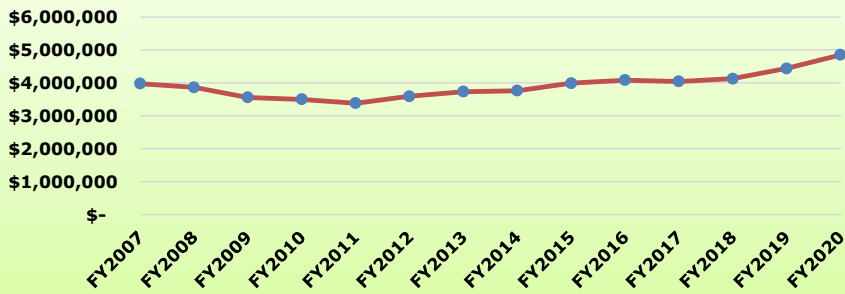
CIP/ SCHOOL PROJECTS

SCHOOL PROJECT - STAUNTON HIGH RENOVATION

LOCAL SALES TAX - FY2021 - 1% Tax Rate

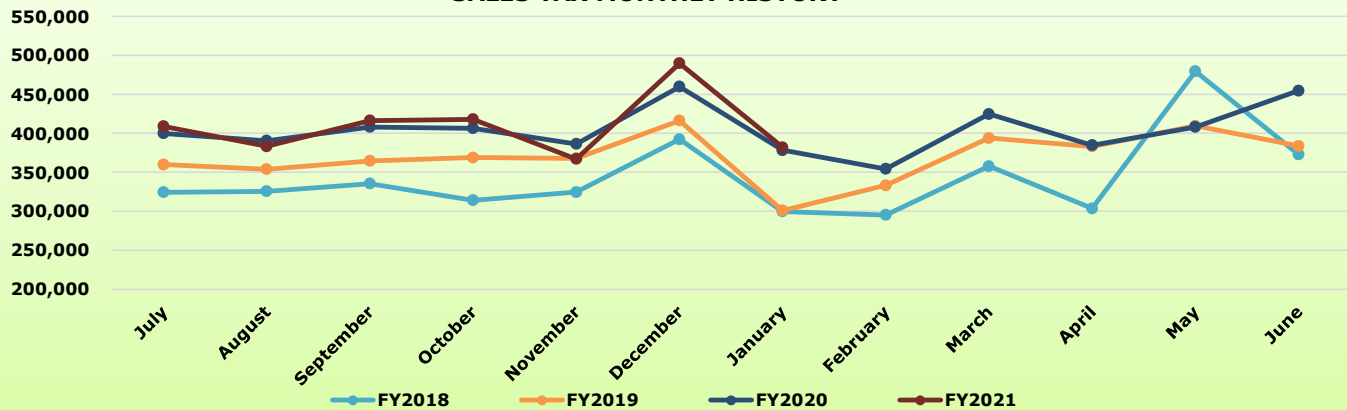
	FY2017	FY2018	FY2019	FY2020	FY2021	% Change	YTD Change
July	333,714.89	324,282.53	359,853.28	399,841.46	408,778.45	2.2%	\$ 8,936.99
August	331,429.16	325,420.04	353,757.54	390,364.99	383,138.70	-1.9%	\$ (7,226.29)
September	345,905.68	335,270.60	364,511.12	408,012.82	416,224.54	2.0%	\$ 8,211.72
October	329,371.48	314,014.94	368,778.54	406,308.21	417,972.78	2.9%	\$ 11,664.57
November	331,907.37	324,549.36	367,724.17	386,214.42	367,040.14	-5.0%	\$ (19,174.28)
December	402,206.55	392,310.26	416,329.42	459,870.92	489,867.02	6.5%	\$ 29,996.10
January	290,166.67	299,703.49	301,088.06	378,159.00	381,915.25	1.0%	\$ 3,756.25
February	295,776.24	295,141.63	333,109.54	354,448.27		0.0%	
March	353,757.64	357,635.60	393,767.00	424,727.00		0.0%	
April	333,521.23	303,519.77	382,962.51	384,623.98		0.0%	
May	343,047.36	479,377.67	409,438.98	408,067.89		0.0%	
June	348,854.14	372,636.24	383,654.21	454,691.58		0.0%	
Totals	\$ 4,039,658.41	\$ 4,123,862.13	\$ 4,434,974.37	\$ 4,855,330.54	\$ 2,864,936.88		\$ 36,165.06
Budget	\$ 4,050,000.00	\$ 4,100,400.00	\$ 4,015,000.00	\$ 4,300,000.00	\$ 3,393,750.00		
Budget Variance	\$ (10,341.59)	\$ 23,462.13	\$ 419,974.37	\$ 555,330.54	\$ (528,813.12)		
% OF BUDGET	99.7%	100.6%	110.5%	112.9%	84.4%		
% CHANGE- YEAR	1.3%	2.1%	7.5%	9.5%	-41.0%		

SALES TAX HISTORY



FY2007	\$ 3,975,958	
FY2008	\$ 3,862,575	-2.9%
FY2009	\$ 3,554,096	-8.0%
FY2010	\$ 3,495,905	-1.6%
FY2011	\$ 3,381,018	-3.3%
FY2012	\$ 3,588,737	6.1%
FY2013	\$ 3,729,201	3.9%
FY2014	\$ 3,760,505	0.8%
FY2015	\$ 3,988,839	6.1%
FY2016	\$ 4,079,919	2.3%
FY2017	\$ 4,039,658	-1.0%
FY2018	\$ 4,123,862	2.1%
FY2019	\$ 4,434,974	7.5%
FY2020	\$ 4,855,331	9.5%

SALES TAX MONTHLY HISTORY



City of Staunton - Gypsy Hill Golf
Unaudited Operating Statement @ 03/31/2021

		FY2021 Budget	FY2021 YTD
	Statistics		
	Golf Rounds	9,873	7,520
*	Members	30	15
Revenues			
	41631 Membership Fees	\$ 12,000	\$ 4,720
	41639 Cart Rentals	75,000	65,170
	41640 Green Fees	75,000	57,280
	Total Revenue	\$ 162,000	\$ 127,170
Expenses			
	51006 Salaries	\$ 52,155	\$ 40,471
	51510 Part - Time Help	13,905	10,534
	51530 Overtime	0	0
	52001 Group Life Insurance - VRS	727	545
	52005 Health Insurance	10,094	0
	52010 Social Security	5,067	3,910
	52020 Retirement VRS	8,288	6,216
	52030 Unemployment Insurance - VEC	68	48
	53001 Advertising	3,000	22
	53010 Professional Services	30,000	198
	53101 Main/Repair - Office Equipment	600	0
	55001 Telephone	300	352
	55002 Dues & Subscriptions	500	0
	55015 Utilities - Elec tric	0	865
	55405 Office Supplies	500	165
	55415 Materials/ Supplies	200	0
	55481 Gas & Oil	6,000	2,255
	55497 Rental of Equipment	6,000	0
	55498 Software License Fees	0	0
	Operations Costs	\$ 137,404	\$ 65,581
Park Maintenance Allocation			
	Allocation - Pro Rated Budget	\$ 292,655	\$ 219,491
	Park Maintenance Allocation Costs	\$ 292,655	\$ 219,491
Debt			
	59600 Refunding Principal	\$ 20,000	\$ 20,000
	59601 Refunding Interest	9,081	9,081
	Debt Service Costs	\$ 29,081	\$ 29,081
	Total Expense	\$ 461,177	\$ 314,153
	Net Income / (Loss)	\$ (299,177)	\$ (186,983)

Golf Course Usage by Zip Code

Residence	# of Golfers	Residence	# of Golfers
Augusta	1,082	Staunton	3,683
Waynesboro	805	Other	3,837
Staunton	3,683		7,520
Albemarle	140		
Harrisonburg	75		
Other	1,735		
	7,520		

* **Paid Membership Count - 7 Seniors & 8 Riverheads Golf Team**

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	Staff Member: Phil Trayer
Item #	5 & D	
Ordinance #		
Department:	Finance	
Council Vision:	Responsive, Efficient Government	
Subject:	Ordinance to Amend the FY2021 Budget for the City of Staunton by Adding Budget Amendment Number Five	

Background: The fifth budget amendment for fiscal year 2021 has been prepared for your review and discussion. The total budget amendment equals \$5,129,104. The introduction and public hearing of this ordinance is scheduled for this meeting, and consideration of the ordinance is scheduled for May 27, 2021.

City Budget Amendment—\$838,877

1. General Fund amendment of **\$195,346** includes the following:
 - \$123,607 for state carryover funds for Street Maintenance
 - \$32,275 for Police recruitment and retainage program
 - \$20,000 from the U.S. Marshals Service for joint task force operations
 - \$19,464 for newly awarded grant, insurance recoveries and the recognition of donations
2. Grant Fund – **(\$1,330)** credit for the Virginia Forestry Grant that will be reclassified into the General Fund.
3. Blue Ridge Court Services – **\$101,158** appropriation for Department of Criminal Justice Services (DCJS) Pre-Trial Expansion Grant.
4. CIP Fund appropriation of **\$119,302** for additional revenue received from the Commonwealth of Virginia Department of Transportation for street paving.
5. Water Fund appropriation of **\$15,793** for insurance recovery for damaged pump and vehicle plus a grant award from VRSA for AED and Air.
6. Environmental Fund – **(\$372)** credit appropriation to true up to the actual amount of the grant.
7. Bond Fund appropriation of **\$408,981** to recognize the amount of interest received above the budgeted amount from the High School bond fund.

School Budget Amendment—\$4,290,227

1. The Education Fund 900 amendment totaling **\$3,733,716** includes the following:
 - \$2,760,767 in Elementary and Secondary Relief Funds (ESSR II) for instructional remediation efforts to address learning loss incurred during the pandemic
 - \$190,884 Vision Grant for additional computer hardware within the schools
 - \$710,819 fund balance transfer for parking lot paving, Dixon infrastructure reserves and school equipment, and repair reserves for the schools
 - \$71,246 additional appropriation for donations, grant awards, and insurance recovery
2. The School Capital Improvements Fund 966 amendment totaling **\$405,519** includes the following
 - \$43,819 for a school security grant award to purchase security cameras, radios and badge readers
 - \$361,700 transfer from the Bond Fund for additional interest earned on the bond proceeds above and beyond the amount budgeted for tennis courts refurbishment and expansion at Montgomery Hall Park to be used by the Staunton High School tennis team
3. The State Operated Program Fund 920 appropriates **\$124,312** and includes additional funding received by the state for neglected and delinquent students.
4. The Cafeteria Fund 930 appropriates a total **\$26,680**, \$25,920 in ESSR II Funds for staff wages during an expanded summer school, and \$760 in donations received to support food service operations.

Attachments:

Attachment 1—Budget Amendment Number Five

Attachment 2—Notice of Public Hearing

City Manager's Recommendation: Recommend the ordinance be introduced as presented and that City Council conduct the public hearing.

Suggested Motion (to be made before the public hearing is conducted): I move to introduce an ordinance amending the fiscal year 2021 budget by adding Budget Amendment Number Five, totaling \$5,129,104 and that Council conduct a public hearing of the ordinance.

City Manager: Steven L. Rosenberg

Ordinance No. 2021-
AN ORDINANCE TO AMEND
THE FY2021 BUDGET ORDINANCE
FOR THE CITY OF STAUNTON
BY ADDING BUDGET AMENDMENT NUMBER FIVE

BE IT ORDAINED, by the City Council of the City of Staunton, Virginia, that the FY2021 Budget is amended as follows:

GENERAL FUND

Anticipated Revenue

General Revenue	\$	123,607
Recovered Costs		3,197
Miscellaneous Revenue		440
Capital Grants and Contributions		68,102
Total Revenue	\$	195,346

Appropriations

General Government Administration	\$	440
Judicial Administration		2,497
Public Safety		55,472
Public Works		123,607
Parks, Recreation, Cultural		13,330
Total Appropriations	\$	195,346

GRANTS FUND

Anticipated Revenue

Capital Grants and Contributions	\$	(1,330)
Total Revenue	\$	(1,330)

Appropriations

Public Safety	\$	(1,330)
Total Appropriations	\$	(1,330)

BLUE RIDGE COURT SERVICES

Anticipated Revenue

Capital Grants and Contributions	\$	101,158
Total Revenue	\$	101,158

Appropriations

Public Safety	\$	101,158
Total Appropriations	\$	101,158

CITY CAPITAL IMPROVEMENTS FUND

Anticipated Revenue

Capital Grants and Contributions	\$	119,302
Total Revenue	\$	119,302

Appropriations

Capital Projects	\$	119,302
Total Appropriations	\$	119,302

Ordinance No. 2021-
AN ORDINANCE TO AMEND
THE FY2021 BUDGET ORDINANCE
FOR THE CITY OF STAUNTON
BY ADDING BUDGET AMENDMENT NUMBER FIVE

WATER FUND

Anticipated Revenue

General Revenues	\$	15,793
Total Revenue	\$	15,793

Appropriations

Operations	\$	15,793
Total Appropriations	\$	15,793

ENVIRONMENTAL FUND

Anticipated Revenue

Capital Grants and Contributions	\$	(372)
Total Revenue	\$	(372)

Appropriations

Operations	\$	(372)
Total Appropriations	\$	(372)

BOND FUND - 395

Anticipated Revenue

Interest Income Procceds		408,981
Total Revenue	\$	408,981

Appropriations

Capital Projects	\$	408,981
Total Appropriations	\$	408,981

EDUCATION FUND

Anticipated Revenue

General Revenue	\$	730,681
Capital Grants and Contributions		3,003,035
Total Revenue	\$	3,733,716

Appropriations

Administration and School Operations	\$	3,733,716
Total Appropriations	\$	3,733,716

EDUCATION SOP FUND - 920

Anticipated Revenue

Capital Grants and Contributions	\$	124,312
Total Revenue	\$	124,312

Appropriations

Operations	\$	124,312
Total Appropriations	\$	124,312

Ordinance No. 2021-
AN ORDINANCE TO AMEND
THE FY2021 BUDGET ORDINANCE
FOR THE CITY OF STAUNTON
BY ADDING BUDGET AMENDMENT NUMBER FIVE
CAFETERIA FUND - 930

Anticipated Revenue

Capital Grants and Contributions	\$	26,680
Transfer from Cafeteria Fund Balance	\$	-
Total Revenue	\$	26,680

Appropriations

Operations	\$	26,680
Total Appropriations	\$	26,680

SCHOOL CIP FUND- 966

Anticipated Revenue

Capital Grants and Contributions		405,519
Total Revenue	\$	405,519

Appropriations

Capital Projects	\$	405,519
Total Appropriations	\$	405,519

GRAND TOTAL BUDGET AMENDMENT NO 5	\$	5,129,104
--	-----------	------------------

INTRODUCED: May 13, 2021

PUBLIC HEARING: May 13, 2021

Public Hearing Advertisement Date: May 5, 2021

Approved this _____ day of _____ 2021

Effective Date: _____

CERTIFIED: _____

ATTEST: _____

Morgan C. Smith

Interim Clerk of Council

Andrea W. Oakes

Mayor of Council

FY 2021 BUDGET AMENDMENT NO. 5

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
GENERAL FUND			
GENERAL GOVERNMENTAL ADMINISTRATION			
<u>GENERAL GOVERNMENT</u>			
VRSA Grant	110-21670	440	
Contingency	11011520-55486		440
To appropriate Safety Committee Funds From VRSA Grant			
JUDICIAL ADMINISTRATION			
<u>SHERIFF DEPARTMENT</u>			
Other Grants - VRSA	11023-41737	1,997	
Special Expenses - AED VRSA Grant	11022170-55205		1,997
Donations - Judicial	11023-41730	500	
Overtime	11022170-51530		464
FICA	11022170-52010		36
To Appropriate Donation for Council Security Fees			
PUBLIC SAFETY			
<u>POLICE DEPARTMENT</u>			
DCJS Grant - Police Staff Retainage	11033-4225	32,275	-
Police Salaries	11033110-51006	-	32,275
To appropriate DCJS Training, Recruiting and Retainage Funds			
US Marshall Forfeited Asset	11033-46207-53300	20,000	
Police Overtime	11033110-51530-53300		20,000
To appropriate US Marshal Services Joint Law Enforcement Operations Task Force Funding -			
Insurance Recovery	11031-41928	1,925	
Police Auto Equipment	11033110-55305		1,581
Maintenance & Repair of Vehicle	11033110-53105		344
To appropriate insurance recovery for damage to Police Car			
<u>FIRE DEPARTMENT</u>			
Insurance Recovery	11031-41928	1,272	
Main Repair Vehicles	11033210-53105		1,272
To appropriate insurance recovery for damage of Fire vehicle			
PUBLIC WORKS			
<u>Strret Department</u>			
Appropriation from Fund Balance	11001-41930	123,607	
Maintenance Street / Paving	11044130-53225-18300		123,607
To appropriate VDOT Carryover Funds from FY2020			

FY 2021 BUDGET AMENDMENT NO. 5

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
PARKS AND RECREATION			
<u>LIBRARY</u>			
Library Other Grants	11073-44123	2,000	
Non Capital Equipment - Laptops	11077510-55486		2,000
To appropriate CAPSAW Grant Award			
<u>HORTICULTURE</u>			
Va Forestry Grant	11073-46248-33300	1,330	
Materials and Supplies	11077120-53010-33300		1,330
To appropriate VDOF EAB Removal Grant			
Donations - Horticulture	11073-41730-33200	10,000	
Part Time Horticulture	11077120-51510-33200		
FICA Horticulture	11077120-52010-33200		9,289
To appropriate Susan Blackley Internship Grant			711
TOTAL GENERAL FUND		195,346	195,345

BUDGET AMENDMENT NO. 5 GENERAL FUND SUMMARY

GENERAL FUND REVENUE SUMMARY			
General Revenues			
<u>Appropriation of Prior Year Fund Balance</u>		123,607	
Public Works - Streets	123,607		
Recovered Costs		3,197	
Public Safety	3,197		
Miscellaneous Revenue		440	
General government-Donations- Flood relief	440		
<u>Non-Capital Grants and Contributions</u>		68,102	
Sheriff Department	2,497		
Police Department	52,275		
Parks & Recreation	13,330		
Total General Fund Revenues		195,346	

FY 2021 BUDGET AMENDMENT NO. 5

		AMOUNT	
		REVENUE	EXPENDITURE
GENERAL FUND EXPENDITURE SUMMARY			
General Government		440	
Judicial Administration		2,497	
Public Safety		55,472	
Public Works		123,607	
Parks, Recreation, Cultural		13,330	
Community Development		-	
Safety Net Reserve		-	
Transfer to Other Funds		-	
Total General Fund Expenditures		195,345	
CITY CAPITAL IMPROVEMENTS FUND			
Primary Extension - Paving	39043-45425	119,302	
Richmond Ave Milling	39044130-58499		119,302
To appropriate additional Commonwealth of Virginia Department of Transportation funds for paving projects			
TOTAL CAPITAL IMPROVEMENTS FUND		119,302	119,302
GRANTS FUND			
Va Forestry Grant	21573-46248-33300	(1,330)	-
Forestry Grant Expenses	21577120-55456-33300	-	(1,330)
To transfer Va Department of Forestry Emerald Borer Ash Removal / Replacement Grant to Gen Fund			
TOTAL GRANTS FUND		(1,330)	(1,330)
BLUE RIDGE COURT SERVICES FUND			
DCJS Pre Trial Expansion Grant	21033-45559	101,158	-
Other salaries	21033344-51009	-	53,000
Social Security	21033344-52010	-	4,054
Retirement-VRS	21033344-52020	-	8,099
Health Insurance	21033344-52005	-	9,630
Group Life insurance	21033344-52001	-	710
Unemployment insurance-VEC	21033344-52030	-	30
Utilities - Electric	21033344-55005	-	1,725
Non-Capital Equipment	21033344-55486		4,000
Office Supplies	21033344-55405		19,910
To appropriate for DCJS Pre Trial Expansion Grant			
TOTAL BLUE RIDGE COURT SERVICES FUND		101,158	101,158

FY 2021 BUDGET AMENDMENT NO. 5

		AMOUNT	
	LEDGER CODE	REVENUE	EXPENDITURE
WATER FUND			
Insurance Recovery			
Other Grants - VRSA	53003-41737	2,555	
Safety Equipment & Supplies	53004322-55490		2,555
Appropriate VRSA Grant for AED / Air Monitors			
Insurance recovery	53001-41928	10,291	
Pump Repairs	53004322-55280		10,291
To appropriate insurance recovery for damage to damaged water pump			
Insurance recovery	53001-41928	2,947	
Auto equipment	53004321-58316		2,947
To appropriate insurance recovery for damages to vehicle			
TOTAL WATER FUND		15,793	15,793
ENVIRONMENTAL FUND			
Comm of VA grant funds	58003-45540	(372)	-
Litter Control Grant materials & supplies	58004822-55415		(372)
To adjust Comm of VA grant funds from the Department of Environmental Quality			
TOTAL ENVIRONMENTAL FUND		(372)	(372)
BOND FUND			
		REVENUES	EXPENDITURES
Interest Revenue - SHS Bonds	39501-41510	408,981	
Staunton High Renovation - Furniture Contingency	39569404-58389-73211		47,281
Transfer to School CIP Fund	39569404-59394		361,700
TOTAL BOND FUND 395		408,981	408,981
CITY GOVERNMENT FUNDS			
GENERAL FUND		195,345	
CAPITAL IMPROVEMENTS FUND		119,302	
GRANTS FUND		(1,330)	
BLUE RIDGE COURT SERVICES FUND		101,158	
WATER FUND		15,793	
ENVIRONMENTAL FUND		(372)	
BOND FUND		408,981	
TOTAL CITY GOVERNMENT FUNDS		838,877	
EDUCATION FUNDS			
EDUCATION FUND 900		3,733,716	
SCHOOL CIP FUND 966		405,519	
CAFETERIA FUND 930		26,680	
SCHOOL SOP FUND 920		124,312	
TOTAL EDUCATION FUNDS		4,290,227	
TOTAL FY2021 BUDGET AMENDMENT NO. 5		5,129,104	

STAUNTON CITY SCHOOLS
FY 2021 BUDGET
AMENDMENT NO. 5

EDUCATION FUND		REVENUES	EXPENDITURES
STATE AND FEDERAL GRANT REVENUE/PROGRAMS			
<u>Homebound Education</u>			
Homebound Services	900300-42246	\$ 1,525	
Elem. Homebound Wages	91231195-51201		\$ 1,525
To appropriate additional State Homebound Funding			
SCHOOL IMPROVEMENT GRANT	900300-43040-SIG00	\$ 30,000	
Other Purchased Services	91312195-53569-SIG00		\$ 30,000
To appropriate additional grant funds for the Shelburne Middle School math improvement program			
<u>VISION Grant Funding</u>			
Federal Revenue	900300-43999-VISON	\$ 190,884	
Additional Computer Technology	97109095-58207-VISON		\$ 190,884
Appropriate Additional Vision Grant Award			
<u>ESSR II Funding</u>			
Federal ESSR II Funds	900300-43999-ESSR2	\$ 2,760,767	
Contract Sub Floaters	91101181-53578-ESSR2		\$ 1,718
Contract Sub Floaters	91101182-53578-ESSR2		\$ 14,431
Contract Sub Floaters	91101183-53578-ESSR2		\$ 7,559
Contract Sub Floaters	91102187-53578-ESSR2		\$ 26,113
Contract Sub Floaters	91103188-53578-ESSR2		\$ 42,224
Contract Sub Floaters	91109884-53578-ESSR2		\$ 7,903
Staff Development	91103188-53561-ESSR2		\$ 5,000
Materials & Supplies	91109681-56013-ESSR2		\$ 4,000
Materials & Supplies	91109682-56013-ESSR2		\$ 4,000
Materials & Supplies	91109683-56013-ESSR2		\$ 4,000
Materials & Supplies	91109687-56013-ESSR2		\$ 4,000
Materials & Supplies	91109688-56013-ESSR2		\$ 4,000
Vehicle & Power Equipment	93209096-56009-ESSR2		\$ 2,014
Custodial Supplies	94209099-56005-ESSR2		\$ 60,842
HVAC	94209099-56007-ESSR2		\$ 5,115
Other Operating Supplies - Thermometers	94209099-56014-ESSR2		\$ 1,949
Furniture - SHS Outdoor	94209099-58202-ESSR2		\$ 45,603
Repair & Maintenance Supplies - HVAC Controls	94209099-56007-ESSR2		\$ 60,100
Replacement Machinery& Equipment - Floor Scrubbers	94209099-58101-ESSR2		\$ 20,000
HVAC Replacement - Weller	94209099-58104-ESSR2		\$ 24,988
HVAC Replacement - Trane Bi-Polar Ionization	94209099-58104-ESSR2		\$ 133,675
Furniture - Outdoor Learning Pavilions	94209099-58202-ESSR2		\$ 60,000
Additional Vehicles - ADA Accessible Vans (2)	93209096-58205-ESSR2		\$ 118,254
School Psychology	92239095-51132-ESSR2		\$ 68,250
School Psychology FICA	92239095-52010-ESSR2		\$ 5,221
School Psychology VRS	92239095-52020-ESSR2		\$ 10,401
School Psychology Health	92239095-52005-ESSR2		\$ 8,703
School Psychology GRP Life	92239095-52001-ESSR2		\$ 915
Instructional Tech Resource Teacher	97109095-51120-ESSR2		\$ 59,946
Instructional Tech Resource Teacher FICA	97109095-52010-ESSR2		\$ 4,586
Instructional Tech Resource Teacher VRS	97109095-52020-ESSR2		\$ 9,160
Instructional Tech Resource Teacher Health	97109095-52005-ESSR2		\$ 13,000
Instructional Tech Resource Teacher GRP Life	97109095-52001-ESSR2		\$ 803
SHS Summer Bridge - Supplemental Salaries	91103188-51620-ESSR2		\$ 11,000
SHS Summer Bridge - Supplemental FICA	91103188-52010-ESSR2		\$ 800

**FY 2021 BUDGET
AMENDMENT NO. 5**

EDUCATION FUND		REVENUES	EXPENDITURES
STATE AND FEDERAL GRANT REVENUE/PROGRAMS			
Supplemental Salaries - Summer School	91109681-51620-ESSR2		\$ 48,575
Supplemental Salaries - Summer School	91109682-51620-ESSR2		\$ 42,725
Supplemental Salaries - Summer School	91109683-51620-ESSR2		\$ 48,091
Supplemental Salaries - Summer School	91109687-51620-ESSR2		\$ 72,474
Supplemental Salaries - Summer School	91109688-51620-ESSR2		\$ 89,755
Supplemental FICA - Summer School	91109681-52010-ESSR2		\$ 3,886
Supplemental FICA - Summer School	91109682-52010-ESSR2		\$ 3,418
Supplemental FICA - Summer School	91109683-52010-ESSR2		\$ 3,847
Supplemental FICA - Summer School	91109687-52010-ESSR2		\$ 5,798
Supplemental FICA - Summer School	91109688-52010-ESSR2		\$ 7,181
Supplemental Salaries - SOL Testing	91101181-51620-ESSR2		\$ 1,216
Supplemental Salaries - SOL Testing	91101182-51620-ESSR2		\$ 1,217
Supplemental Salaries - SOL Testing	91101183-51620-ESSR2		\$ 1,217
Supplemental FICA - SOL Testing	91101181-52010-ESSR2		\$ 100
Supplemental FICA - SOL Testing	91101182-52010-ESSR2		\$ 100
Supplemental FICA - SOL Testing	91101183-52010-ESSR2		\$ 100
Summer School Transportation	93209096-51170-ESSR2		\$ 24,000
Summer School Transportation FICA	93209096-52010-ESSR2		\$ 1,920
Contract Sub Floaters	91101181-53578-ESSR2		\$ 7,907
Contract Sub Floaters	91101182-53578-ESSR2		\$ 66,417
Contract Sub Floaters	91101183-53578-ESSR2		\$ 34,790
Contract Sub Floaters	91102187-53578-ESSR2		\$ 120,183
Contract Sub Floaters	91103188-53578-ESSR2		\$ 194,333
Contract Sub Floaters	91109884-53578-ESSR2		\$ 36,370
Instructional Tech Software MS Virtual Learning	97109095-56042-ESSR2		\$ 93,950
Instructional Tech Software HS Virtual Learning	97109095-56043-ESSR2		\$ 116,352
Instructional Tech Software ES Virtual Learning	97109095-56044-ESSR2		\$ 180,698
Other Purchased Services - Security Software	97309095-53569-ESSR2		\$ 8,000
Data Lines	97609095-55003-ESSR2		\$ 101,000
Curriculum Development - ES	91311195-53568-ESSR2		\$ 3,235
Curriculum Development - HS	91312195-53568-ESSR2		\$ 2,083
Curriculum Development - MS	91313195-53568-ESSR2		\$ 1,682
Other Purchased Services - YMCA Collaborative - Weller	91109681-53569-ESSR2		\$ 32,333
Other Purchased Services - YMCA Collaborative - McSwain	91109682-53569-ESSR2		\$ 32,333
Other Purchased Services - YMCA Collaborative - Ware	91109683-53569-ESSR2		\$ 32,334
Fuel - Transportation Summer School	93209096-56008-ESSR2		\$ 2,000
Computer Replacement	97109095-58107-ESSR2		\$ 306,000
Document Cameras	97109095-58207-ESSR2		\$ 88,000
Summer School Materials and Supplies	91103188-56101-ESSR2		\$ 6,825
HVAC Replacement - Weller	94209099-58104-ESSR2		\$ 30,000
Additional Equipment - SHS Lift	94209099-58201-ESSR2		\$ 10,000
Food Delivery Vehicle	93209096-58205-ESSR2		\$ 48,049
To appropriate remaining grant funds from prior year grant funds awarded for ESSR II Grant			
Other Grants - VRSA	900300-40587	\$ 3,800	
Repair / Maint SVCS	94209099-53684		\$ 3,800
To Appropriate VRSA Grant Award - Dixon Center Fencing			
Federal Funds - Cares Act Set Aside	900300-43999-SESS	\$ 9,059	
Medical Supplies	92229095-56004-SESS		\$ 6,370
Education Supplies	91101295-56013-SESS		\$ 2,689
To appropriate additional CARES Act funding			
Other State Funds	900300-42999-MENTH	\$ 7,000	
Purchased Services	92239095-53565-MENTH		\$ 7,000
To appropriate Virginia Statewide Partnership for School			
TOTAL STATE AND FEDERAL GRANT PROGRAMS		\$ 3,003,035	\$ 3,003,035

STAUNTON CITY SCHOOLS
FY 2021 BUDGET
AMENDMENT NO. 5

EDUCATION FUND		REVENUES	EXPENDITURES
LOCAL GENERAL REVENUE/PROGRAMS			
<u>Recovered Costs- Transportation</u>			
Insurance Recovery - VRSA Deer Strike	900100-40510	\$ 4,937	
Repairs & Maintenance	93409096-53604		\$ 4,937
To appropriate insurance recovery for damaged transportation vehicle			
LOCAL GENERAL REVENUE/PROGRAMS			
<u>Local Revenue Donations</u>			
To appropriate donated funds received from the Thacker Fund for Bessie Weller Elementary School			
Donations - Private Contributions	900381-40580-THACK	\$ 10,500	
Bessie Weller Elementary Thacker Fund	91101181-56109-THACK		\$ 10,500
To Appropriate Donations Received by the School Division			
Donations Private - Equity	900300-40580-EQUIT	\$ 2,550	
Contingency - Equity First Fund	91101100-59100-EQUIT		\$ 2,550
Donations Private	900300-40580	\$ 100	
Education Supplies - Technology	97109095-56016		\$ 100
Donations Private - Timothy Alden Edwards Foundation	900300-40580	\$ 1,775	
Education Supplies	91101181-56013		\$ 592
Education Supplies	91101182-56013		\$ 592
Education Supplies	91101183-56013		\$ 591
Capital Improvement Projects			
Transfer to School CIP Fund	98909095-59394	\$ 710,819	
Appropriation from Fund Balance	900100-49302		\$ 710,819
TOTAL LOCAL GENERAL REVENUE/PROGRAMS		\$ 730,681	\$ 730,681
TOTAL EDUCATION FUND		\$ 3,733,716	\$ 3,733,716

STAUNTON CITY SCHOOLS

FY 2021 BUDGET

AMENDMENT NO. 5

			REVENUES	EXPENDITURES
SCHOOL CIP FUND 966				
<u>School Security Grant FY2021</u>				
Other State Funds	966400-42999-SSE21	\$	43,819	
School Security Grant- Bessie Weller Elementary School	K6609081-58215-SSE17			\$ (25)
School Security Grant- Bessie Weller Elementary School	K6609081-58125-SSE19			\$ (1,796)
School Security Grant- Bessie Weller Elementary School	K6609081-58125-SSE20			\$ (9,134)
School Security Grant- Bessie Weller Elementary School	K6609081-58215-SSE21			\$ 13,011
School Security Grant - Shelburne Middle School	K6609087-58215-SSE21			\$ 41,763
To appropriate grant funds from the Comm of VA Department of Education for the School Security Equipment Grant				
<u>Bond Fund Transfer for SHS Tennis Court</u>				
Transfer from Bond Fund	966100-49298	\$	361,700	
Tennis Court Project	K6609088-58517			\$ 361,700
To appropriate excess bond funds from the City for Tennis Courts				
TOTAL SCHOOL CIP FUND 966			\$ 405,519	\$ 405,519

			REVENUES	EXPENDITURES
STATE OPERATED PROGRAMS FUND				
Federal Grant Funds	920391-43015-T1D00	\$	124,312	
Salaries	S1109991-51120-T1D00			\$ 94,812
Tutoring	S1109991-53569-T1D00			\$ 29,500
To appropriate additional federal grant funds for neglected and delinquent students.				
TOTAL STATE OPERATED PROGRAMS FUND 920			\$ 124,312	\$ 124,312

			REVENUES	EXPENDITURES
SCHOOL FOOD SERVICES 930				
CAFETERIA FUND				
ESSR2 Grant Award	930300-43999-ESSR2	\$	25,920	
Summer School Wages	H5109000-51193-ESSR2			\$ 24,000
Summer School FICA	H5109000-52010-ESSR2			\$ 1,920
Donations	930395-40580	\$	760	
Food Service Supplies	H5109081-56002			\$ 152
Food Service Supplies	H5109082-56002			\$ 152
Food Service Supplies	H5109083-56002			\$ 152
Food Service Supplies	H5109087-56002			\$ 152
Food Service Supplies	H5109088-56002			\$ 152
TOTAL SCHOOL FOOD SERVICES FUND 930			\$ 26,680	\$ 26,680

GRAND TOTAL BUDGET AMENDMENT NO. 5

\$ 4,290,227	\$ 4,290,227
---------------------	---------------------

NOTICE OF PUBLIC HEARING

TO THE CITIZENS OF THE CITY OF STAUNTON, VIRGINIA

TAKE NOTICE that on Thursday, May 13, 2021, at the regular meeting of City Council at 7:30 p.m., to be held in the Rita S. Wilson Chambers, First Floor, City Hall, 116 West Beverley Street, Staunton, Virginia, the City Council intends to amend the Fiscal Year 2021 budget and will consider the adoption of the following:

An Ordinance to amend the FY 2021 Budget Ordinance for the City of Staunton, by adding Budget Amendment Number 5

A brief synopsis of the proposed budget amendment is stated below:

Education Fund	\$3,733,716
Bond Fund	\$408,981
School CIP Fund	\$405,519
General Fund	\$195,346
School SOP Fund	\$124,312
Capital Improvements Fund	\$119,302
Blue Ridge Court Services	\$101,158
School Cafeteria Fund	\$26,680
Water Fund	\$15,793
Environmental Fund	(\$372)
Grants Fund	(\$1,330)
Total FY2021 Budget Amendment No. 5	\$5,129,104

The public hearing shall be open to the public. The City Council shall permit persons desiring to be heard an opportunity to present oral testimony within such reasonable time limits as shall be determined by the Mayor. Hearing impaired persons desiring to attend the public hearing should contact the Interim Clerk of Council at SmithMC@ci.staunton.va.us to request an interpreter.

Morgan C. Smith
Interim Clerk of Council

Please run this advertisement on Wednesday, May 5, 2021

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	Staff Member: John Glover
Item #	6	
Ordinance #		
Department:	Community Development	
Council Vision:	Built Environment Economic Development Resilience	
Subject:	Update on 2018 Virginia Dam Safety, Flood Prevention and Protection Assistance Grant—West Beverley Corridor	

Background: The flood study funded by the city's 2018 Virginia Dam Safety, Flood Prevention and Protection Assistance Grant has been completed. As Council was briefed on March 22, 2018, and again on June 13, 2019, a portion of the floodplain from 139 Park Boulevard to the intersection of West Beverley Street and Morris Mill Road is designated by the Federal Emergency Management Agency (FEMA) as Zone A. All other floodplain in the City is designated as Zone AE. In Zone A, the floodplain is mapped but no Base Flood Elevations (BFE) are given. This results in higher flood insurance premiums for property owners, makes it difficult to flood-proof structures, and generally creates challenges for property owners who desire to develop or re-develop their properties. An updated flood study would provide BFE's for this corridor, thus alleviating many of these issues. The boundaries of the flood zone would also likely be altered, based on improved information collected as a part of such a study. One result may be the removal of certain properties, or portions of properties, from the flood zone, and the addition of other properties, or portions of them, to the flood zone.

Staff identified the Virginia Dam Safety, Flood Prevention and Protection Assistance Grant program, a competitive program administered by the Virginia Resources Authority, in

cooperation with the Virginia Department of Conservation and Recreation, as a source of funding for this study. At its meeting on March 22, 2018, Council unanimously authorized an application for such a grant, with a required local match of 50%, not to exceed \$75,000.

The City was awarded the grant on August 1, 2018, and a contract to perform the study was awarded subsequently to The Timmons Group (Timmons). The project commenced in January of 2019, and staff approved the draft study on May 23, 2019. Staff met with the West End Alliance on March 12, 2019, to provide an update on the progress.

In the summer of 2019, as anticipated, Timmons submitted to FEMA a Letter of Map Revision (LOMR) request, with proposed adjustments to the floodplain based on the completed study. While the FEMA review process usually takes six to nine months, it was delayed due to the COVID-19 pandemic and was recently completed. Maps were updated as of March 30, 2021, with letters were sent to the affected property owners on April 20, 2021. The new mapping resulted in the removal of 35 properties from the floodplain and the addition of 16 new properties to the floodplain, with 119 properties now established as located in the floodplain in the study area. Property owners whose properties remain in the floodplain will now have better data to facilitate a possible Letter of Map Amendments (LOMA) to remove them from the flood plain; or, an Elevation Certificate (EC) that could reduce their flood insurance premiums.

The total cost of the project was \$129,430, and the City has been reimbursed \$64,715 through the grant. Attachment 1 is a graphic comparison between the current and previous floodplain in the study area. The full study is available upon request.

Attachment:

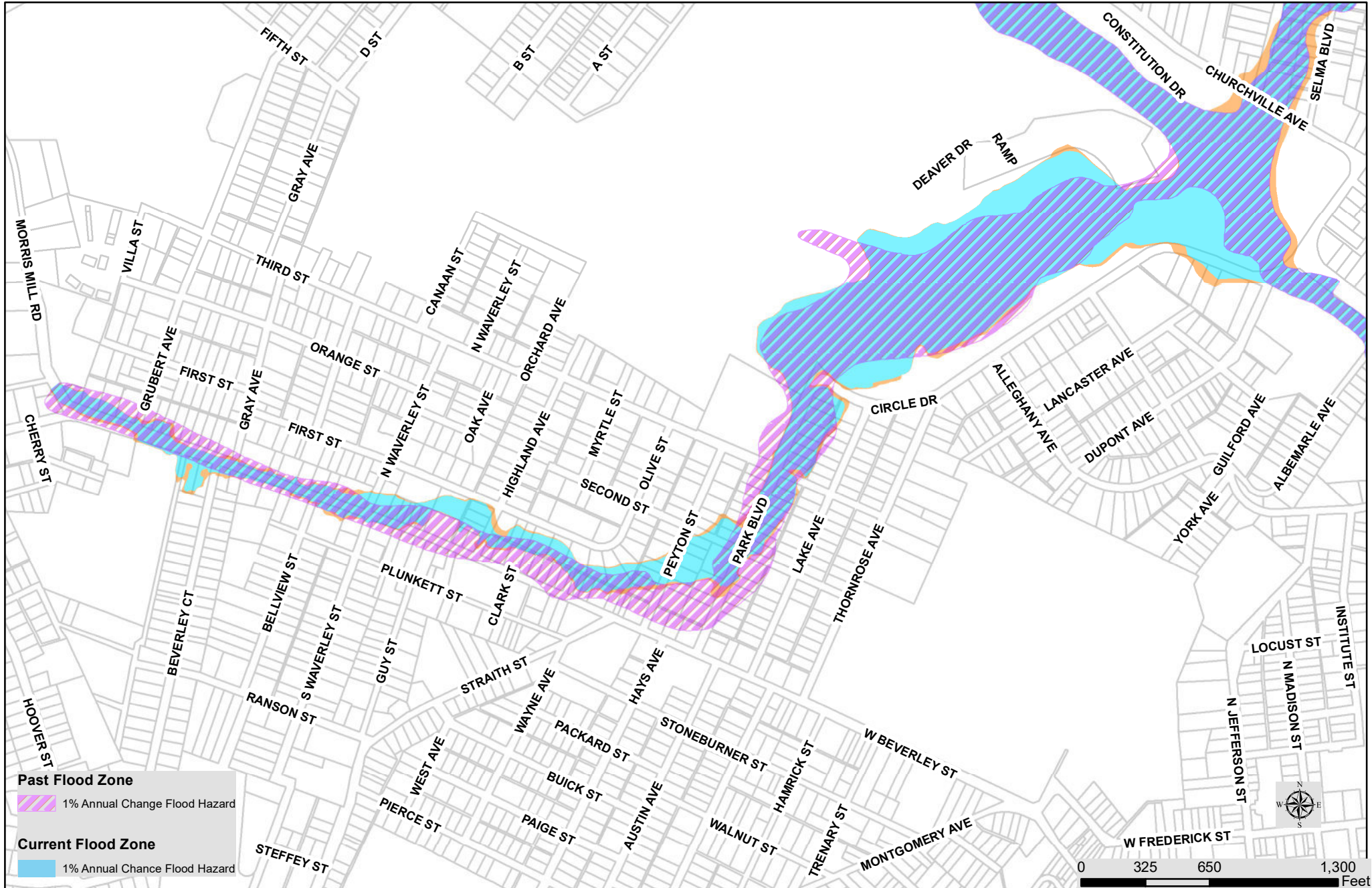
Flood Zone Comparison

City Manager's Recommendation: Not applicable.

Suggested Motion: Not Applicable.

City Manager: Steven L. Rosenberg

Flood Zone Comparison



CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	City Council _____ John Blair, II City Attorney
Item #	7	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Council Procedure Memorandum No. 3 Amendments	

Background: At its July 1, 2020 organizational meeting, the Staunton City Council reaffirmed and modified its Council Procedure Memoranda. The Council Procedure Memoranda are adopted pursuant to Section 11 of the Staunton City Charter.

Council Procedure Memoranda No. 3 establishes the Staunton City Council's Remote Participation Policy for City Council Meetings. The Virginia Freedom of Information Act (FOIA) requires the Council to adopt such a policy if it wishes to allow its members to remotely participate in meetings.

This policy permits Councilmembers to remotely participate in meetings for both personal reasons as well as for reasons related to a permanent or temporary disability or a medical condition. The current policy establishes a limit of two meetings per calendar year in which Councilmembers may remotely participate in meetings.

FOIA contains a distinction for remote meeting participation between personal matters and temporary or permanent disabilities or medical conditions. FOIA limits remote meeting participation for personal matters to two meetings per calendar year. It does not limit remote meeting participation for temporary or permanent disabilities or medical conditions.

Additionally, FOIA requires that all Councilmembers and members of the public are able to hear a Councilmember remotely participating in a meeting.

The City Attorney recommends the attached revisions to Council Procedure Memorandum 3 to

conform the Council's current Remote Participation Policy with the Freedom of Information Act.

Attachments:

Council Procedure Memorandum No. 3

Proposed Revisions to Council Procedure Memorandum No. 3

Virginia Code Section 2.2-3708.2

City Manager's Recommendation: As recommended by the City Attorney, adopt the proposed revisions to Council Procedure Memorandum No. 3 to conform the Council's current Remote Participation Policy with the Freedom of Information Act.

Suggested Motion: I move to amend Council Procedure Memorandum No. 3, as presented.

City Manager: Steven L. Rosenberg

COUNCIL PROCEDURE MEMORANDUM NO. 3

SUBJECT: Agendas for City Council Meetings; Council Member Remote Participation for City Council Meetings

Agendas:

Anyone wishing to appear before City Council at a regularly scheduled meeting shall contact the City Manager to determine whether or not the item shall be placed on the agenda. If the Clerk of Council is contacted for this purpose, the Clerk shall relay the inquiry to the City Manager. The Manager will review all requests before deciding which items will be placed on the agenda. Each person shall be informed of the opportunity to appear before Council during “Matters from the Public.”

At each work session, the first agenda item will be “Approval of Agendas” for both the work session and the regular session meetings of Council. The Mayor or other presiding officer will entertain a motion for Council to approve the proposed work session and regular session agendas, with or without modification as identified in the motion. The Clerk of Council will poll each Council member on such vote and, if necessary, successive votes will be taken until there is Council approval of both agendas. With a vote for approval of modification, Council may amend its regular session agenda at the beginning of the regular session, again with the Clerk of Council conducting an individual poll on the vote of each member of Council.

At each regular meeting of Council, the first agenda item will be an “Invocation/Moment of Silence.” Such an invocation or moment of silence will be on a rotating basis, with each Council member electing which to observe and whether to defer to the next Council member in the rotation. Any invocation will be directed to Council and may be offered consistent with applicable controlling law. Any moment of silence may be introduced by the Council member with reference to a remembrance or thought of current or historic events.

There will be an agenda for each and every Council meeting, including work sessions, and no matters which are not on the approved agendas will be discussed unless deemed an emergency. Notwithstanding any prior action of Council to the contrary, Council members may contact the City Manager with any items desired to be on the agenda, if necessary. The proposed agenda items cut-off time will be at noon on the Friday two weeks preceding the Thursday City Council meeting, and the proposed agendas and back-up materials will be transmitted to Council members by Friday afternoon prior to the meeting, absent special circumstances.

Agenda materials shall be compiled and delivered to the Clerk of Council by 12 noon on the Friday preceding the scheduled Council meeting for duplication and distribution, by whatever means as determined by Council (i.e., paper copies, electronically, etc.).

Member Remote Participation for City Council Meetings:

1. **Purpose and Applicability.** It is the policy of the City Council under this memorandum that individual members of the Council may participate remotely in Council meetings by electronic means as permitted by Virginia Code Section 2.2-3708.2, even in the absence of the Governor having declared a state of emergency, when there is a quorum physically assembled at one primary or central meeting location. For circumstances when the Governor has declared a state of emergency, such as has existed with COVID-19, the requirements of Virginia Code Section 2.2-3708.2(A)(3) must be satisfied. The purpose of this policy is to comply with the requirements of Section 2.2-3708.2 of the Code of Virginia to allow for and govern remote participation by one or more Council members in Council meetings by electronic communication means in general, outside of an extraordinary situation involving a Governor-declared state of emergency. All City Council proceedings pursuant to this policy shall be conducted in accordance with Virginia Code Section 2.2-3708.2 as that statute, a part of the Virginia Freedom of Information Act, may hereafter be amended. This policy shall apply to the entire City Council membership without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.
2. **Quorum and Setting Required.** The City Council may consider a member's individual request for remote participation by electronic communication means only if a quorum of the Council is physically assembled at one primary or central meeting location, and there is an arrangement for the voice of the remotely participating Council member to be heard by all persons at such primary or central meeting location.
3. **Notice and Permissible Reasons for Electronic Participation.** Council member participation remotely under this policy shall only be allowed if: on or before the day of the meeting, the Council member notifies the Mayor or other presiding officer that the member's inability to attend is due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance, or due to a personal matter and the Council member identifies with specificity the nature of the personal matter; the Council member has not exceeded the limitation of remote participation of two meetings each calendar year; and the remotely participating Council member identifies the remote location.
4. **Approval.** Individual participation from a remote location shall be approved unless such participation would violate this policy or applicable law. City Council shall vote whether to allow such participation and, if approved, the Council's meeting minutes shall reflect the following: the remote location from which the member participated, even though the remote location need not be open to the public; if the basis for the remote participation is disability or medical condition, the fact of such; and, if the basis for the remote participation is a personal matter, the specific nature of the personal matter. Upon adoption of a motion to approve the Council member's participation by electronic communication means, the Council member shall be allowed to fully participate in the meeting by electronic communication means.
5. **Disapproval.** If the City Council votes to disapprove the Council member's remote participation because such participation would violate this policy or applicable law, such

disapproval shall be recorded in the Council's minutes with specific reasons cited under this policy and/or under applicable law for the disapproval.

REAFFIRMED AS MODIFIED: July 1, 2020

COUNCIL PROCEDURE MEMORANDUM NO. 3

SUBJECT: Agendas; Council Member Remote Participation for City Council Meetings

Agendas:

Anyone wishing to appear before City Council at a regularly scheduled meeting shall contact the City Manager to determine whether or not the item shall be placed on the agenda. If the Clerk of Council is contacted for this purpose, the Clerk shall relay the inquiry to the City Manager. The Manager will review all requests before deciding which items will be placed on the agenda. Each person shall be informed of the opportunity to appear before Council during “Matters from the Public.”

At each work session meeting of Council, Council’s agenda will include as the first item an “Invocation/Moment of Silence.” Such an invocation or moment of silence will be on a rotating basis, with each Council member electing which to observe and whether to defer to the next Council member in the rotation. Any invocation will be directed to Council and be nonsectarian, non-proselytizing, non-advancing and make no direct or indirect reference to a specific deity. Any moment of silence may be introduced by the Council member with reference to a remembrance or thought of current or historic events.

Also, at each work session, the second agenda item will be “Approval of Agendas” for both the work session and the regular session meetings of Council. The Mayor or other presiding officer will entertain a motion for Council to approve the proposed work session and regular session agendas, with or without modification as identified in the motion. The Clerk of Council will poll each Council member on such vote and, if necessary, successive votes will be taken until there is Council approval of both agendas. With a vote for approval of modification, Council may amend its regular session agenda at the beginning of the regular session, again with the Clerk of Council conducting an individual poll on the vote of each member of Council.

There will be an agenda for each and every Council meeting, including work sessions, and no matters which are not on the approved agendas will be discussed unless deemed an emergency. Council members may contact the City Manager with any items desired to be on the agenda, if necessary. The proposed agenda items cut-off time will be at noon on the Friday two weeks preceding the Thursday City Council meeting, and the proposed agendas and back-up materials will be transmitted to Council members by Friday afternoon prior to the meeting, absent special circumstances.

Agenda materials shall be compiled and delivered to the Clerk of Council by 12 noon on the Friday preceding the scheduled Council meeting for duplication and distribution, by whatever means as determined by Council (i.e., paper copies, electronically, etc.).

Member Remote Participation for City Council Meetings:

1. **Purpose and Applicability.** It is the policy of the City Council under this memorandum that individual members of the Council may participate remotely in Council meetings by electronic means as permitted by Virginia Code Section 2.2-3708.2, even in the absence of the Governor having declared a state of emergency, when there is a quorum physically assembled at one primary or central meeting location. For circumstances when the Governor has declared a state of emergency, such as has existed with COVID-19, the requirements of Virginia Code Section 2.2-3708.2(A)(3) must be satisfied. The purpose of this policy is to comply with the requirements of Section 2.2-3708.2 of the Code of Virginia to allow for and govern remote participation by one or more Council members in Council meetings by electronic communication means in general, outside of an extraordinary situation involving a Governor-declared state of emergency. All City Council proceedings pursuant to this policy shall be conducted in accordance with Virginia Code Section 2.2-3708.2 as that statute, a part of the Virginia Freedom of Information Act, may hereafter be amended. This policy shall apply to the entire City Council membership without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.
2. **Quorum and Setting Required.** The City Council may consider a member's individual request for remote participation by electronic communication means only if a quorum of the Council is physically assembled at one primary or central meeting location, and there is an arrangement for the voice of the remotely participating Council member to be heard by all persons at such primary or central meeting location.
3. **Notice and Permissible Reasons for Electronic Participation.** Council member participation remotely under this policy shall only be allowed if, on or before the day of the meeting, the Council member notifies the Mayor or other presiding officer that the member's inability to attend is: due to a: temporary or permanent disability or other medical condition that prevents the member's physical attendance; or due to a personal matter and the Council member identifies with specificity the nature of the personal matter.; ~~the Council member has not exceeded the limitation of remote participation of two meetings each calendar year; and the remote Council member identifies the remote location.~~ A Council member may remotely participate in up to two meetings each calendar year due to personal matters. A Council member's remote participation due to a temporary or permanent disability or other medical condition shall not be subject to a meeting limitation per calendar year. The Council member requesting to remotely participate in the meeting must state the remote location from which they will participate.
4. **Approval.** Individual participation from a remote location shall be approved unless such participation would violate this policy or applicable law. City Council shall vote whether to allow such participation and, if approved, the Council's meeting minutes shall reflect the following: the remote location from which the member participated, even though the remote location need not be open to the public; if the basis for the remote participation is disability or medical condition, the fact of such; and, if the basis for the remote participation is a personal matter, the nature of the personal matter. Upon adoption of a motion to

approve the Council member's participation by electronic communication means, the Council member shall be allowed to fully participate in the meeting by electronic communication means. Before proceeding with the remainder of the Council meeting, the Mayor shall ask the Council member to state their name. The Mayor shall then ask the other Council members and members of the public in attendance if they can hear the remotely participating Council member. The meeting shall not proceed until the remotely participating Council member's voice can be heard by all Council members and members of the public physically assembled at the meeting location.

- 5. Disapproval.** If the City Council votes to disapprove the Council member's remote participation because such participation would violate this policy or applicable law, such disapproval shall be recorded in the Council's minutes with specific reasons cited under this policy and/or under applicable law for the disapproval.

§ 2.2-3708.2. Meetings held through electronic communication means

A. The following provisions apply to all public bodies:

1. Subject to the requirements of subsection C, all public bodies may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on or before the day of a meeting, a member of the public body holding the meeting notifies the chair of the public body that:

a. Such member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or

b. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subdivision is limited each calendar year to two meetings.

2. If participation by a member through electronic communication means is approved pursuant to subdivision 1, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved pursuant to subdivision 1 a, the public body shall also include in its minutes the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance. If participation is approved pursuant to subdivision 1 b, the public body shall also include in its minutes the specific nature of the personal matter cited by the member.

If a member's participation from a remote location pursuant to subdivision 1 b is disapproved because such participation would violate the policy adopted pursuant to subsection C, such disapproval shall be recorded in the minutes with specificity.

3. Any public body may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § ~~44-146.17~~, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency. The public body convening a meeting in accordance with this subdivision shall:

a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting;

b. Make arrangements for public access to such meeting; and

c. Otherwise comply with the provisions of this section.

The nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

B. The following provisions apply to regional public bodies:

1. Subject to the requirements in subsection C, regional public bodies may also conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on the day of a meeting, a member of a regional public body notifies the chair of the public body that such member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.
2. If participation by a member through electronic communication means is approved pursuant to this subsection, the public body holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public.

If a member's participation from a remote location is disapproved because such participation would violate the policy adopted pursuant to subsection C, such disapproval shall be recorded in the minutes with specificity.

C. Participation by a member of a public body in a meeting through electronic communication means pursuant to subdivisions A 1 and 2 and subsection B shall be authorized only if the following conditions are met:

1. The public body has adopted a written policy allowing for and governing participation of its members by electronic communication means, including an approval process for such participation, subject to the express limitations imposed by this section. Once adopted, the policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting;
2. A quorum of the public body is physically assembled at one primary or central meeting location; and
3. The public body makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

D. The following provisions apply to state public bodies:

1. Except as provided in subsection D of § [2.2-3707.01](#), state public bodies may also conduct any meeting wherein the public business is discussed or transacted through electronic communication means, provided that (i) a quorum of the public body is physically assembled at one primary or central meeting location, (ii) notice of the meeting has been given in accordance with subdivision 2, and (iii) members of the public are provided a substantially equivalent electronic communication means through which to witness the meeting. For the purposes of this subsection, "witness" means observe or listen.

If a state public body holds a meeting through electronic communication means pursuant to this subsection, it shall also hold at least one meeting annually where members in attendance at the meeting are physically assembled at one location and where no members participate by

electronic communication means.

2. Notice of any regular meeting held pursuant to this subsection shall be provided at least three working days in advance of the date scheduled for the meeting. Notice, reasonable under the circumstance, of special, emergency, or continued meetings held pursuant to this section shall be given contemporaneously with the notice provided to members of the public body conducting the meeting. For the purposes of this subsection, "continued meeting" means a meeting that is continued to address an emergency or to conclude the agenda of a meeting for which proper notice was given.

The notice shall include the date, time, place, and purpose for the meeting; shall identify the primary or central meeting location and any remote locations that are open to the public pursuant to subdivision 4; shall include notice as to the electronic communication means by which members of the public may witness the meeting; and shall include a telephone number that may be used to notify the primary or central meeting location of any interruption in the telephonic or video broadcast of the meeting. Any interruption in the telephonic or video broadcast of the meeting shall result in the suspension of action at the meeting until repairs are made and public access is restored.

3. A copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of a public body for a meeting shall be made available for public inspection at the same time such documents are furnished to the members of the public body conducting the meeting.

4. Public access to the remote locations from which additional members of the public body participate through electronic communication means shall be encouraged but not required. However, if three or more members are gathered at the same remote location, then such remote location shall be open to the public.

5. If access to remote locations is afforded, (i) all persons attending the meeting at any of the remote locations shall be afforded the same opportunity to address the public body as persons attending at the primary or central location and (ii) a copy of the proposed agenda and agenda packets and, unless exempt, all materials that will be distributed to members of the public body for the meeting shall be made available for inspection by members of the public attending the meeting at any of the remote locations at the time of the meeting.

6. The public body shall make available to the public at any meeting conducted in accordance with this subsection a public comment form prepared by the Virginia Freedom of Information Advisory Council in accordance with § 30-179.

7. Minutes of all meetings held by electronic communication means shall be recorded as required by § 2.2-3707. Votes taken during any meeting conducted through electronic communication means shall be recorded by name in roll-call fashion and included in the minutes. For emergency meetings held by electronic communication means, the nature of the emergency shall be stated in the minutes.

8. Any authorized state public body that meets by electronic communication means pursuant to this subsection shall make a written report of the following to the Virginia Freedom of Information Advisory Council by December 15 of each year:

a. The total number of meetings held that year in which there was participation through

electronic communication means;

b. The dates and purposes of each such meeting;

c. A copy of the agenda for each such meeting;

d. The primary or central meeting location of each such meeting;

e. The types of electronic communication means by which each meeting was held;

f. If possible, the number of members of the public who witnessed each meeting through electronic communication means;

g. The identity of the members of the public body recorded as present at each meeting, and whether each member was present at the primary or central meeting location or participated through electronic communication means;

h. The identity of any members of the public body who were recorded as absent at each meeting and any members who were recorded as absent at a meeting but who monitored the meeting through electronic communication means;

i. If members of the public were granted access to a remote location from which a member participated in a meeting through electronic communication means, the number of members of the public at each such remote location;

j. A summary of any public comment received about the process of conducting a meeting through electronic communication means; and

k. A written summary of the public body's experience conducting meetings through electronic communication means, including its logistical and technical experience.

E. Nothing in this section shall be construed to prohibit the use of interactive audio or video means to expand public participation.

2018, cc. [55](#), [56](#); 2019, c. [359](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	Councilmember Terry Holmes
Item #	8	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Remote Public Participation in Council Meetings	

Background: At the request of Councilmember Terry Holmes, this item has been added to Council's work session agenda for May 13, 2021, for discussion.

Council repealed its previously adopted and amended uncodified emergency ordinance on April 8, 2021. As of that date, public participation in public hearings and matters from the public during meetings of Council has been limited to in-person participation.

If Council desires to take action to reestablish remote public participation in Council meetings, an appropriate resolution or ordinance can be prepared and presented for Council's consideration at its meeting on May 27, 2021.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Steven L. Rosenberg

City Council
WORK SESSION
April 22, 2021
5:00 p.m.

Council Members Present: Mayor Oakes, Vice Mayor Robertson, Council Members Claffey, Darby, Holmes and Mead. Participating as a remote participant by Zoom platform was Council Member Dull.

Mayor Oakes called the meeting to order: Mayor Oakes called the meeting of Staunton City Council to order. Mayor Oakes noted that the meeting was being broadcast over the City's cable channel and streamed live on the City's website so that members of the public may hear the meeting. The meeting was also being recorded. Starting tonight, the public may also livestream video of City Council work sessions and regular meetings. Instructions for accessing the meetings can be found on the City's website at www.ci.staunton.va.us/council.

Mayor Oakes stated "On April 21, 2021, I received a request from Councilor Dull to participate remotely in the April 22, 2021 Staunton City Council meeting due to a temporary disability/medical condition that prevents her physical attendance at the meeting. I will now entertain a motion to allow Councilor Dull's remote participation in this meeting pursuant to Staunton City Council Procedural Memorandum Number Three."

Vice Mayor Robertson said "Pursuant to Staunton City Council Procedural Memorandum Number Three, I move to allow Councilor Dull to remotely participate in the April 22, 2021 Staunton City Council meeting due to a temporary disability/medical condition."

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

Mayor Oakes	aye	Mr. Holmes	absent
Vice Mayor Robertson	aye	Ms. Mead	aye
Mr. Claffey	aye		
Ms. Darby	aye		

Mayor Oakes asked Councilor Dull to state the location from which she was participating. Ms. Dull responded that she was at 1003 East Beverley Street, Staunton, Virginia. Mayor Oakes asked Council and the audience if they could hear Councilor Dull. The response was affirmative.

Mr. Holmes arrived at 5:03 p.m.

1. Consideration of Work Session and Regular Meeting Agendas

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

Mr. Claffey moved to approve the Work Session agenda and Regular Meeting agenda as presented.

The motion was seconded by Ms. Darby

Ms. Mead stated that she was disappointed that no council member who voted to repeal the uncodified ordinance would offer a motion to reconsider the repeal. A motion for reconsideration must be made by a councilor on the prevailing side of the vote.

The motion carried as follows:

Mayor Oakes	aye	Ms. Dull	aye
Ms. Mead	no	Mr. Claffey	aye
Mr. Holmes	aye	Ms. Darby	aye
Vice Mayor Robertson	aye		

Mayor Oakes requested citizens to wear a mask while in City Hall and Council Chambers and reminded everyone that there was hand sanitizer available at the entrance to the chambers.

2. Ordinance to Establish a Budget for Fiscal Year 2022, July 1, 2021—June 30, 2022

City Manager Steve Rosenberg stated that there were three decision points to review with Council. One was the Real Estate Tax Rate, second was clarity on the recycling program and finally was the timing and amount of the City employees' salary increase. Following Chief Finance Officer Phil Trayer's presentation, Mr. Trayer and Assistant City Manager Leslie Beauregard would pull together the materials for Council's action at the regular meeting.

Mr. Trayer stated that the proposed FY 2022 budget equals \$131.4M and is \$11.4M and \$17.1M above FY 2020 and FY 2021 respectively. When Council finished the work session last week, there was consensus on providing the schools an additional \$220,000. This was welcomed by the Schools.

Mr. Trayer stated the Council asked him to prepare information regarding proposed tax rates of \$0.95, \$0.93, and \$0.92 per \$100 of assessed value and that Council asked for more time to consider curbside versus centralized recycling.

Mr. Trayer reviewed some of the sections incorporated into the budget ordinance that Council would be voting on the in Regular meeting.

- 1) Section 1 quantifies the amount of the entire FY 2022 budget for City, Schools, and Proprietary Funds in the amount of \$131,353,978. This could change depending on Council's vote.
- 2) Section 2 provides for a 75% appropriation of the approved budget amount with subsequent appropriations to brought before Council no later than February 2022. This is being done to provide Council with flexibility to adjust spending as it see fit as the City continues to feel the effect of the pandemic.
- 3) Section 3 establishes the tax rate at \$XX per \$100 of assessed value.
- 4) Section 4 establishes the personal property and machinery and tools tax at \$2.90 and \$1.24 per \$100 of assessed value, respectively. These taxes remain unchanged.
- 5) Sections 5 and 6 provide for services charges to be levied on certain tax-exempt properties to include Mary Baldwin and the Potomac Conference Center for Police and Fire

protection. The rate equals \$0.19 per \$100 of assessed value and \$0.48 per \$100 of assessed value for faculty and staff housing of an educational institution.

6) Section 9 establishes the annual salary for council. This has not changed.

7) Section 10 provides flexibility for the City Manager to reallocate fund appropriations between lines during the course of the year or withhold expenditures deemed to be in the best interests of the City. Under this, Council will still retain the right to disburse funds as they deem appropriate.

8) Sections 11 and 12 states that any ordinance in conflict with this ordinance is repealed, to only the extent that such conflict exists. Finally, any part of this ordinance found to be invalid by a competent authority does not invalidate the remaining aspects of this ordinance

The 75% appropriation of the FY 2022 budget totals \$98.5M for City, Schools and Proprietary Funds. Supplemental appropriation recommendations will occur no later than February 15, 2022.

FY 2022 proposed budget as it was presented:

- Real Estate tax rate equals at \$0.93 per \$100 of assessed value
- Downtown Service District tax rate remains unchanged at \$0.15 per \$100 of assessed value
- Personal Property tax rate remains unchanged at \$2.90 per \$100 of assessed value
- Machinery and Tools tax rate remains unchanged at \$1.24 per \$100 of assessed value

Proprietary Funds

- Water rates are proposed to remain unchanged
- Sewer rates are proposed to remain unchanged
- Refuse rates are proposed to remain unchanged with centralized recycling, rates are proposed to increase 15% with curbside collection
- Stormwater fees are proposed to remain unchanged
- Parking fees are proposed to remain unchanged

School Board Adopted Budget (key points)

- The FY 2022 School Budget totals \$40,515,866
 - Has a proposed 5%-7% salary increase
 - Has 19 new positions
 - Has an upward adjustment of utilities

Summary

- At present, the total proposed **FY 2022 Budget = \$131,353,978**
 - Staff seeks Council's guidance on the tax rate and centralized recycling.
- The appropriation request will be at 75% of the approved budget or \$98,515,484
 - A 75% appropriation will allow funds to be available for contractual obligations, which often are paid in full at the beginning of the year.
 - Other line items will be funded through the first seven months of the fiscal year.
- Staff will return to Council in February for additional appropriation recommendations

- This assumes posted revenues are sufficient to meet budget requirements.

Mr. Trayer shared the three tax scenarios of \$0.95, \$0.93, and \$0.92 per \$100 of assessed value and centralized recycling and the three same tax scenarios with curbside pickup. The total budgets range from \$132.2M with a \$0.95 tax rate and curbside pickup to \$131.1M with a \$0.92 tax rate and centralized collection.

Mr. Trayer stated that the expenses at the Middle River Regional Jail have driven much of the increase in mandated costs the City has had to absorb since the last real estate assessment and these expenses have helped to drive the higher tax rates being considered. Staff learned that approximately 200 State inmates were transferred to State facilities. This means, in all probability, MRRJ can begin FY 2022 without having to pay for inmates to be housed in other regional jails. Because of this transfer, staff believes that the jail will pick up budget capacity. Additional budget capacity at the jail means savings can be used to offset potential CIP reserve repayments the localities will be responsible for over the next three years. Currently, the jail budget is balanced by using \$500,000 in CIP reserve monies and \$200,000 in technology reserves which will have to be paid back in the next three years unless there is a fund balance to offset the repayments. Staunton's share of this will equal \$140,000. Savings could also be used to cover a potential emergency generator replacement at the jail which does not appear on their capital plan or regular budget. This generator could run as high as \$600,000 if it needs to be replaced. Staunton's share will equal \$120,000. What all that means is, because of the inmate transfer, staff feels like the City can reduce the defensive provision budgeted in the MRRJ line to cover CIP liabilities. This will factor into the three scenarios.

\$0.95 Per \$100 of assessed value

- At \$0.95 per \$100 of assessed value there is an additional \$431,000 in revenue
- Juvenile Detention costs are reduced by \$211,000 and transfer \$220,000 to the Schools to meet them half way
- Transfer of an additional \$215,000 to Schools or 50% of the \$431,000 increase in revenues
- Salary increase adjusted to 3% with an effective date of July 1, 2021 which increases costs in the General Fund by \$368,000
- Additional adjustments to include a reduction of \$160,000 from the MRRJ line, also impacting the General Fund
- No negative contingency

\$0.93 per \$100 of assessed value

- At \$0.93 per \$100 of assessed value there is no additional revenue
- Juvenile Detention costs are reduced by \$211,000 and transfer \$220,000 to the Schools to meet them half way
- Salary increase adjusted to 3% with an effective date of October 1, 2021 which increases costs in the General Fund by \$230,000
- Additional adjustments to include a reduction of \$160,000 from the MRRJ line, also impacting the General Fund
- Negative contingency of \$79,000

\$0.92 per \$100 of assessed value

- At \$0.92 per \$100 of assessed value there is a loss of \$215,000 in revenue
- Juvenile Detention costs are reduced by \$211,000 and transfer \$220,000 to the Schools to meet them half way
- Salary increase adjusted to 3% with an effective date of January 1, 2022 which increases costs in the General Fund by \$92,000
- Additional adjustments to include a reduction of \$160,000 from the MRRJ line, also impacting the General Fund
- Negative contingency of \$156,000

Mr. Trayer assured Council that staff are in a position to manage the FY 2022 budget in any direction they choose.

Mayor Oakes asked if Council had any questions or comments.

Ms. Dull stated that she was in favor of the \$0.93 tax rate and that she would like to have Council consider the scenario of continuing curbside recycling for a year. Also, that in the next fiscal year, Council would ensure that the new Communications Manager would lead a communication plan to educate the citizens about what and how to recycle. Ms. Dull also suggested a survey asking what citizens thought the pros and cons were regarding recycling opportunities. She sees this as a way not lose momentum as the City has over a generation of curbside recycling. Many citizens look at curbside recycling as a community effort and a quality-of-life issue. She thinks Council should give it more study and thought over the next year and not to increase fees this year. She proposes a \$0.93 scenario and the negative contingency of \$141,000 to continue curbside recycling added to the existing negative contingency to make that a total of \$220,000.

Mr. Claffey asked Mr. Trayer if when Council was given the numbers at the previous budget work session that the City presented a negative contingency of over \$200,000. Mr. Trayer said that they were, but with the reduction of the MRRJ there was a \$160,000 difference. Mr. Claffey asked Mr. Trayer if, as he had told Council last week, that a \$215,000 negative contingency was doable. Mr. Trayer responded that the City could absorb that amount. Mr. Claffey stated that to him it looks like Council is being asked to push the salary adjustment to lower the contingency line and he does not want to. Ms. Dull clarified that the scenario is not backing out the salary adjustment, it is actually being increased from 2% and 3% and the original proposal had the salary in January, now it will start in October. Mr. Claffey said that he agreed but when he looks at the scenarios of \$0.93 versus the \$0.92, it looks like Council is being asked to change the salary change from October 1 to January 1. Mr. Rosenberg clarified that the budget as it was originally proposed provided for a 2% increase as of January 1. Staff became aware that employee compensation in the region was increasing and they questioned whether the City was in a position to make a more favorable adjustment to salary. Instead of making the increase 2% effective January 1, could the City make it 3% and accelerate it to an earlier date. Mr. Claffey asked if the tax rate was left at \$0.92 and could there be a larger negative contingency so that the raise could be in October. Mr. Trayer said he had not run that scenario. Mr. Rosenberg asked for clarification purposes, was Mr. Claffey saying as there was a comfort level previously with a negative contingency of up to \$215,000 and could that not be maintained with the same comfort level for allowing the City to do all of these things at the \$0.92 rate rather than at \$0.93. Mr. Claffey confirmed that is what he meant. He stated that why were staff previously comfortable with the \$215,000 but now the negative contingency has dropped and the raises get moved. Mr. Trayer said that with the \$0.92 tax rate and moving the salary increase to October 1, the negatively contingency would increase by \$138,000. It makes

226 funding a little tougher, but he thinks the City can manage it. Mr. Claffey asked if staff had heard
227 anything about the American Rescue Plan and if the City is getting any money from that would
228 help with this budget. Mr. Trayer said that there may be some opportunities to replace some lost
229 revenue, but he does not have definitive language or the amount yet. As soon as the staff knows
230 the amount and the language is finalized, they are going to meet with the auditors and strategize
231 to make sure that the City is in compliance with the expenditures. Mr. Claffey asked when the City
232 would know. Mr. Trayer responded he is hoping for May.

233
234 Mr. Holmes stated he would prefer the raises start in July. And he does not want the rate cut to
235 \$0.92. Mr. Claffey said the difference between the \$0.95 and \$0.92 rate is about \$650. He sees this
236 as a \$650 savings to homeowners. Mr. Holmes said that he thinks a lot of people would be willing
237 to pay more in taxes if they knew it was going for schools and it was going to City services, because
238 it is not a huge amount. It sounds significant at 10%, but it is not that much over a year's period of
239 time. He stated he could see \$0.93, but he would much rather it be \$0.94 or \$0.95. Vice Mayor
240 Robertson stated that he had asked Mr. Trayer if Council chooses the \$0.92 tax rate will it affect
241 any services that the City provides. The answer was no. Vice Mayor Robertson stated that no
242 matter what the Council decided the bottom line was the money is the citizen's money. He stated
243 that he will be voting for the \$0.92. He wants to make sure to give the citizens a little extra money
244 in their pocket. He discussed how there are many people who come through the pharmacy who are
245 unable to even afford \$1 for their prescriptions.

246
247 Ms. Mead stated that she had asked City Assessor Charley Haney to provide the breakdown of
248 properties in the City. There are roughly 5,600 properties in the City that range in assessment of
249 \$100,000 to \$250,000. For those homeowners, the difference between \$0.92 and \$0.95 is less than
250 \$4 a month. She stated that she was not saying that is not insignificant when you cannot afford a
251 prescription. She also wanted to point out that a penny, or \$200,000, is what Council voted on to
252 pay for golf carts. There are fewer than 100 properties in Staunton with an average value of about
253 \$657,000. For those homeowners, the difference between \$0.92 and \$0.95 is about \$17. That is
254 not insignificant, but these are property owners with homes that have an average value of \$657,000.
255 In order not to increase taxes, the tax rate has to be set at \$0.88. The matter becomes whether
256 Council decides to increase by four, five, six or seven cents. The folks who have \$650,000 homes
257 can afford \$17 a month and that is less than what it costs to play a round of golf. Ms. Mead this
258 that a \$0.93 tax rate is a fair rate. It provides raises for City employees at a time when localities all
259 over the Commonwealth are increasing salaries by 3%. In the long run, if the City does not provide
260 a 3% increase, the City is just not competitive and the best people, the people the City has trained
261 for two or three years, are going to look for jobs elsewhere.

262
263 Mr. Holmes stated that people are going to complain about snow not being removed from the
264 streets or the pothole not filled on their street, etc. He stated that Council needs to do things to help
265 recruit people to work for the City and to keep the people that are here. He does not think the raises
266 should be postponed.

267
268 Vice Mayor Robertson reiterated that he spoke to Mr. Trayer and was told that no services would
269 be affected. In regards to golf carts, Director of Parks and Recreation Chris Tuttle had said as far
270 back as 2013 and earlier he had been asking to replace at least two golf carts a year. The answer
271 was always no, not this year. It got to the point that the golf carts were not functional and the
272 course might as well shut down. Vice Mayor Robertson stated that no matter what tax rate Council
273 decided on, it is an increase. If Council keeps going up with the rate, more and more people are

headed a few miles out of the City because they can go to Augusta County and pay \$0.63. He stated that Council is trying to make the tax a little better so that more people do not move.

Mr. Claffey stated that one of the things he stated in his campaign was that he wanted to keep tax rates competitive. The City of Staunton is charging significantly more than Augusta County. He is pleased with this budget presentation because it gave the schools more money than ever. And the budget maintains the services according to Mr. Trayer. He liked the fact that the budget did not raise the fees on every little item. But Council should not lose sight of the fact that their constituents are going to be paying significantly more money next year because assessments went up an average of 10.4%.

Ms. Mead stated that with respect to services she thinks eliminating curbside recycling is an impact on services and the City is not able to fund a \$135,000 snow plow. She reiterated that the 5,600 properties that range in value from \$100,000 to \$250,000 will see about a \$60 increase in annual taxes. That is about \$5 a month at the \$0.92 level and the incremental increase to \$0.93 is not a lot of money. There are folks who own multiple properties and are landlords and may choose to increase rents by 10% because property values went up. And that might make renting an apartment more expensive. She is sensitive to that too, but this is not a huge number for most households.

Mayor Oakes asked Mr. Trayer that when he talked about a negative contingency, is it used as a tool or a device that can be made up through services. Mr. Trayer said that the idea is that staff does not have to go in and pinpoint individual departments for cuts at this time. Some savings are going to naturally occur during the year. \$300,000 is a high level, but the City should be able to manage and get through that. Mayor Oakes stated that with the American Rescue Plan, the City is hoping to get between \$11M to \$13M. Mr. Trayer said he has heard between \$8M and \$13M. The numbers will depend on whether Staunton is counted as a City and a county, but that it is certainly significant money. Staff know that there will be initial provisions that will allow replenishment of revenue, whether or not that is overall revenue or specific line items. Staff do think there will be opportunities there. Mayor Oakes said that at the \$0.92 tax rate, the City will be offering a 3% raise for the employees on October 1. Mr. Trayer concurred. Mayor Oakes asked if Mr. Trayer could advise how the Gypsy Hill Golf Course was doing during the pandemic and if Mr. Trayer had any observations of how it will continue to do in the future. Mr. Trayer said that since the City started focusing attention to the course, over the last two years the level of play has picked up significantly. He did not have the recent data on hand, but it does seem to be showing a positive trend. Whether or not that will be sustainable post-pandemic, he was not comfortable in saying. Mayor Oakes asked Mr. Rosenberg if he had received complaints from this past winter with snow removal. Mr. Rosenberg answered the question by saying that every time there is inclement weather, the City receives complaints about snow removal. They were no more common this past winter as they have been in prior winters.

Ms. Mead asked if the carts were that bad, how are the rounds played up so much. She stated that a compromise might be to delay ordering half of the golf carts until such time as the golf course demonstrates that it can continue to attract new players and that they have been successful in their efforts to bring young people to the golf course. Spend \$100,000 golf carts and hold \$100,000 as sort of a contingency. Mr. Claffey stated that currently the course has 23 carts that function. Last Saturday all carts were being utilized on the course by 9:30 a.m. When the course only has that many carts, they go out in about eight groups. New golfers will need to wait until the carts get turned back in between 12 noon and 2 p.m. to play. The big fundraiser for a course is tournaments. When there is a tournament, there are 100 golfers coming out at one time. They do a start where

everyone goes to a different hole. Four players on every hole at all 18 holes and usually about 20 groups are out on the course. That is a significant amount of revenue in a four-hour time period. And then at 2 p.m. the course opens up for public play. Mr. Claffey said the course is going to approximate 10,000 rounds in this year, which is the most rounds ever played in Gypsy Hill Park Golf Course in Golf Pro Wes Allred's memory. Mr. Claffey stated that yesterday they had the First Tee Program with 14 kids playing. Tom Tattersall, Wes Allred, Nate Hildebrand and Mr. Claffey were training children, ages five to 14, who had never played golf before.

Mr. Holmes clarified that the presented budget is not the largest budget that the City has ever given the School system. He stated that Council strives every time to give them equal share of tax revenues. He reiterated that he wanted to see the employees to get a raise because the City is going to lose employees. And that he does not want a \$300,000 negative contingency line.

Ms. Dull stated that if Council did not want to raise taxes, why was no one advocating for \$0.88. Anything above that was a tax increase. Vice Mayor Robertson stated that the answer was Council was trying to give City employees raises and they are trying to come to a compromise because originally staff was saying January 1 and they are trying to bring it back to October. And he reiterated that he talked to Mr. Trayer and they were making sure that all services were going to stay. As for the recycling program, City staff said they wanted to try, so he is willing to give the program a try. He stated that the City has met the Schools halfway and they are going with a rate that will let all programs go ahead and go forth.

Mayor Oakes asked Council if they were ready to give their decision. Ms. Dull stated that she was not. She wanted to clarify that no matter what it is a tax increase. She stated that the \$0.93 rate would allow the City to continue curbside recycling, which 100% of the citizens she spoke with wanted to keep. She believes the changes to the program have been done too quickly. The citizens were not educated in how to recycle. She stated that she thinks that at \$0.92, there will not be enough funds to have half of the Public Works positions filled. There are at least six or eight vacancies in Public Works. And services will be affected, because the City will not be able to hire anyone. There is no cushion in that department, they cannot make adjustments. She stated that clearly the City is not paying enough money or the City would be able to fill those positions.

Mayor Oakes stated that it was time to come to a consensus to give Mr. Rosenberg direction. Ms. Dull stated that if no one else was interested in keeping the curbside program, she was in support of \$0.88. Ms. Darby stated that she was in support of the \$0.92 real estate tax rate because it meant the City was working with the Schools to cover half of their gap, it allows for a salary increase and she thinks that is important. She also feels like no core services, based on conversations she had with Mr. Trayer, will be affected. Mr. Holmes said that he would prefer that it be \$0.95, but he will be for the \$0.93. He is totally against \$0.92 because he thinks Council will be tying Mr. Trayer's hands and that if there is another flood or some kind of catastrophe, there will be no funds to be able to deal with them without really cutting services somewhere else. Vice Mayor Robertson said he was supportive of the \$0.92 tax rate and the recycling program. Mr. Claffey said that he wanted to try the new recycling program and when that happens the City is going to free up some employees in Public Works. They are going to have to man the recycling center but they are not going to be driving up and down the streets every day. He also thinks it is worth a try because it will put Staunton back in the plastics business. He thinks that if the City goes into the next year knowing they have to be cost conscious they will find the savings. He trusts that the City will not have to cut any services. Ms. Mead stated that she would like the tax rate at \$0.93 and would like to see the salary increase July 1. Mayor Oakes stated that she would like to see the tax rate at \$0.92

and to try the pilot program for recycling. She is excited about the fact that the City will be receiving anywhere between \$8M and \$13M through the American Rescue Plan. She is glad to see that the City and the Schools have a cooperative relationship and she is hopeful that the Schools will be seeing the \$5.8 million in American Rescue Plan funds soon. She believes that the 3% salary increase starting October 1 is fair and will keep Staunton competitive. She feels confident that no services will be cut per the recommendation of Mr. Trayer and that the negative contingency will be made up through savings and potentially through the American Rescue Plan.

Mr. Holmes asked Mr. Trayer how much had to be cut out of the budget before it got to Council and where did those cuts come from. Mr. Trayer responded that it was \$3.2 million and that it came from all over. Approximately \$472,000 in wages; \$300,000 plus from the Police; \$43,000 from the Fire Department, but they also contributed \$180,000 with personnel reductions. Schools were reduced \$200,000; the Debt Sinking Fund was reduced to about \$400,000. The City has enough to get through this year, but any future projects will need to incorporate a general fund transfer. Also, the Jail request was reduced \$800,000. Mr. Claffey clarified that these were not budget cuts, they were budget requests. In 2019 the budget was \$113.9M. The FY 2022 budget is about \$130M. The City is not cutting, they are paying more for services. Mr. Claffey stated that this is the highest budget that the City has ever passed. Mr. Trayer confirmed that it was, but pointed out that the mandated costs have significantly increased and that \$6.9M of the budget can be attributed to the Gardner Springs Water project.

Mr. Rosenberg confirmed that Mr. Trayer and Ms. Beauregard were going to prepare an ordinance for the regular meeting with the \$0.92 tax rate, a central recycling location, the discontinuation of curbside recycling, and a 3% salary increase for City employees effective October 1 and increasing the negative contingency line to approximately \$300,000.

Mayor Oakes stated that the tax rate will go from the advertised rate of \$0.95 to \$0.92 with an understanding that this is still a tax increase for citizens, because \$0.88 would be level funding. However, in comparison to the assessments the hope is to ease the burden of the tax increase.

Council members did not have any further questions.

3. Update on the Staunton Crossing Economic Development Business Plan

Director of Community and Economic Development Billy Vaughn stated that he wanted to focus on the demolition at Staunton Crossing and presented drone flyover videos of the site to demonstrate what buildings were originally there and how many had been demolished. He stated that the developer had 12 months to complete the project of 19 buildings. As of this meeting he had demolished six of them.

Demolishing the buildings consists of removal of hazardous materials, salvaging what materials could be salvaged for sale or recycling and the removal of the leftover building materials. The rubble will be taken off site or incorporated into the foundations of any new buildings.

Mayor Oakes asked if Council had any questions or comments.

Ms. Mead asked Mr. Vaughn what was the projection of revenues that the property will generate, including the existing businesses and will that figure include the Chipotle, Jersey Mike's and the third business that is coming in. Mr. Vaughn replied that the revenue projection was developed in

2016 and it was for the first phase of Staunton Crossing and at the time it was for two hotels, a gas station with convenience store and a grocery store. Possibly one or two fast food operations. He did not recall the annual dollar amount, but that it would probably build out to about \$1 million a year. Ms. Mead stated that she thought it was closer to \$1.2 million and asked Mr. Vaughn what the debt service was on the property. Mr. Vaughn answered that it was \$1.2 million. Ms. Mead stated that means they were approaching a break even, at least from a cash flow perspective. Mr. Vaughn agreed, but stated that is only on the front 25 acres. Mr. Claffey stated that the lodging taxes coming in have dropped dramatically since COVID, almost down over 50%, so the location is not getting anywhere near the revenue that was forecasted five years ago. Mr. Vaughn stated that Staunton Crossing was probably exceeding the projections from 2016 prior to the pandemic and that they will continue to exceed projections once the pandemic has passed.

Council members did not have any further questions.

4. Municipal Elections in November

Mr. Rosenberg stated that this item was on the agenda at the request of Council Member Mead and that City Attorney John Blair would present the item.

Mr. Blair gave a brief overview of Virginia Senate Bill 1157 which overrides all City charters and overrides the certain provisions in the Code of Virginia that allowed for cities and towns to hold their council elections in May. Staunton has held its elections in May, pursuant to both the City Charter and the State Code provisions. This legislation requires, beginning with elections starting in January 1, 2022 that all city and town elections be moved to November. It also requires the adoption of an ordinance by the local governing body to that effect. He pointed out that the School Board is tied to the same election. What this means is that everyone on Council and the School Board will have an additional six months added to their terms. Terms expiring on June 30 are extended through December 31.

Ms. Mead asked Mr. Blair to speak to the couple of localities in Virginia that have moved quickly to bring their elections to November 2021. Mr. Blair said that he was aware that Fredericksburg and Galax had moved their elections and that Chesapeake considered that matter and defeated it on a five to four vote. He pointed out that the deadline to be on the November ballot in Virginia is June 8. The earliest that Council could adopt an ordinance would be on May 13. That would give people interesting in running 26 days to collect 125 signatures for their petitions.

Ms. Mead asked if there was another issue related to the election of a mayor by Council versus the election of mayor by the citizens. Mr. Blair pointed out that the legislation did not consider the election of a mayor by Council, only by popular vote. He hopes to ask for an opinion of the Attorney General that will clarify that based on the State Code and this legislation that Mayor Oakes' term as mayor would be extended through December 31, 2022. Anyone up for reelection in November could not legally offer themselves as a candidate for Mayor in July 2022 because they do not positively know that they would be meeting the eligibility requirements to meet a two-year term. The same goes for those up for reelection in 2024.

Mayor Oakes asked if Council had any questions or comments.

Council members did not have any questions.

5. **Closed Meeting for Discussion of Prospective Candidates for the Position of Clerk of Council**

Vice Mayor Robertson moved that Council enter a closed meeting for the discussion of prospective candidates for appointment to the position of clerk of council, pursuant to Virginia Code Section 2.2-3711(A)(1).

The motion was seconded by Ms. Darby and passed as follows:

Mr. Claffey	aye	Vice Mayor Robertson	aye
Ms. Dull	aye	Ms. Mead	aye
Ms. Darby	aye	Mr. Holmes	aye
Mayor Oakes	aye		

Vice Mayor Robertson 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 Mr. Holmes and passed as follows:

Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye		

The work session adjourned at 7:01 p.m.

Morgan C. Smith
Interim Clerk of Council

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, April 22, 2021
7:30 p.m.
Rita S. Wilson Council Chambers

PRESENT: **Mayor Andrea Oakes**
 Mark Robertson, Vice Mayor
 Stephen W. Claffey
 Amy G. Darby
 Carolyn W. Dull
 R. Terry Holmes
 Brenda O. Mead

ALSO PRESENT: **Steven Rosenberg, City Manager**
 Leslie Beauregard, Assistant City Manager
 John Blair, City Attorney
 Morgan C. Smith, Interim Clerk of Council

Mayor Oakes called the meeting to order: Mayor Oakes called this meeting of Staunton City Council to order. Mayor Oakes noted that this meeting is being broadcast over the City's cable channel and streamed live on the City's website so that members of the public may hear the meeting. The meeting is also being recorded. Starting tonight, the public may also livestream video of City Council work sessions and regular meetings. Instructions for accessing the meetings can be found on the city's website at www.ci.staunton.va.us/council.

Mayor Oakes then asked that everyone wear a mask while in City Hall and Council Chambers. She reminded the public that there were hand sanitizing stations in the hall, sanitizing wipes at the podium and that everyone should remember to socially distance. She reminded those in attendance that if they were unable to find a designated seat in Council Chambers that there was audio in the hallway, so they could find a seat out there.

The Pledge of Allegiance was recited in unison.

The invocation/moment of silence was given by Mr. Holmes

MAYOR'S REPORT

Mayor Oakes read the following proclamation naming April 30, 2021 Arbor Day:

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water,

48 cut heating and cooling costs, moderate the temperature, clean the air,
49 produce oxygen and provide habitat for wildlife; and
50 **WHEREAS,** trees are a renewable resource giving us paper, wood for our homes, fuel
51 for our fires and countless other wood products; and
52 **WHEREAS,** trees in our city increase property values, enhance the economic vitality
53 of business areas, and beautify our community; and
54 **WHEREAS,** trees, wherever they are planted, are a source of joy and spiritual renewal;
55 and
56 **WHEREAS,** the City of Staunton is being honored this year for the 25th time as a “Tree
57 City USA” by the Arbor Day Foundation.
58

59 **NOW, THEREFORE, BE IT PROCLAIMED,** by Staunton City Council, that April 30, 2021,
60 is hereby designated as

61 **Arbor Day**

62
63 in the City of Staunton, and Council urges the residents of Staunton, the region and communities
64 across the country to celebrate Arbor Day, to support efforts to protect our trees and woodlands
65 and to plant trees to gladden the heart and promote the well-being of this and future generations.
66

67 Adopted this 22nd day of April, 2021.
68

69 /s/Andrea W. Oakes

70 **ANDREA W. OAKES, MAYOR**

71
72 ATTEST: /s/Morgan C. Smith

73 **INTERIM CLERK OF COUNCIL**
74

75 Matt Sensabaugh, Horticulturist for the City of Staunton, was in attendance to accept the
76 proclamation. He stated that he and his staff have been busy over the course of the last year with
77 tree related projects. The team just completed two grant projects funded by the Virginia
78 Department of Forestry and they were able to come in under budget. With both projects, the Clean
79 Water Grant and the Ash Replacement Grant, they were able to plant more trees than had been
80 budgeted for. He also shared that there is now a Gypsy Hill Park tree tour available on the Traipse
81 app. There are 30 stops on the tour which is a mix of details on new trees, old trees and some of
82 the park history from its origins in 1889 up to the recent Derecho a few years ago. Finally, Mr.
83 Sensabaugh commended Shenandoah Green for the legacy tree planting project that is happening
84 all over the City. They did plantings in a fall and are working on spring plantings now.
85

86 Mayor Oakes read the following proclamation naming May 2021 Bike Month:
87

88 **WHEREAS,** bicycling has been an important part of the lives of many Americans for
89 more than a century, and today City of Staunton residents of all ages engage
90 in bicycling for transportation, recreation, fitness, and fun; and

91 **WHEREAS,** bicycling offers independent mobility for Stauntonians traveling between
92 work, school, and home, and, when used as means of transportation,

93 benefits all residents of Staunton by easing traffic congestion, reducing air
94 pollution, and saving highway construction dollars; and

95 **WHEREAS,** bicycling is recognized as an activity that can reduce the onset of chronic
96 disease and reduce childhood obesity, and its consideration in transportation
97 and land use planning will help create a healthier and more active
98 community in Staunton; and

99 **WHEREAS,** bicycling offers a unique perspective from which residents and visitors may
100 discover Staunton's natural beauty, history, and culture; and

101 **WHEREAS,** Bike Month provides an opportunity to increase public awareness of the
102 many benefits of bicycling, to promote bicyclist safety, and to encourage
103 bicycling;

104 **NOW, THEREFORE, BE IT PROCLAIMED** by Staunton City Council that May 2021, is
105 hereby designated as

106 **Bike Month**

107 in the City of Staunton, and Council recognizes, with great appreciation, the efforts of the Staunton
108 Bicycle and Pedestrian Advisory Committee to foster a more bicycle and pedestrian friendly
109 community.

110 Adopted this 22nd day of April, 2021.

111 /s/Andrea W. Oakes
112 **ANDREA W. OAKES, MAYOR**

113
114 ATTEST: /s/Morgan C. Smith
115 **INTERIM CLERK OF COUNCIL**

116
117 City of Staunton Police Captain Brian Brown, Vice-Chair of the Bicycle and Pedestrian Advisory
118 Committee, was in attendance to accept the proclamation. He thanked Council for their continued
119 support for the improvements in the City's bicycle and pedestrian area. Capt. Brown stated that
120 one of the projects that will soon come to fruition is the improvements to Gypsy Hill Park regarding
121 signage and road markings to help with congestion and understanding of the right-of-way and
122 helping with pedestrian and bicycle safety in the park.

123
124 Mayor Oakes recognized School Board member Ron Ramsey to give an announcement. Mr.
125 Ramsey stated the Children's Advocacy Center's Save Jane event that was to be held on Saturday,
126 April 24 was being moved to Sunday, April 25 at the same time and location because of a more
127 than 90% chance of rain on Saturday.

128
129 Mayor Oakes provided an update from the Mayors and Chairs Committee regarding the Middle
130 River Regional Jail. The leadership of the five localities favor moving forward with the proposed
131 general renovations, support services and maintenance warehouse needs. These upgrades are
132 simply renovations and will not be adding any beds. The committee is also interested in
133 collectively hiring a consultant to structure a resolution for the jurisdictions to pass to insist that

the Department of Corrections an agreement that DOC inmates will not be housed at regional facilities for more than 60 days. The committee would also like to establish an alternative commission to research, develop and advocate for criminal justice reform.

Mayor Oakes wanted to let citizens know that although the uncodified emergency ordinance has been removed, the Council plans on having discussions concerning Council's procedure memorandums and during this discussion they will talk about the ability for citizens to call in.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Vice Mayor Robertson, on behalf of Augusta Health, stated that as of Monday 48,000 vaccinations have been administered. That figure includes first and second doses. Augusta Health, as well as the nation, is beginning to see a decline in vaccinations. Vice Mayor Robertson wanted to encourage everyone to consider getting the COVID-19 vaccination. The process is an easy one and there are flyers in City Hall that give information on how to set up an appointment. Citizens can also visit <http://vaccinate.augustahealth.com> or call 540.332.5122 to schedule. He reiterated that even though someone may have had COVID-19, they should still get a vaccine. The illness does not provide the same type of antibodies.

APPROVAL OF MINUTES

Mr. Holmes moved to approve the Work Session and Regular Meeting Minutes of April 8, 2021 as presented.

The motion was seconded by Vice Mayor Robertson and carried as follows:

Mayor Oakes	aye	Mr. Holmes	aye
Ms. Mead	aye	Ms. Darby	aye
Mr. Claffey	aye	Ms. Dull	aye
Vice Mayor Robertson	aye		

Mr. Holmes moved to approve the Budget Work Session Minutes of April 15, 2021 as presented.

The motion was seconded by Vice Mayor Robertson and carried as follows:

Ms. Darby	aye	Mr. Holmes	aye
Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Dull	aye
Ms. Mead	aye		

REGULAR MEETING

A. Ordinance to Establish a Budget for Fiscal Year 2022, July 1, 2021—June 30, 2022

Phil Trayer, Chief Finance Officer, stated the FY 2022 ordinance totals \$131,176,865.

181	General Fund	\$61,753,974
182	Debt Service	\$5,683,314
183	CIP Fund	\$981,050
184	Blue Ridge Court Services	\$1,229,541
185	Water Fund	\$11,615,097
186	Sewer Fund	\$3,960,677
187	Parking Fund	\$513,675
188	Stormwater Fund	\$1,658,244
189	Environmental Fund	\$3,265,427
190	Education Fund	\$35,253,498
191	Cafeteria Fund	\$1,696,314
192	Textbook Fund	\$276,735
193	School CIP	\$100,000
194	School State Operated Program	\$3,189,319

195
196 Section One of the ordinance quantifies a budget of \$131,176,865 for FY 2022, which begins on
197 July 1, 2021 and ends on June 30, 2022. Section Two appropriates 75% of the approved budget.
198 The budget remains at \$131.2 million, but the initial appropriation request will equal \$98,382,649.
199 Staff plan to come back to Council no later than February 2022 for recommendation on the final
200 appropriation. Section Three establishes a Real Estate Tax Rate of \$0.92 cents per \$100 of assessed
201 value and downtown service tax of \$0.15 per \$100 of assessed value. Section Four establishes
202 Property Tax at \$2.90 per \$100 of assessed value and Business and Machinery at \$1.24 per \$100
203 of assessed value. Both taxes remain unchanged from current level. Section Five states that the
204 annual salary for each Council member will remain at the current level.

205
206 This ordinance was first introduced on March 24, 2021 and a properly advertised public hearing
207 was held on April 8, 2021. Budget work sessions were held on April 1, April 8, April 15 and April
208 22. This ordinance does include a 3% raise for employees with an effective date of October 1,
209 2021. The City Manager recommends approval of this ordinance as presented.

210
211 Mayor Oakes asked Council members if they had any questions.

212
213 Council members did not have any questions.

214
215 Vice Mayor Robertson moved to adopt an ordinance establishing and approving a budget for the
216 City of Staunton for fiscal year 2022, funds totaling \$131,176,865 and an appropriation of 75%
217 percent of the approved budget, or \$98,382,649, including an appropriation of a General Fund
218 Transfer to the Education Fund totaling \$10,219,688, and fixing other tax rates and fees as
219 proposed, advertised and considered for public hearing, except for the real estate tax rate which
220 shall be set at \$0.92 per \$100 assessed value.

221
222 The motion was seconded by Mr. Claffey.

223
224 Ms. Dull stated she had hoped that Council would have considered the \$0.93 tax rate so that not
225 only would the employees have a 3% salary increase, but that the City could consider keeping
226 curbside recycling and start the pilot project of centralized recycling as well. She reiterated that
227 curbside recycling is a quality-of-life issue as well as helping people reduce, reuse and recycle.

She is disappointed that other Council members did not want to test the new program along with the curbside recycling. She also pointed out that to have no increase in taxes, the tax rate should be set at \$0.88. Vice Mayor Robertson said that if Council had chosen to have level funding, the City would have to end trash pickup and more. The budget chosen will allow the City to keep performing all the services it set out to do, with exception of trying the pilot recycling program, and that the City could move the employee salary increase from January 1, 2022 to October 1, 2021.

The motion carried as follows:

Ms. Mead	No	Ms. Darby	aye
Mr. Holmes	No	Mayor Oakes	aye
Mr. Claffey	aye	Vice Mayor Robertson	aye
Ms. Dull	No		

(SEE ATTACHMENT A – BUDGET ORDINANCE 2021-12)

B. Blue Ridge Community College Annual Presentation

Dr. John Downey, President of Blue Ridge Community College, thanked Council and the City of Staunton for their support. He stated that BRCC has a strong relationship with Staunton City Schools, and he appreciates the work of Director of Economic and Community Development Billy Vaughn and Economic Development Specialist Amanda DiMeo. Dr. Downey serves with Mr. Vaughn and Ms. DiMeo on the Shenandoah Valley Partnership for Economic Development board. He also wanted to thank Ron Ramsey for being a valued member of the BRCC Board.

Dr. Downey stated that it has been a challenging year for BRCC, but employees have been resilient and resourceful and students have been incredible. He looks forward to when they can all be together on campus again, and they are hoping that can happen for fall semester 2021. He stated that the college has been operating classes primarily online, with about 15% of career-orientated instruction still in person.

Dr. Downey said that financially the college would have been very hard hit because of the significant decline in enrollment during the pandemic, but with the federal support from the CARES Act, BRCC was able to avoid layoffs and severe cuts. They are hopeful to get additional federal funds at that enrollment will rebound. He stated that any residents who are within the poverty rate can get enrolled in mechatronics, aviation maintenance, automotive technology and health care, and be guaranteed free tuition and fees starting in the fall.

There are several pending projects that are important to Dr. Downey and BRCC. The most pressing is to create a campus-wide door lock system that will increase safety on campus. Also, the college is working on an irrigation system for the campus commons where graduation is held each year. They are also partnering with Augusta County to improve old sewer lines on campus.

Mayor Oakes asked Council members if they had any questions.

Council members did not have any questions.

C. Review of Entrance Corridor Overlay District

Senior Planner Rodney Rhodes defined an overlay district—it is a zoning district with additional standards placed over the underlying zoning. The underlying zoning could be Residential, Business or Industrial, but this is an additional layer of standards for specific areas. The City has three overlay districts; Historic Preservation Overlay; an Agricultural Forestal Overlay; and Entrance Corridor Overlay. Code of Virginia 15.2-2201 states parcels of land contiguous to arterial streets or highways found by the governing body to be of significant routes of tourist access to the locality or designated historic landmarks, buildings, structures or districts may be included in a corridor. Chapter 18.83 of the Staunton Zoning Code states that the intent of these overlays is to protect and promote the unique characteristics of the City's natural and built environment leading into the historic districts through this assuring site and building design reflecting the natural scenic, historic architectural and cultural resources within view of each corridor. One of the goals stated on this section is to promote the general welfare of the community by creating attractive human scaled environments, increase commerce, improving property values and increasing public awareness on the natural, scenic, historic, architectural and cultural resources near and outside the historic preservation districts. The City has 13 districts within the Entrance Corridor Overlay. When the overlay was adopted in 2008, the City looked at all parcels that were contiguous to these routes. Some were very small, some very large and some overlap with multiple corridors. Since 2008, some parcels have been subdivided and that is how some parcels no longer front on one of these corridor highways. Subdividing property does not take it out of the Entrance Corridor.

City Planner Tim Hartless provided information regarding design standards and the review process for those businesses in the Entrance Corridor Overlay.

- Parking lots – One of the initiatives of the corridor is to try to avoid a large parking lot in front of a building. Staff encourages developers to pull the building closer to the street and provide parking around the entire building. Staff also encourages shared access points and connections between parking lots. According to City Zoning Code, retail stores are required to have one parking space per every 100 square feet of retail area. However, if that retail space is in an entrance overlay, developers and staff have flexibility reduce those required numbers by at least 10% if there are parking spaces on the street within 200 feet of the property. Any excess parking constructed in the entrance corridor overlay have to be constructed out of an alternative surface (e.g., permeable pavers).
- Rooftop equipment – Rooftop equipment is required to be screened from view. Masaki is an example of a flat rooftop that has equipment with a screening fence around the equipment.
- Building materials – The guidelines contain a number of different types of materials that are acceptable. Those would be metal, masonry (brick or split face block), and EIFS (an exterior coating that provides protection from the elements and also has some insulation value).
- Roof types – The overlay allows gabled roofs, hipped roofs and flat roofs with parapets. They try to avoid gambled roofs, which are barn or shed roofs.
- Building facades – Staff discourages large blank walls and encourages developers to use architectural features such as windows, pillars, variation in surface textures, insets/offsets in the surface to give some kind of visual variety.

- Site elements – The City tries to avoid mass excavation, which is where a developer comes in and levels a site. Staunton is comprised of a series of hills and there are not very many flat sites. Staff encourages developers to terrace sites. If a site requires retaining walls, staff encourages developers to use materials that are native to the area or materials that reflect some of the architectural elements of the building.
- Signs – Each parcel is allowed one freestanding sign that can be a maximum of 30 square feet, a maximum of 15 feet high, must be mounted on a base and have a five-foot minimum setback from the street. Signs can also be mounted on the building, but must be to scale, cannot cover more than 25% of a window and roof signs are not permitted. LED message boards may be used on the commercial corridors. State law already places time limits on changing messages; local law places additional limits. Cabinet signs must be internally illuminated, though only the letter and logo may light up. External lighting for signs must be down lighting and the fixture must be shielded so as not to reflect on to the public right-of-way or other property.
- Site Lighting – All fixtures emitting more than 1,800 lumens must be fully shielded. All fixture must be mounted at a 90-degree angle and be pointed toward the ground. Also, all fixtures should either be black or dark bronze in color. Maximum mounting height for any fixture is 24 feet and no more than 0.5 footcandles may trespass across a property line. Building mounted lighting should be limited to that which is necessary for security purposes and the lighting of building facades is not permitted.

Review Process

Staunton does not have an Architecture Review Board. Review is done by staff and occurs simultaneous and as part of the site plan review, or building permit review in cases where a site plan is not required.

A site plan is required for any new development, redevelopment or addition to a commercial or multi-family residential property. In addition to the normal site plan, a corridor review also requires submittal of color elevations of the building, dumpster screen, and/or retaining walls.

If the applicant and staff are unable to agree on any aspect of the corridor review, the proposal may be reviewed by the Planning Commission. Any applicant aggrieved by a decision of the Planning Commission may appeal to City Council. Any applicant who is aggrieved by an action of City Council, may appeal that action to the Staunton Circuit Court. Since the enactment of the Entrance Corridor Overlay, there has not been an appeal to Circuit Court. The Entrance Corridor Overlay ordinance or guidelines may be amended at any time using the same process used for any amendment to City Code and can be initiated by the governing body, the Planning Commission, or an application from a citizen.

Mayor Oakes asked Council members if they had any questions.

Mr. Claffey asked what part of the regulations seem to receive the most complaints. Mr. Rhodes stated that most of the complaints are regarding sign regulations, although he gets very few complaints. Mr. Hartless stated that usually complaints come to him or the Zoning Inspector. Complaints are usually regarding signs and the illumination of those signs.

Vice Mayor Robertson thanked Mr. Rhodes and Mr. Hartless for putting the presentation together. Mayor Oakes concurred.

Council members did not have any further questions.

MATTERS FROM THE CITY MANAGER

Mr. Rosenberg stated that he did not have anything for Council.

MATTERS FROM THE PUBLIC

Mayor Oakes read the following statement:

“This part of City Council’s agenda is entitled ‘matters from the public.’ It is a time that Council sets aside to hear from citizens and others about a wide variety of subjects. Before we begin, I’d like to share five basic ground rules that we ask you to respect as you make your remarks:

1. Please come to the podium, identify yourself, and complete your remarks within 5 minutes. I will let you know when you’ve reached your 5 minutes. We ask that you please give your name, your address, and then keep your remarks at 5 minutes or less. When you reach the 5-minute time, I will let you know that your time limit has expired. If you continue to speak, I will ask you to step away from the podium. If you continue to speak after I inform you that you have exceeded your time limit, I will again ask you to please stop speaking and step away from the podium. If you still continue to speak, you may be charged with disorderly conduct under Virginia Code Section 18.2-415(A)(2).
2. This is a time for us as a Council simply to listen to your remarks. In an effort to encourage and maintain orderly conduct, we will not engage in give and take debate. If you seek information, you may mention it during your remarks and the City Manager or his staff may get in touch with you in the days ahead.
3. We ask that you direct your comments to Council as a whole and not to identify members of Council or to identify employees of the City. If you want to take up an issue with an individual member of Council or an employee, please speak with us before or after the meeting. We are also accessible by phone, email or mail. Again, we ask that you direct your comments to the Council as a whole.
4. We expect every speaker to be civil and courteous. Using profanity, making personal attacks on an individual unrelated to the performance of their duties on behalf of the City of Staunton and doing anything that is disruptive to the orderly conduct of this meeting will not be tolerated.

- 409 5. Finally, as the presiding officer, it is my duty to remind you that if you choose not to abide
410 by these ground rules, I may find that you are out of order and will ask you to withdraw
411 from the podium. We certainly do not want to reach that point and even beyond, so we
412 respectfully ask for your full cooperation in observing these guidelines.

413
414 If you wish, you may obtain a copy of the ground rules from our Interim Clerk of Council, Ms.
415 Smith. And now, we welcome all speakers. The podium is now available for matters from the
416 public.”

417
418 Joanne Tigert, 913 North Augusta Street, spoke against the discontinuation of curbside recycling.
419 She encouraged Council to think of their heritage, their grandchildren and the future.

420
421 Christine Holly, President of the State Education Association, stated that City budgets are a
422 reflection of City priorities. She was disappointed that the School budget was not fully funded.
423 She encouraged Council to please ensure that the full funding of Schools is prioritized when the
424 American Rescue Plan funds become available.

425
426 Ellen Boden, 232 West Beverley Street, opined that golf courses have been closing at an alarming
427 rate and is disheartened that Council has not reviewed nor released Staunton financials for the
428 operation of the golf course to justify the purchase of \$200,000 worth of new golf carts.

429
430 Fritz Fairfield, Thornrose Avenue, was pleased that the City offers many amenities in the Gypsy
431 Hill Park available for everyone, regardless if all Stauntonians take advantage of them. She stated
432 that while the School system has done a nice job with the best interest of students in mind, recent
433 School Board decisions have now resulted in the need to stretch budgets. She thanked Mr.
434 Rosenberg and his staff for their patience.

435
436 Miss Crawford, citizen of Staunton, encouraged City Council to reinstate the ability for citizens to
437 be able to call in during Matters from the Public and public hearings.

438
439 Anne Hunter, North Brae Burn Place, asked Council what kind of democracy would they like
440 Staunton to have, oligarchic or popular. She stated that the equal opportunity for each Staunton
441 resident, regardless of their personal circumstances, to comment during public hearings and to hear
442 the comments of other residents is a democracy issue.

443
444 Jennifer Trippeer, 14 Frontier Ridge Court, applauded Mayor Oakes for serving as Mayor of the
445 City. She reminded Council that dialogue with those whom they serve is key and that building
446 relationships with fellow citizens is vital. Ms. Trippeer that Council reconsiders their vote
447 repealing the uncoded ordinance.

Stephen Maxwell, 813 Churchville Avenue, stated that environmental issues are at the top of his agenda and had spent the morning planting trees with Shenandoah Green. He said that eliminating curbside recycling was a serious step backwards.

Sally Burger, 116 North Madison Street, thought it unbelievable that the School Board requests for funds was not fully met, however the new golf carts were. She spoke against the discontinuation of the ability of citizens to call in to meetings.

David Verde, 125 College Circle, spoke against the discontinuation of curbside recycling and encouraged Staunton to be a role model for others in regards to recycling.

There was no one else wishing to speak.

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 9:21 p.m.

Morgan C. Smith
Interim Clerk of Council

Ordinance No. 2021- 12

**AN ORDINANCE ESTABLISHING AND APPROVING A BUDGET FOR THE
SCHOOL BOARD OF THE CITY OF STAUNTON, AND FOR THE
CITY OF STAUNTON, VIRGINIA, BOTH SEPARATELY AND COLLECTIVELY
FOR THE FISCAL YEAR**

**BEGINNING JULY 1, 2021 AND ENDING JUNE 30, 2022,
APPROPRIATING FUNDS AT SEVENTY-FIVE PERCENT (75%) OF SUCH
APPROVED BUDGETED AMOUNTS FOR PUBLIC PURPOSES FOR SUCH
FISCAL YEAR, SUBJECT TO FUTURE APPROPRIATION AMENDMENT(S);
ESTABLISHING A TAX RATE ON TAXABLE PERSONAL PROPERTY,
REAL ESTATE AND PROPERTY OF PUBLIC SERVICE CORPORATIONS;
ESTABLISHING AND IMPOSING A SERVICE CHARGE ON
CERTAIN REAL PROPERTY EXEMPT FROM TAXATION;
AND CONTINUING IN EFFECT ALL ORDINANCES OF THE
CITY OF STAUNTON, VIRGINIA, RELATING TO TAXES, LICENSES,
FEES, SERVICE CHARGES, COSTS AND OTHER CHARGES AND
ALL ORDINANCES RELATING TO THE TIME OF
PAYMENT THEREOF AND COLLECTION THEREOF, EXCEPT AS HEREIN
SPECIFICALLY MODIFIED**

BE IT ORDAINED by the Council of the City of Staunton, Virginia, as follows:

SECTION 1. The following budget, annexed and incorporated by reference, totaling **\$131,176,865** for the City of Staunton, Virginia for the fiscal year beginning July 1, 2021 and ending June 30, 2022 is hereby proposed, approved and adopted:

(SEE ATTACHED BUDGET, incorporated by reference)

SECTION 2. Public revenues of the City of Staunton, Virginia are hereby appropriated for public purposes for the fiscal year beginning July 1, 2020, and ending June 30, 2021, at **seventy-five percent (75%)** thereof as set forth in the appropriate Section of such budget, with the recognition and stipulation that budget approval is not an appropriation of funds and only those funds as appropriated at such percentage and no more are set aside and may be spent, subject to future appropriation amendment(s) by ordinance as may be adopted by City Council.

SECTION 3.

3.1. The tax rate for all real estate, including real estate owned by public service corporations, subject to tax for the calendar year beginning January 1, 2021, shall be and is fixed at **\$0.92 per \$100.00** of assessed value of such property per year, with assessed values being established through biennial reassessments pursuant to Section 58.1-3253 of the Code of Virginia, as amended, as of January of every odd numbered year.

3.2. The tax rate for all real property and improvements located in the Downtown Service District is subject to an additional tax for the calendar year beginning

January 1, 2021, which shall be and is fixed at \$0.15 (fifteen cents) per \$100.00 of assessed value of such property for calendar year 2021. Assessed values for the Downtown Service District shall be established through biennial reassessments pursuant to Section 58.1-3253 of the Code of Virginia, as amended, as of January 1 of every odd numbered year. These rates shall continue until modified by action of the Council of the City of Staunton, Virginia.

SECTION 4.

4.1. The tax rate for all personal property, including vehicles owned by public service corporations (but excluding machinery and tools, referenced and defined in Section 58.1-3507 of the Code of Virginia, as amended), subject to tax for the calendar year beginning January 1, 2021, shall be fixed at \$2.90 per \$100.00 of assessed value per year.

4.2. The tax rate for machinery and tools as defined in Section 58.1-3507 of the Code of Virginia, as amended, subject to tax for the calendar year beginning January 1, 2021 shall be and is fixed at \$1.24 per \$100.00 of assessed value per year.

SECTION 5. For the period of July 1, 2021, through June 30, 2022, certain categories of property exempted from taxation under Section 58.1-3600 et seq. of the Code of Virginia, as amended, shall be assessed and have imposed a fee or service charge based on the assessed value of the real estate and the amount which the City of Staunton expended in the year preceding for police and fire protection and, in the case of faculty and staff housing of an educational institution, the cost of public school education. The categories of property eligible for such assessment, and the method for calculating the assessment, are prescribed in Section 58.1-3400 et seq. of the Code of Virginia, as amended.

SECTION 6. The rate of service charge or fee imposed for property subject to such charge or fee under Section 5 of this ordinance shall be and is fixed and imposed at \$0.19 per annum per \$100.00 of assessed value and \$0.48 per annum per \$100.00 of assessed value for faculty and staff housing of an educational institution for the 2021 calendar year. The service charge shall be and is payable in one installment on December 15, 2021. Any service charge not paid when due shall bear interest computed at the rate of 10% per annum from the due date until paid.

SECTION 7. The real estate lawfully owned by the County of Augusta, Virginia lying wholly or partly in the corporate limits of the City of Staunton, Virginia, shall be exempt from the service charge imposed by Section 5 of this ordinance.

SECTION 8. It is the intention of Sections 5, 6 and 7 of this ordinance to conform to and meet all the requirements of Section 58.1-3400 et seq. of the Code of Virginia, as amended, and shall be read and construed accordingly.

SECTION 9. The annual salary for each member of the Council of the City of Staunton, Virginia, is hereby established as follows and shall remain in effect until formal action is taken to amend this ordinance:

Mayor	\$11,000
Vice-Mayor	\$10,000
Council Member	\$10,000

SECTION 10.

10.1. The City Manager is hereby authorized to transfer funds from one line item to another line item within each Fund of such budget, with the exception of the general contingency account.

10.2. Authorization is hereby given to the City Manager to withhold or postpone the expenditure of any funds appropriated by and in this ordinance when it appears to the City Manager that it would be in the best interests of the City for such expenditure to be withheld; but, this provision shall not in any way limit or restrict the right of the Council of the City of Staunton, Virginia, in its sole discretion to the fullest extent permitted by law, to direct immediate disbursement of any appropriated funds when the Council of the City of Staunton, Virginia, is of the opinion that the funds should be expended regardless of the position or action or inaction of the City Manager.

SECTION 11. Any ordinance in conflict with this ordinance is hereby repealed to the extent and only to the extent that such conflict exists. However, all ordinances not in conflict with this ordinance shall continue in effect, including specifically all ordinances of the City of Staunton, Virginia relating to taxes, licenses, fees, service charges, costs and payment and collection thereof continuing in effect except as herein specifically modified.

SECTION 12. If any part of this ordinance is found to be invalid by competent authority, the remaining portions of this ordinance shall continue in effect to the fullest extent permitted by law.

INTRODUCED: March 25, 2021
PUBLIC HEARING ADVERTISE DATE: April 1, 2021
PUBLIC HEARING DATE: April 8, 2021
ADOPTED: April 22, 2021
EFFECTIVE DATE: July 1, 2021



Andrea W. Oakes, Mayor

ATTEST:



Morgan C. Smith
Interim Clerk of Council

**CITY OF STAUNTON, VIRGINIA
FY 2022 ADOPTED BUDGET**

GENERAL FUND

ANTICIPATED REVENUE

	BUDGET
General Property Taxes	\$ 27,585,063
Other Local Taxes	15,150,500
Commonwealth of Virginia	12,815,367
Current Service Charges	1,855,902
Federal Revenue	1,363,629
Recovered Costs	1,190,235
Licenses and Permits	208,400
Use of Money and Property	135,500
Fines and Forfeitures	232,000
Miscellaneous	<u>1,217,378</u>
Total Revenue	\$ 61,753,974

APPROPRIATIONS

Transfer to Education Fund	\$ 13,626,250
Public Safety	13,331,493
Health and Welfare	7,682,954
Public Works	6,258,460
General Government Administration	6,338,649
Transfer to Debt Service Sinking Fund	4,844,415
Parks, Recreation, Library, and Cultural	3,860,920
Judicial Administration	2,574,028
Community Development	2,246,755
Transfer to the City CIP Fund	981,050
Educational Agency Contributions	<u>9,000</u>
Total Appropriations	\$ 61,753,974

DEBT SERVICE SINKING FUND

ANTICIPATED REVENUE

Transfer from the General Fund	\$ 5,683,314
Total Revenue	<u>\$ 5,683,314</u>

APPROPRIATIONS

Debt	<u>\$ 5,683,314</u>
Total Appropriations	\$ 5,683,314

CAPITAL IMPROVEMENTS PROJECT FUND

ANTICIPATED REVENUE

Transfer from the General Fund	<u>\$981,050</u>
Total Revenue	\$981,050

APPROPRIATIONS

Capital Improvements	<u>\$981,050</u>
Total Appropriations	\$981,050

BLUE RIDGE COURT SERVICES FUND

ANTICIPATED REVENUE

Non Capital Grants/ Contributions	\$ 915,672
Miscellaneous	138,869
Charges for Services	175,000
Total Revenue	<u>\$ 1,229,541</u>

APPROPRIATIONS

Operations	<u>\$ 1,229,541</u>
Total Appropriations	\$ 1,229,541

WATER FUND**ANTICIPATED REVENUE**

Charges for Service	\$	4,634,597
General Revenues		80,500
Proceeds from Debt Issuance		6,900,000
Total Revenue	\$	11,615,097

APPROPRIATIONS

Operations	\$	3,464,587
Debt		720,510
Capital		7,430,000
Total Appropriations	\$	11,615,097

SEWER FUND**ANTICIPATED REVENUE**

Charges for Services	\$	3,908,177
General Revenues		52,500
Total Revenue	\$	3,960,677

APPROPRIATIONS

Operations	\$	2,687,745
Debt		922,526
Capital		350,406
Total Appropriations	\$	3,960,677

PARKING FUND**ANTICIPATED REVENUE**

Charges for Services	\$	374,194
General Revenues		139,481
Total Revenue	\$	513,675

APPROPRIATIONS

Operations	\$	335,256
Debt		178,419
Total Appropriations	\$	513,675

STORMWATER FUND**ANTICIPATED REVENUE**

Charges for Services	\$	772,594
General Revenues		885,650
Total Revenue	\$	1,658,244

APPROPRIATIONS

Operations	\$	458,244
Capital		1,200,000
Total Appropriations	\$	1,658,244

ENVIRONMENTAL FUND**ANTICIPATED REVENUE**

Charges for Services	\$	3,196,685
General Revenues		58,742
Non Capital Grants/ Contributions		10,000
Total Revenue	\$	3,265,427

APPROPRIATIONS

Operations	\$	2,807,851
Capital		457,576
Total Appropriations	\$	3,265,427

EDUCATION FUND**ANTICIPATED REVENUE**

Commonwealth of Virginia	\$	18,435,908
Transfer from the General Fund		13,626,250
Federal Government		1,998,086
Charges for Services		876,379
General Revenues		316,875
Total Revenue	\$	35,253,498

APPROPRIATIONS

Administration and Operation of Schools	\$	35,253,498
Total Appropriations	\$	35,253,498

CAFETERIA FUND

ANTICIPATED REVENUE

Operating Grants	\$	1,584,649
Charges for Service		2,400
General Revenues		109,265
Total Revenue	\$	<u>1,696,314</u>

APPROPRIATIONS

Operations	\$	<u>1,696,314</u>
Total Appropriations	\$	<u>1,696,314</u>

SCHOOL TEXTBOOK FUND

ANTICIPATED REVENUE

Commonwealth of Virginia	\$	169,445
General Revenues		<u>107,290</u>
Total Revenue	\$	<u>276,735</u>

APPROPRIATIONS

Operations	\$	<u>276,735</u>
Total Appropriations	\$	<u>276,735</u>

SCHOOL CAPITAL IMPROVEMENTS PROJECT FUND

ANTICIPATED REVENUE

General Revenues		<u>\$100,000</u>
Total Revenue		<u>\$100,000</u>

APPROPRIATIONS

Capital Improvements		<u>\$100,000</u>
Total Appropriations		<u>\$100,000</u>

STATE OPERATED PROGRAMS

ANTICIPATED REVENUE

Operating Grants	\$	2,735,887
General Revenues		<u>453,432</u>
Total Revenue	\$	<u>3,189,319</u>

APPROPRIATIONS

Operations	\$	<u>3,189,319</u>
Total Appropriations	\$	<u>3,189,319</u>

Grand Total Revenues	\$	131,176,865
Grand Total Expenditures	\$	131,176,865
Balance		(\$0)

INTRODUCED: March 25, 2021

Approved this 22nd day of April 2021

Effective Date: July 1, 2021

ATTEST: Morgan C. Smith
Morgan C. Smith
Interim Clerk of Council

CERTIFIED: Andrea Oakes
Andrea Oakes
Mayor of Council

SPECIAL MEETING OF STAUNTON CITY COUNCIL
Thursday, May 6, 2021
9:00 a.m.

PRESENT: **Mayor Andrea Oakes**
 Mark Robertson, Vice Mayor
 Stephen W. Claffey
 Amy G. Darby
 Carolyn W. Dull (remote participant)
 R. Terry Holmes

ABSENT: **Brenda O. Mead**

ALSO PRESENT: **Leslie Beauregard, Assistant City Manager**
 Morgan C. Smith, Interim Clerk of Council
 Jon Venn, Chief Human Resources Officer

Mayor Oakes called the meeting to order: Mayor Oakes stated” As Mayor, I call this meeting of Staunton City Council to order. I note that this meeting is being broadcast over the City’s cable channel, and streamed live on the City’s website so that members of the public may hear our meeting.”

Vice Mayor Robertson moved that Staunton City Council enter a closed meeting for consultation with legal counsel concerning the Americans with Disabilities Act and the Virginia Freedom of Information Act pursuant to Virginia Code Section 2.2-3711(A)(8).

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

Mayor Oakes	aye	Mr. Claffey	aye
Vice Mayor Robertson	aye	Ms. Darby	aye
Mr. Holmes	absent		

Mr. Holmes arrived at 9:07 a.m.

Pursuant to Virginia Code Section 2.2-3712(D), Mr. Claffey moved that the Staunton City 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 closed meeting.

The motion was seconded by Vice Mayor Robertson and carried as follows:

Vice Mayor Robertson	aye	Mr. Claffey	aye
Ms. Darby	aye	Mayor Oakes	aye
Mr. Holmes	aye		

Mayor Oakes stated “On April 29, 2021, I received a request from Councilor Dull to participate remotely in the May 6, 2021 Staunton City Council meeting due to a temporary disability/medical condition that prevents her physical attendance at the meeting. I will now entertain a motion to

allow Councilor Dull's remote participation in this meeting pursuant to Staunton City Council Procedural Memorandum Number Three."

Vice Mayor Robertson said "Pursuant to Staunton City Council Procedural Memorandum Number Three, I move to allow Councilor Dull to remotely participate in the May 6, 2021 Staunton City Council meeting due to a temporary disability/medical condition."

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

Ms. Darby	aye	Mayor Oakes	aye
Mr. Holmes	aye	Vice Mayor Robertson	aye
Mr. Claffey	aye		

Mayor Oakes asked Councilor Dull to state the location from which she was participating. Ms. Dull responded that she was at 1003 East Beverley Street, Staunton, Virginia. Mayor Oakes asked Council and the audience if they could hear Councilor Dull. The response was affirmative.

Vice Mayor Robertson moved that Council enter a closed meeting for discussion and interviews of prospective candidates for employment or appointment as clerk of council, pursuant to Virginia Code Section 2.2-3711(A)(1).

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

Mr. Holmes	aye	Mayor Oakes	aye
Mr. Claffey	aye	Vice Mayor Robertson	aye
Ms. Dull	aye		
Ms. Darby	aye		

Mr. Holmes 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 Vice Mayor Robertson and carried as follows:

Mr. Claffey	aye	Vice Mayor Robertson	aye
Ms. Dull	aye	Mr. Holmes	aye
Ms. Darby	aye		
Mayor Oakes	aye		

ADJOURNMENT

There being no further business to come before Council, the meeting adjourned at 2:34 p.m.

Morgan C. Smith
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	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 Mary Baldwin University for a Special Use Permit for 221 N. Market Street to Allow for the Conversion of an Existing Building to Student Housing	

Background: Mary Baldwin University (MBU) has submitted an application for a Special Use Permit to convert an existing building located at 221 N. Market Street to student housing. The property is owned by Mary Baldwin University and is zoned HE-1, Higher Education District. In the HE-1 District, a Special Use Permit is required for conversion of existing buildings to student housing in cases where the building is located within 75 feet of a public street or a residential district.

Review: 221 N. Market Street is located on the southeast side of the intersection of N. Market and Prospect streets, on the edge of the MBU campus. This building is currently used as administrative offices. The table below shows the size of the building and the number of proposed bedrooms and persons to be housed there.

Address	Living Area (According to the City's real estate records)	# of Bedrooms	Proposed Occupancy
221 N. Market Street	3,080 Square Feet	5 – Total 3 – First Floor 2 – Second Floor	Total – 10 persons Each Room is for Double Occupancy

An attached map (Attachment 3) shows the current uses of the surrounding area. The existing structures and uses surrounding 221 N. Market Street include other uses by the university, as well as two multi-family dwellings, and many single-family dwellings.

An attached map (Attachment 4) illustrates the surrounding zoning. Zoning to the north and west is R-4, High Density Residential District, to the south and east is HE-1, Higher Education District.

The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map (Attachment 5), designates this area as Public/Semi-Public which is the proper designation for Educational use; therefore, the requested Special Use Permit is consistent with this designation.

221 N. Market Street is located on the edge of the university campus, on a corner lot, and all adjoining property is also owned by the university. There is an adjacent parking lot to the west which is owned by the university. All other structures located on the same side of North Market Street are owned by the university and used for university purposes. Given these conditions, the proposed use is reasonable and should be compatible with the surrounding area.

Planning Commission Recommendation: At its meeting of April 15, 2021, the Planning Commission conducted a public hearing and considered the request. During the public hearing, no one spoke in opposition to the request. However, the Commissioners discussed the concerns raised by neighbors in two emails. On a 5-0 vote, the Commission unanimously voted to recommend approval of the Special Use Permit with the following conditions:

1. The number of students permitted to be housed at 221 N. Market Street shall not exceed 10.
2. All residents of the property shall have a Mary Baldwin University parking permit and must be required by the University to park on campus. This parking restriction shall be monitored and enforced by Mary Baldwin University.
3. A building permit is required for a change of use under the Virginia Uniform Statewide Building Code.
4. Failure to comply with any of these conditions will result in immediate revocation of the Special Use Permit.

Attachments:

Attachment 1—Application and Documents Supplied by the Applicant

Attachment 2—Vicinity Map – 221 N. Market Street

Attachment 3—Uses Surrounding 221 N. Market Street

Attachment 4—Current Zoning – 221 N. Market Street

Attachment 5—Future Land Use– 221 N. Market Street

Attachment 6—Emails from Neighbors Objecting to the SUP

Suggested Motions (to be made after the public hearing is conducted): I move that Council approve the Special Use Permit for 221 N. Market Street, with the conditions as recommended by the Planning Commission.

City Manager: Steven L. Rosenberg



DEPARTMENT OF PLANNING &

INSPECTIONS

116 W. BEVERLEY STREET | P.O. BOX 68 | STAUNTON,

VA 24402

540.332.3862 [OFFICE]

540.332.3807 [FAX]

APPLICATION FOR SPECIAL USE PERMIT

DATE: 1-27-2021_____

NAME OF APPLICANT: Mary Baldwin University-Nick Hall_____

ADDRESS OF APPLICANT: 101 East Frederick Street_____

PHONE #: 540-887-7198_____

E-MAIL ADDRESS: nhall@marybaldwin.edu_____

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: 221 North Market Street_____

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

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

PRESENT ZONING OF THE PROPERTY: HE_____

APPLICABLE SECTION OF ZONING CODE STATING USE IS PERMITTED ON REVIEW:
18.90.020_____

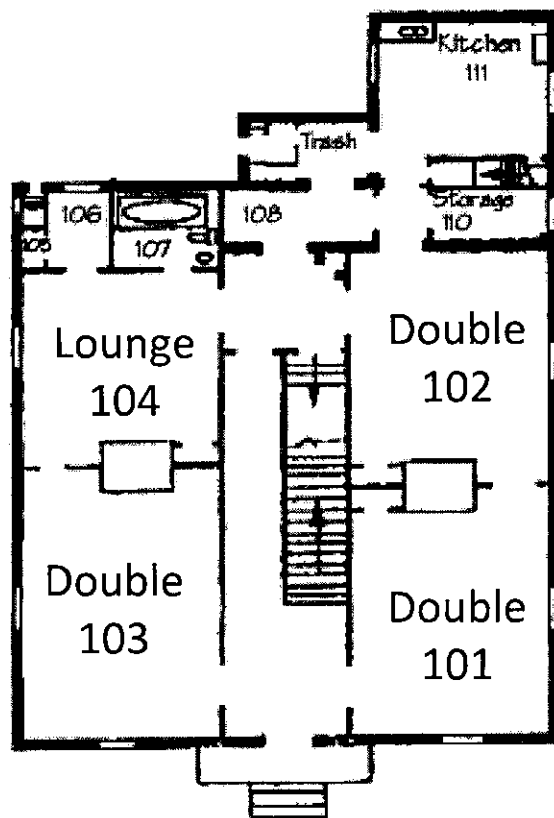
ARE PUBLIC UTILITIES AVAILABLE AND ADEQUATE FOR PROPOSED USE? IF **NO**, EXPLAIN HOW UTILITIES WILL BE PROVIDED:
YES_____

LEGAL DESCRIPTION OF PROPERTY: LOT 4 BLK

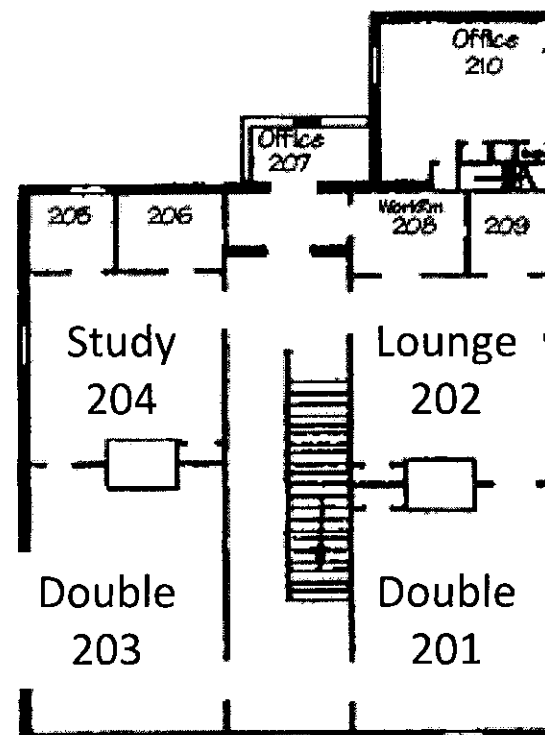
Z _____ DETAILED DESCRIPTION OF PROPOSED USE
(DRAWINGS MUST BE INCLUDED IF NEW CONSTRUCTION, ADDITIONS, OR CHANGES
TO THE EXTERIOR OF THE PROPERTY ARE PROPOSED).

Return use to student housing as was until 1999. _____

SIGNATURE: *Nechan O. Hult*



FIRST LEVEL



SECOND LEVEL

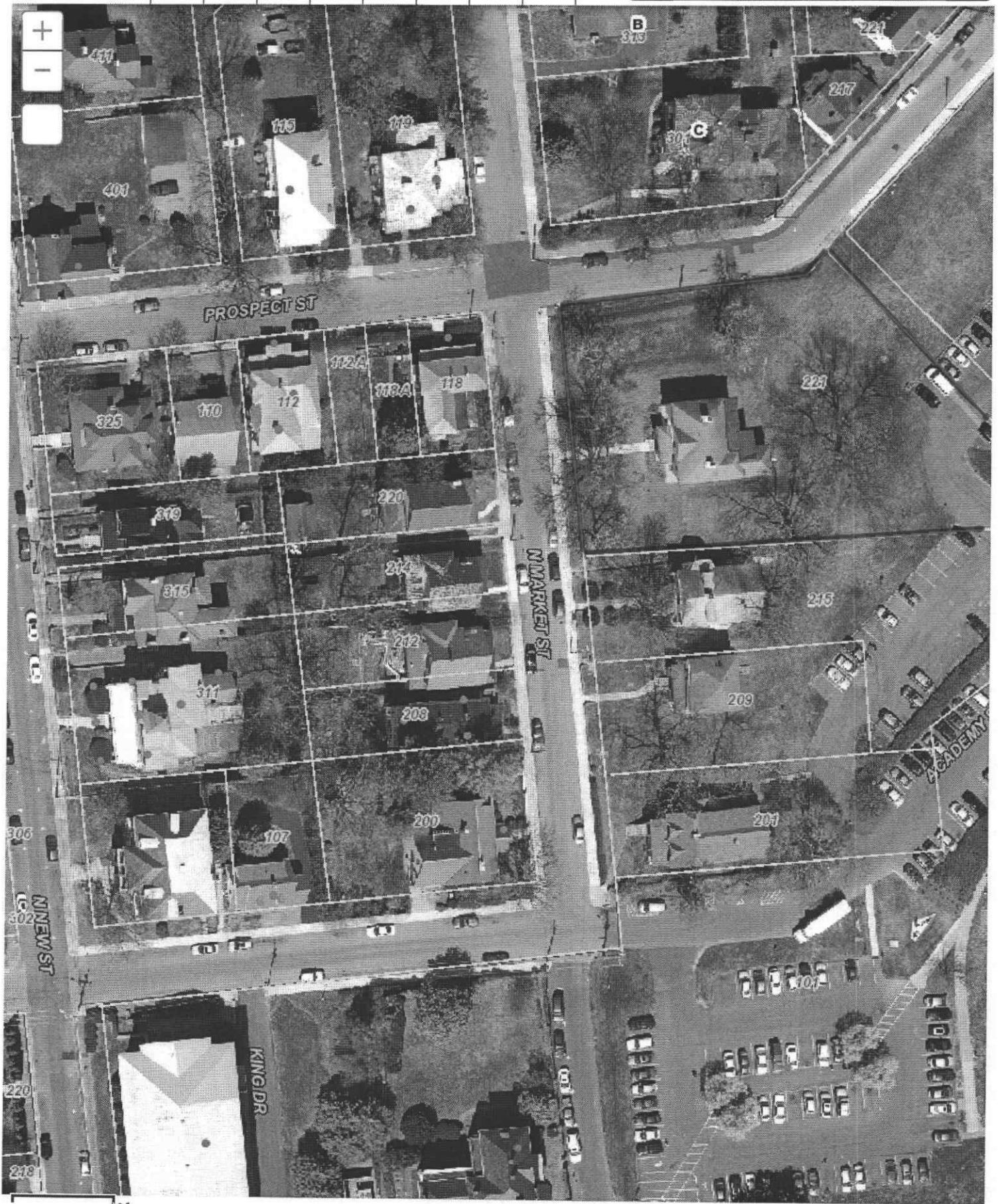
PROJECT	E
	10
	FIRST
SCALE	
DATE	12
DRAWN BY	IS
CHECKED BY	ICB
DATE	

Additional Map Layers

▼

Find Owner, ID, or Address

Q



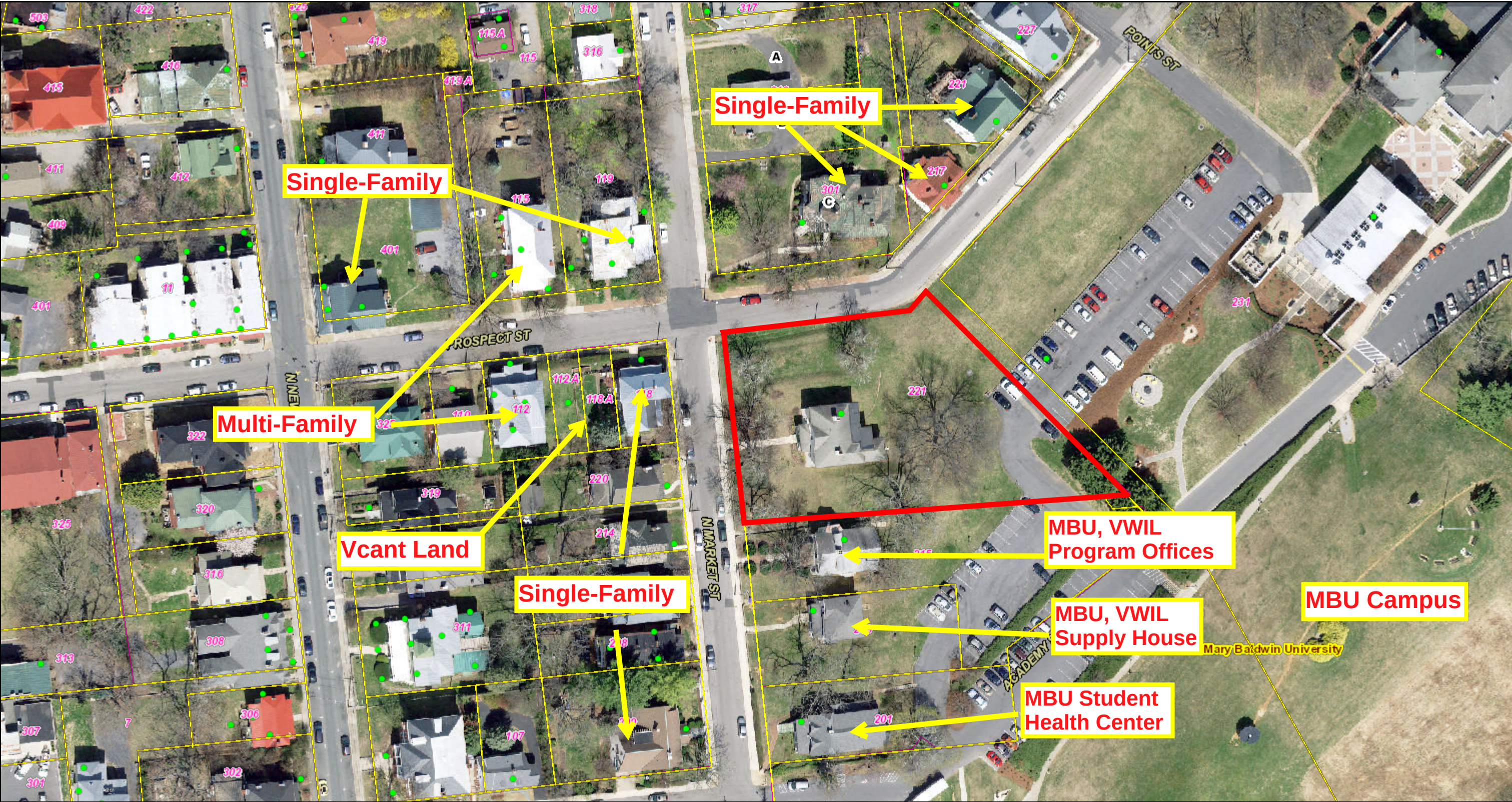
60ft

-79.069 38.153 Degrees

Vicinity Map – 221 N Market St

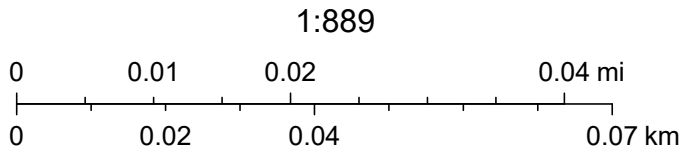


Uses Surrounding 221 N Market Street
(According to City Real Estate Records)



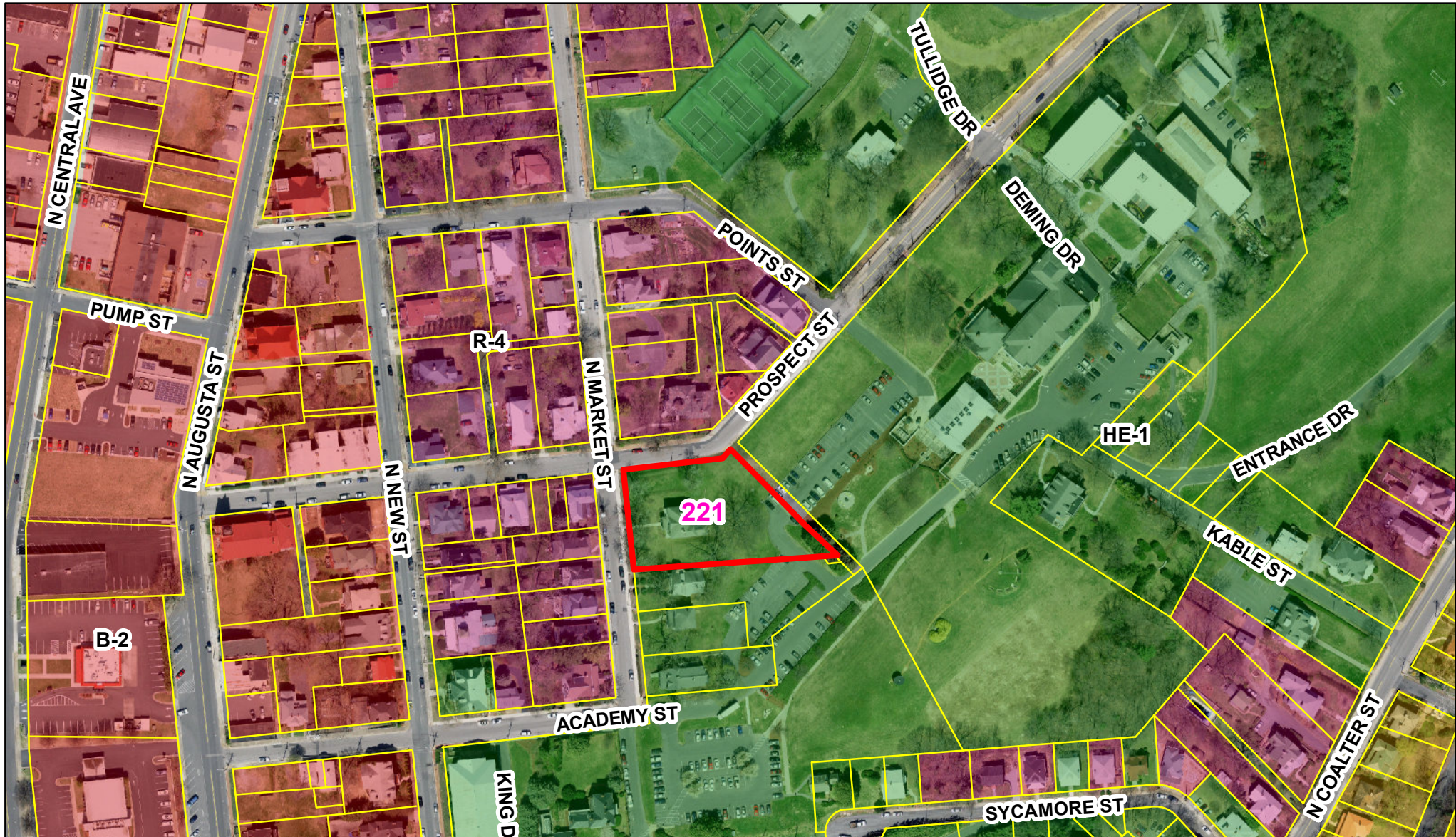
4/2/2021, 10:44:28 AM

- Lot_Lines
- Parcels
- Road Centerline
- Green: Band_2
- Lot_Numbers
- AddressPoints
- 2018Image.tif
- Blue: Band_3
- City Limits
- Point_of_Interests
- Red: Band_1



Current Zoning - 221 N Market St

Attachment 4



Zoning

	B-1
	B-1(conditional)
	B-2
	B-2(conditional)

	B-3
	HE-1
	I-1
	I-1(conditional)
	I-2

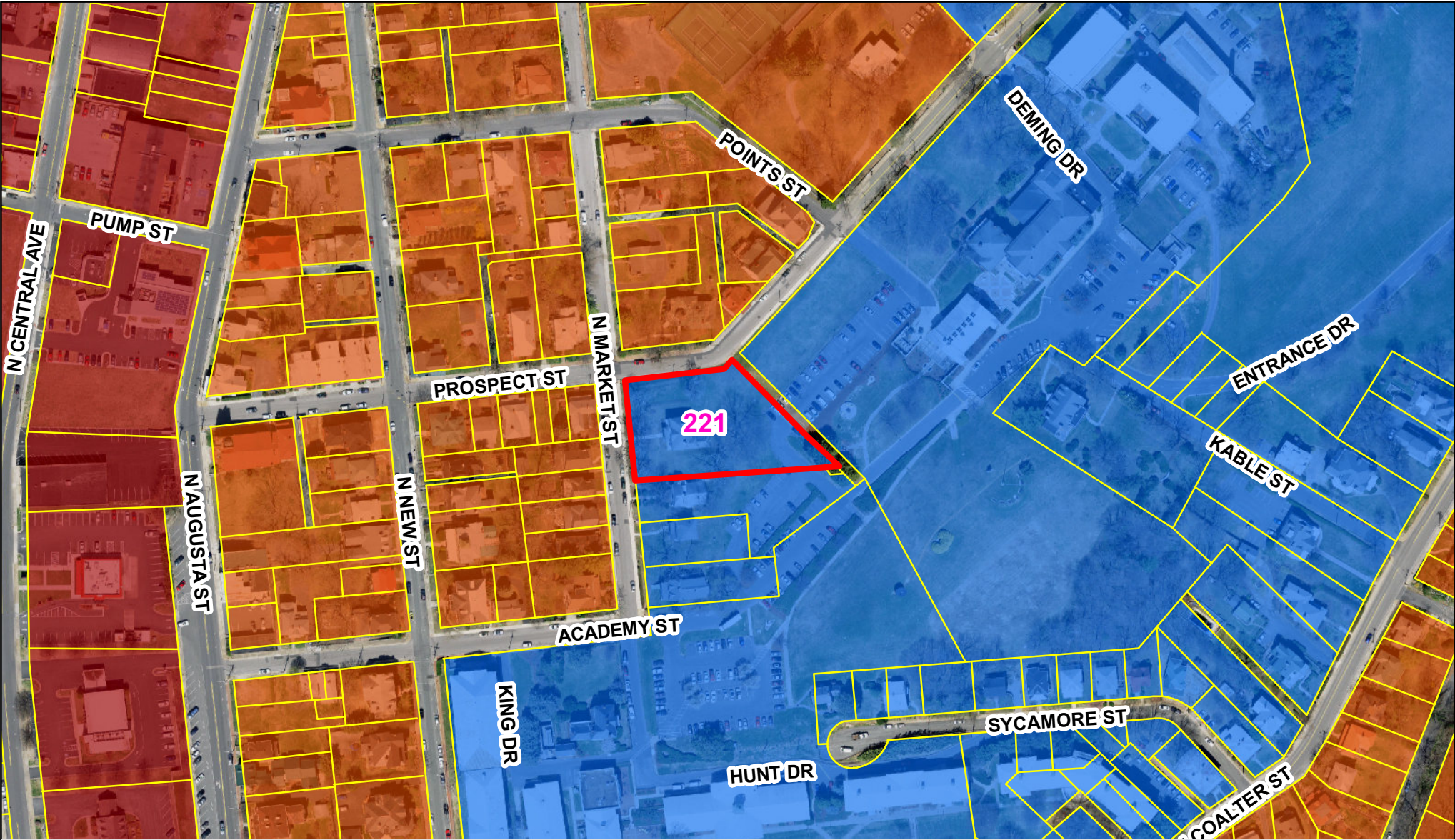
	I-2(conditional)
	I-3(conditional)
	P-1
	P-1(conditional)
	R-1

	R-2
	R-2(conditional)
	R-3
	R-3(conditional)
	R-4

Additional Layers

	Selected Property
	Lots

Future Land Use - 221 N Market St



Future Land Use

- CONSERVATION/RECREATION/OPEN SPACE
- PLANNED FARM DEVELOPMENT
- PUBLIC/SEMI-PUBLIC

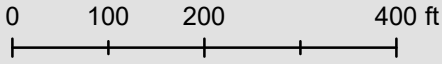
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM DENSITY PLANNED RESIDENTIAL
- HIGH DENSITY RESIDENTIAL

- TRADITIONAL NEIGHBORHOOD DEVELOPMENT
- LOW DENSITY PLANNED RESIDENTIAL
- NEIGHBORHOOD RESIDENTIAL
- PROFESSIONAL

- PLANNED BUSINESS
- BUSINESS
- PLANNED INDUSTRIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL

Additional Layers

- Selected Property
- Lots



Timothy A. Hartless

From: Richard Coduri <rcoduri@triremecommunications.com>
Sent: Thursday, April 15, 2021 8:27 AM
To: Timothy A. Hartless
Cc: Courtney Coduri
Subject: Comments for Special Use Permit Request for 221 N. Market Street

Hello,

I'd like to submit comments regarding the proposal to turn 221 N. Market Street into a Mary Baldwin University residence. We very much value MBU as a neighbor, and in general don't have significant concerns about this proposal. However, we do have a few issues we would ask the City and the University to consider and alleviate where possible:

- **Vehicular Speed:** Market Street between Prospect and Academy is already heavily trafficked, and cars (students in particular) speed down our road many times a day. With school-age children in our house (and in other houses on the block), this is already a concern, and one which will be a larger problem if students are actually residing on the block. We would strongly request that speed bumps or humps be put in on our block of Market Street to slow down traffic and help protect our children and others from accidents. It would also be incredibly helpful if two more stop signs were added to the intersection of Prospect and Market (making it a 4-way stop) as many people (not just students) absolutely fly up and down that road, and when they are turning on to Market Street at such speeds, it just increases the danger on our street (not to mention it is quite dangerous crossing Prospect at any time given how people drive on that road).
- **Parking:** Parking is already at a premium on our street. We would ask that students be required to park in the designated lots that are a very short walk from the building in question so residents can continue to get priority for parking along Market Street.
- **Noise:** Finally, we have some concerns about noise, especially if the dorm across the street is intended to be co-ed. We've noticed a significant increase in late-night noise since the University became a co-ed institution—which is almost always fine as it is passing as students go from one place to another etc. However, with a dorm situated right across the street from us, we are concerned that such noise will be more consistent. During daylight and evening hours, this is totally fine with us. But after about 10 PM or so, we would like to have some mechanism in place that keeps the noise down.

Thank you in advance for your consideration of our views.

Sincerely,

Richard and Courtney Coduri
220 North Market Street

Timothy A. Hartless

From: jason@virginiamediagroup.com
Sent: Thursday, April 15, 2021 11:04 AM
To: Timothy A. Hartless
Subject: Recommendation to reject Special Use Permit for 221 N. Market Street

To: The City of Staunton Planning Commission

My name is Jason Levin and I live directly across the street from the property requesting a Special Use Permit, 221 N. Market Street. I strongly urge the Planning Commission to reject this request for the following reasons. Market Street is a quiet, low density neighborhood, and to turn 221 N. Market into a student housing facility would overwhelm the area with traffic, increased noise, and most importantly, it would make it nearly impossible for the existing home owners on the street to safely park their vehicles. There currently is very little off street parking available, so the home owners rely on the spaces in front of their houses to park cars and receive deliveries. That limited space would inevitably be taken up by the students' cars and their visiting friends and family. Even if the students were required to obtain parking passes to park in the University lots, there is no way to enforce that they would actually park there if they saw open spaces on Market Street. It's simply human nature to park in the nearest, most convenient spot.

Should the Planning Commission be compelled to allow this Special Use Permit, it must be conditional on a new pathway and stairs leading up to the parking lot directly behind 221 N. Market Street. It should also be conditional on each student living at 221 N. Market be assigned a parking spot **in the lot directly behind the property**, and not some other parking lot blocks away. If not, they will surely park on the street in front of the house, taking up all the spots for the current residents in the neighborhood and increase traffic to an unsafe level.

I have always been a supporter of Mary Baldwin University and I believe they contribute so much to our community, however if they need additional housing for their students, they should build new housing in an area of campus that won't adversely affect the established surrounding neighborhoods. This Special Use Permit Request is not a long term solution to the student housing needs. It's a band-aid that may appear to relieve the student housing shortage, but it's not nearly enough for the increasing demand. Construction of a new 100+ unit housing complex is what is really called for in another part of the campus. 221 N. Market Street should remain in it's current use as staff/faculty offices.

Sincerely,

Jason Levin
301 N. Market Street
Staunton, VA 24401

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	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 to Rezone 2040 W. Beverley Street From B-2, General Business District, to I-1, Light Industrial District Conditional	

Background: River Ridge-Chestnut Hills, LC has requested a rezoning of a portion of 2040 W. Beverley Street from B-2, General Business District, to I-1, Light Industrial District Conditional. The stated purpose of the request is to convert the existing buildings on the property to climate-controlled self-storage units and then construct new self-storage buildings in the location of the existing parking lot. No potential developer of the project has been identified at this time. A portion of the property along W. Beverley Street would remain general business. In the B-2, General Business District, storage is not a permitted use. Under the regulations of the City's Zoning Code, storage as a principal use of property is only permitted in industrial districts. This has prompted the applicant's request for a rezoning.

Review: The property consists of approximately 9.75 acres and is located at the intersection of W. Beverley Street and Grubert Avenue and is known as the Chestnut Hills Shopping Center. The existing shopping center was developed in 1971, and the buildings on the property were intended for large box retail uses. The combined area of the two buildings is 91,500 square feet. The last national retailers to be located there were Big Lots, CVS Pharmacy, and Family Dollar. CVS relocated in 2013 to its current location on Churchville Avenue, and Big Lots moved out of the building and consolidated with its location in Waynesboro in 2016. Family Dollar closed its store in 2019 and has recently opened at a new location on W. Beverley Street across from the Valley Mission.

The applicant is proposing to leave the property fronting on W. Beverley Street (approximately 1 acre) as B-2, General Business District. This would be in keeping with the existing commercial development pattern along the street. The request is to rezone the remainder (approximately 8.75 acres) to I-1, Light Industrial District Conditional.

Staff has reviewed the requested rezoning and has identified some issues that will need to be addressed if the property is developed as depicted in the conceptual plan. A city sewer main crosses the property from Birch Street across the parking lot to the alley situated on the east side of the property. The location of the sewer line will impact the placement of the proposed new self-storage buildings. The buildings will not be permitted to be erected on top of the line and Public Works will need to retain access to the line for maintenance.

After an initial review, staff expressed concerns with the possible development of the property with many of the permitted uses in the I-1, Light Industrial District. Many of the manufacturing and outside storage uses would not be compatible with the surrounding residential and business uses. In response to those concerns, the applicant has voluntarily proffered conditions which would limit the uses permitted on the property. The proposed I-1, Light Industrial Conditional zoning would prohibit the development of the site for adult business uses, all of the outside storage uses, and many of the more intensive manufacturing uses. The proposed conditional rezoning including the proffers that have been offered is attached (Attachment 6).

If this rezoning request is approved, the applicant would need to submit a site plan of development. As part of the site plan process, screening would be required between the industrial uses and the adjoining residential and commercial uses. Screening requirements consist of a 10-foot wide landscape strip containing two rows of evergreen trees staggered and planted 15-foot on center. Alternative methods of screening may be approved. The screening plan must be reviewed and approved by the City Horticulturalist.

An attached map (Attachment 3) illustrates the surrounding zoning. The surrounding zoning is a mixture of R-2, Low Density Residential District, R-3, Medium Density Residential District, and B-2, General Business District. The I-1, Light Industrial District, requested by the applicant, is described in Section 18.75.010 of the Staunton Zoning Code:

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.

The adjoining lots along W. Beverley Street are zoned B-2, General Business District; however, approximately three dozen residentially zoned lots adjoin the portion of the property subject to the rezoning request. Over half of these properties have been developed with detached single-family dwellings. There are few natural barriers separating the subject property from the adjoining residential lots and existing single-family dwellings.

The *City of Staunton, Virginia, Comprehensive Plan 2018-2040*, Future Land Use Map (Attachment 4), designates this area as Business. The surrounding area is designated Low Density Residential with Business designation along W. Beverley Street. One of the Goals of

the *Comprehensive Plan* is to “promote rehabilitation and conservation throughout the City by reuse of existing infrastructure and buildings, revitalization of blighted and vacant properties, and redevelopment in older, high density areas with existing utilities and infrastructure.” One of the Objectives under this Goal is to “revitalize blighted and vacant properties by creating an inventory to evaluate if zoning changes are needed, create a partnership with public safety officials to address crime, require absent landlords to maintain deteriorating properties, and encourage the City Treasurer to auction tax delinquent and abandoned properties.” While the *Comprehensive Plan* supports the revitalization of blighted and vacant buildings, the redevelopment must be done in a manner which is appropriate for the area. The proposed proffers would limit some of the potential impacts on the surrounding residential uses; however, the rezoning request is not consistent with the Future Land Use Map of the *Comprehensive Plan*, or the intent of the I-1, Light Industrial District or compatible with the surrounding residential uses.

Planning Commission Recommendation: At its meeting of April 15, 2021, the Planning Commission conducted a public hearing and considered the request. During the public hearing no one spoke in opposition to the request. On a 5-0 vote, on the basis that the request would not serve the interests of public necessity, convenience and general welfare and good zoning practice, the Planning Commission unanimously recommended denial of the request.

Attachments:

Attachment 1—Application and Documents Supplied by the Applicant

Attachment 2—Vicinity Map – 2040 W. Beverley St

Attachment 3—Current Zoning – 2040 W. Beverley St

Attachment 4—Future Land Use – 2040 W. Beverley St

Attachment 5—Proposed Rezoning – 2040 W. Beverley St

Attachment 6—Proffers Offered by the Applicant for I-1, Light Industrial District Conditional

Attachment 7—Draft Ordinance of Rezoning

Suggested Motions (to be made after the public hearing is conducted):

I move that Council **deny** the request to rezone 2040 W. Beverley Street, as recommended by the Planning Commission.

I move that Council **approve** the rezoning and adopt the ordinance, as presented, rezoning 2040 W. Beverley Street from B-2, General Business District, to I-1, Light Industrial District Conditional.

City Manager: Steven L. Rosenberg



APPLICATION FOR ZONING
CLASSIFICATION CHANGE- REZONING

Date: 3/5/2021

Applicant: River Ridge – Chestnut Hills, LC

Address: C/O Harding & Associates, Inc. 5006 Monument AV, Richmond, VA 23230

Telephone #s: Primary: 804-282-1590 Secondary: 804-399-6399

Email address: Joe.Harding@Harding-Inc.com

If the applicant is NOT the owner of the property in question, explain. A copy of a pending contract or option agreement shall be attached hereto and made a part of this application.

Name of person to be notified in addition to the applicant and/or property owner:

Name: _____

Address: _____

Phone #: _____

Email address: _____

Location of property: 2040 W. Beverly St. Staunton VA.

Legal description of property: 2040 W. Beverly St., Staunton VA. (Parcel 8 BLK A) Parcel 3432 from Tax Bill.

Purpose of request: Rezone

Map Provided: YES ☒ NO ☐

Ordinance provided: YES ☐ NO ☐

~~*An electronic copy, in word document format is required to be emailed to Planning Office.~~

Present zoning classification of property: B-2

Requested zoning classification: I-1

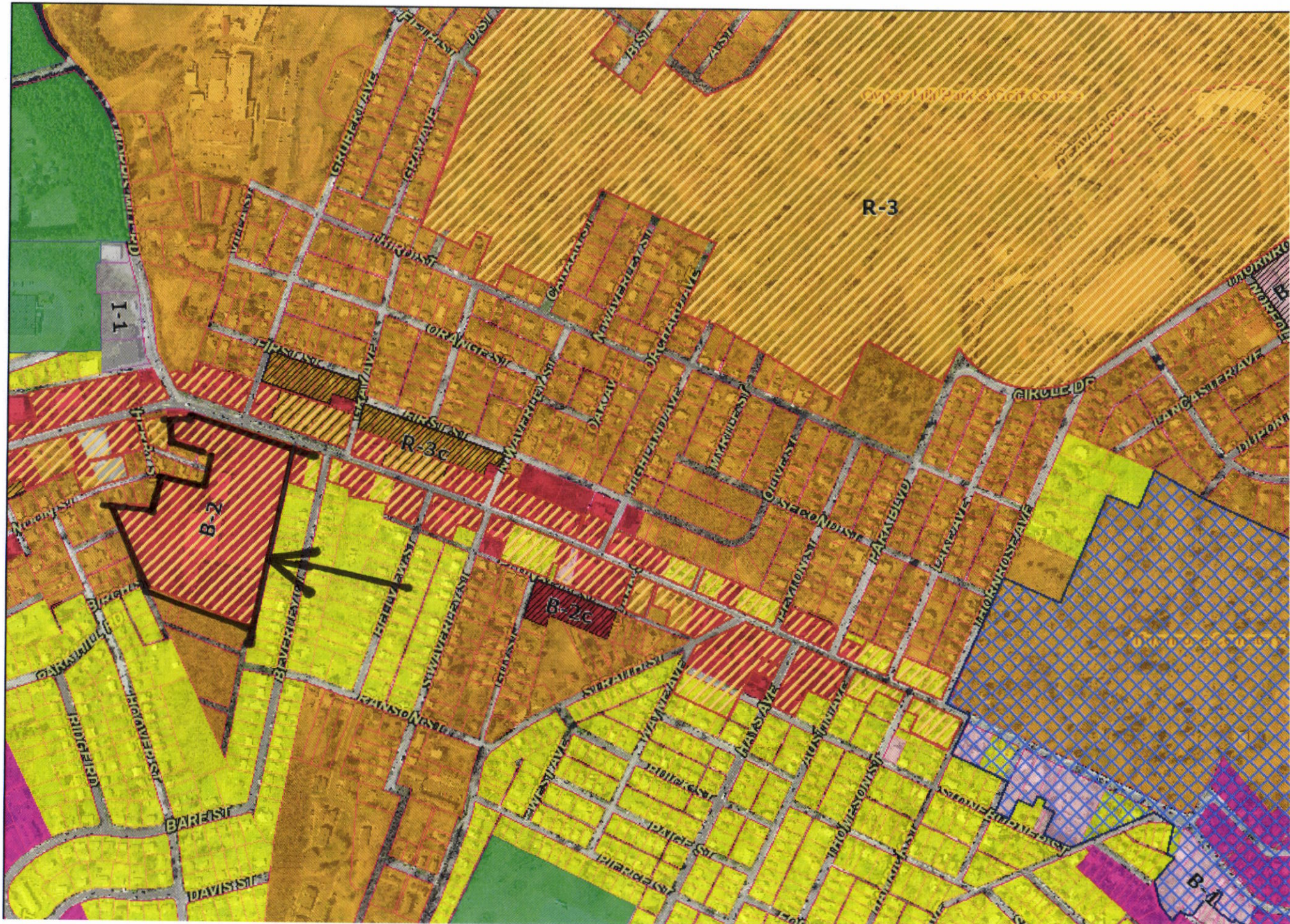
List permits pending approval of this rezoning: NONE

Fee Paid (\$250) YES ☒ NO ☐ *check or cash only

Signature of applicant: _____
(Owner / Agent)

DEPARTMENT OF COMMUNITY DEVELOPMENT – PLANNING AND ZONING DIVISION
116 W. BEVERLEY STREET | P.O. BOX 58 | STAUNTON, VA 24402
540.332.3862 (OFFICE) 540.332.3807 (FAX)

Zoning Map

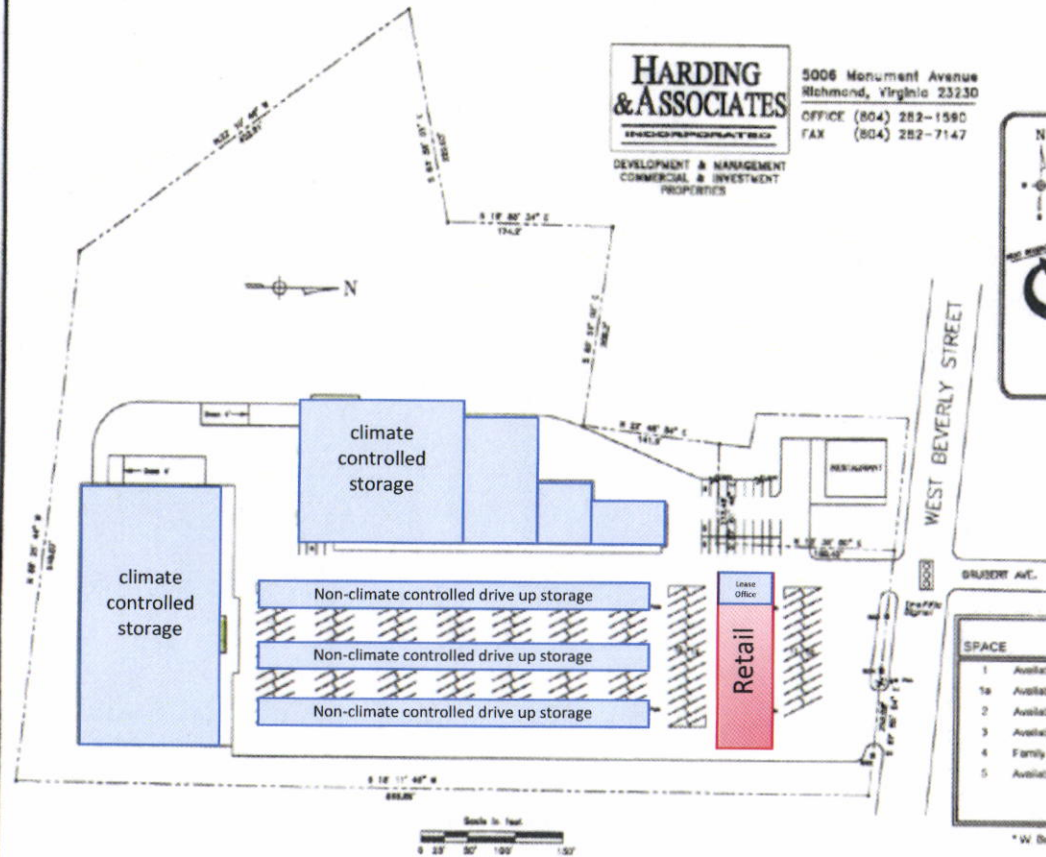
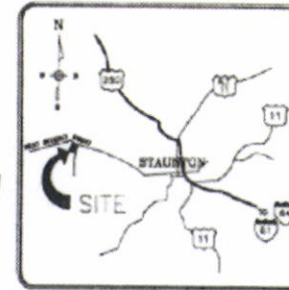


CHESTNUT HILLS SHOPPING CENTER STAUNTON, VA

HARDING & ASSOCIATES
INCORPORATED
DEVELOPMENT & MANAGEMENT
COMMERCIAL & INVESTMENT
PROPERTIES

5006 Monument Avenue
Richmond, Virginia 23230
OFFICE (804) 282-1590
FAX (804) 282-7147

VICINITY MAP



LEGEND			
SPACE	TENANT	SIZE SF	Street #
1	Available	18,290	2032
1a	Available	24,540	2032
2	Available	27,290	2030
3	Available	11,172	2028
4	Family Dollar	7,400	2026
5	Available	1,800	2024
Total Square Feet =		88,470	
Total Parking =		253	

* W. Beverly Street, Staunton, VA 24401

Date: 08/18/2004

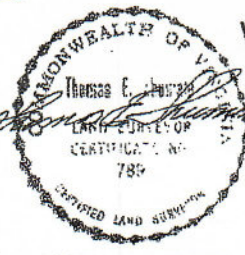
Professional Graphic Drafting

804-378-8118

Fax: 804-378-1888

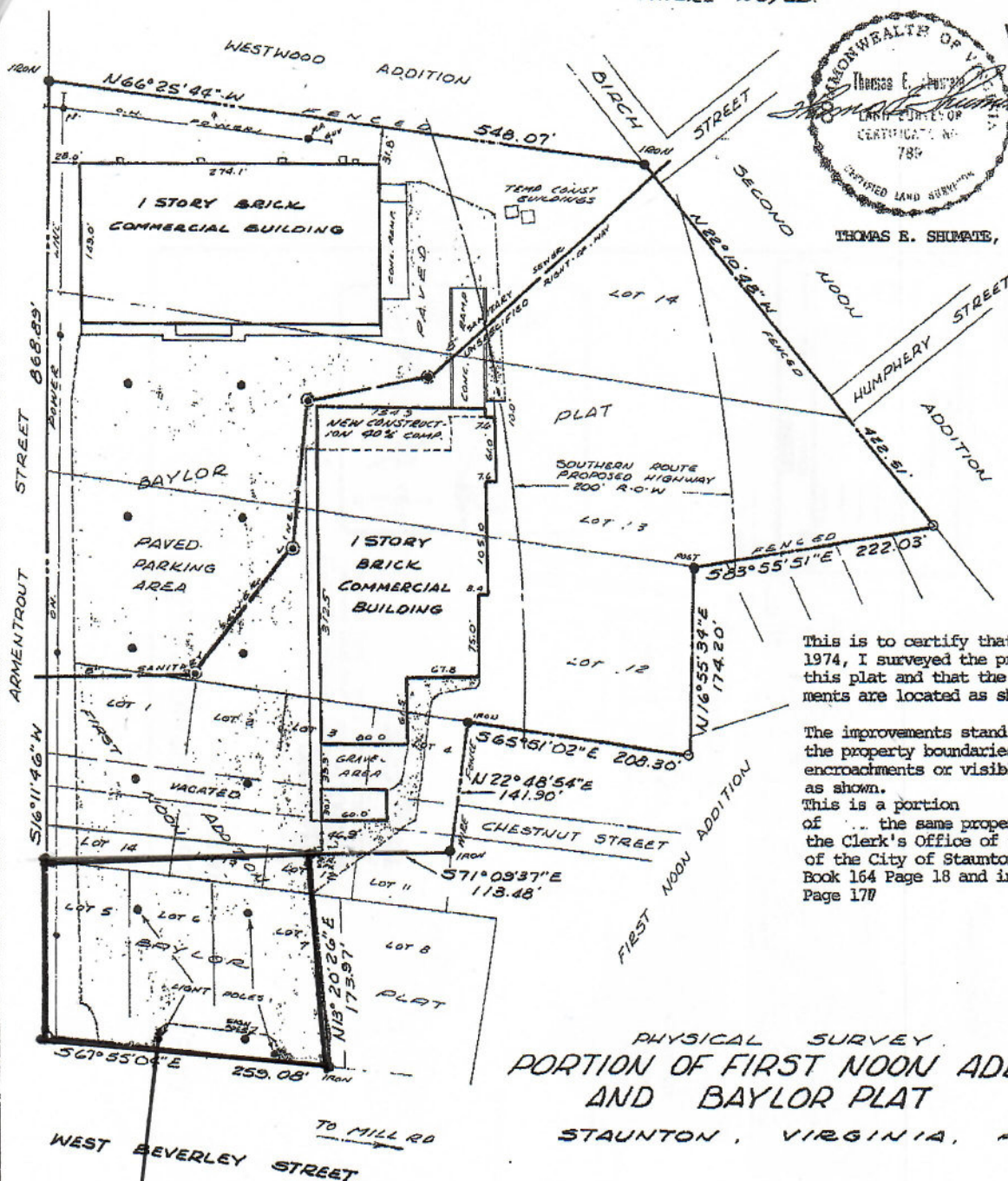
Drawn By: J. Smith

NOTE: FENCE IS ON OR NEAR PROPERTY LINE WHERE NOTED.



THOMAS E. SHUMATE,

CLS 789



This is to certify that on November 14, 1974, I surveyed the property shown on this plat and that the physical improvements are located as shown.

The improvements stand strictly within the property boundaries and there are no encroachments or visible easements except as shown.
This is a portion of the same property as recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia, Deed Book 164 Page 18 and in Deed Book 191 Page 170

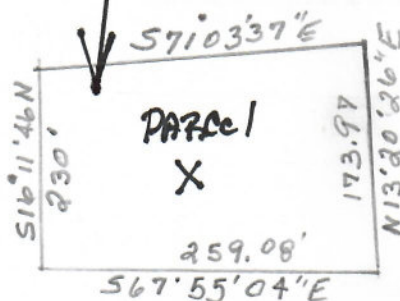
PHYSICAL SURVEY
PORTION OF FIRST NOON ADDITION
AND BAYLOR PLAT
STAUNTON, VIRGINIA, FOR

Sewer from premises. Water, telephone and gas and T.V. from Beverley Street. Power from Beverley Street

SCALE 1"=100'

NOVEMBER 27, 1974

HIGGS & SHUMATE
ENGINEERS & SURVEYORS
STAUNTON - WAYNESBORO
VIRGINIA



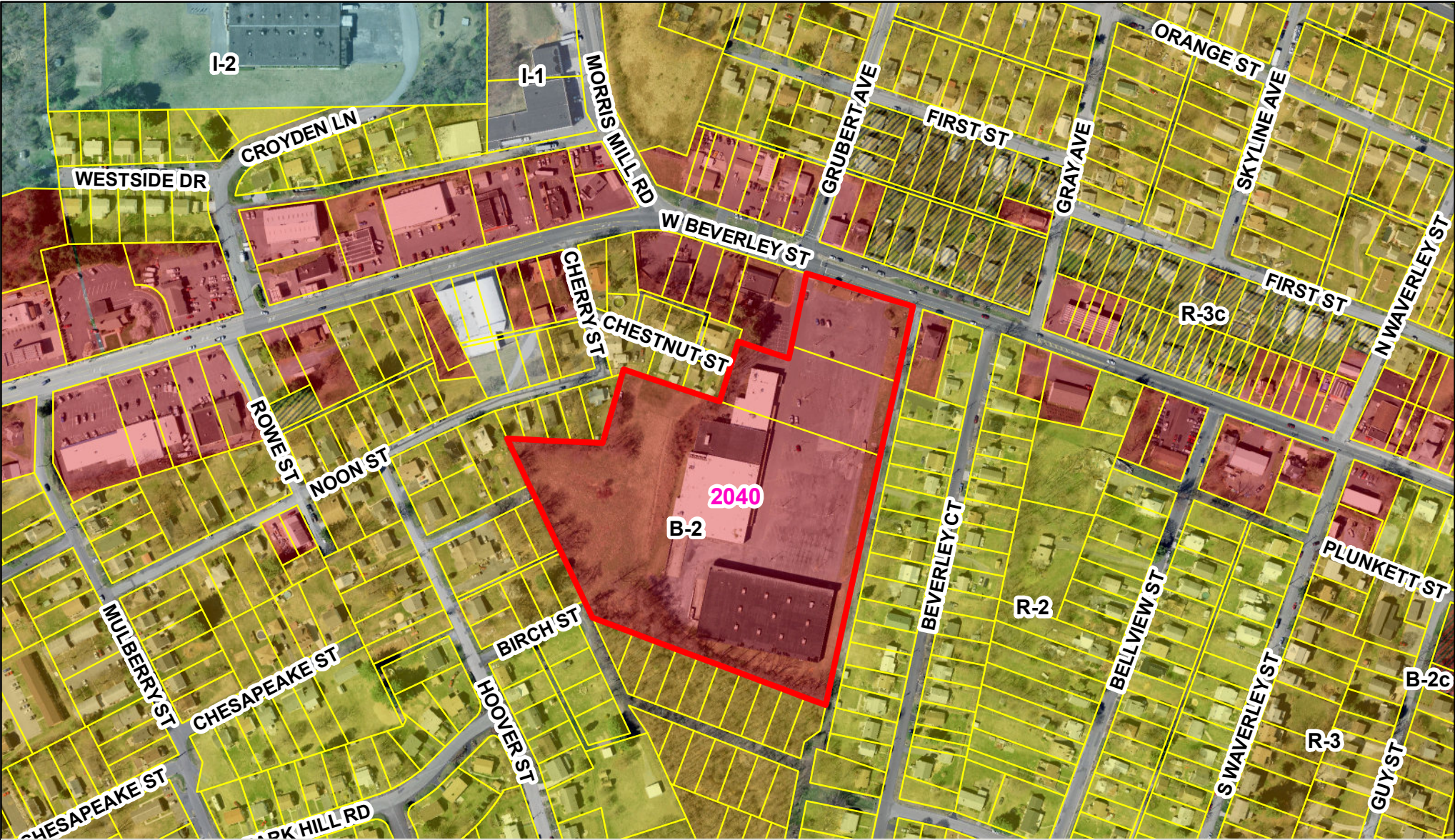
Parcel
X
KEEP B-2

Vicinity Map – 2040 W Beverley St

Attachment 2



Current Zoning - 2040 W Beverley St



Zoning

- B-1
- B-1(conditional)
- B-2
- B-2(conditional)

B-3

- HE-1
- I-1
- I-1(conditional)
- I-2

I-2(conditional)

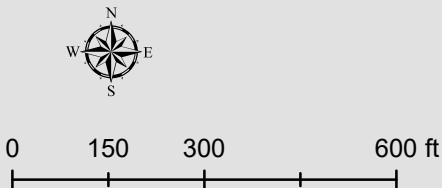
- I-3(conditional)
- P-1
- P-1(conditional)
- R-1

R-2

- R-2(conditional)
- R-3
- R-3(conditional)
- R-4

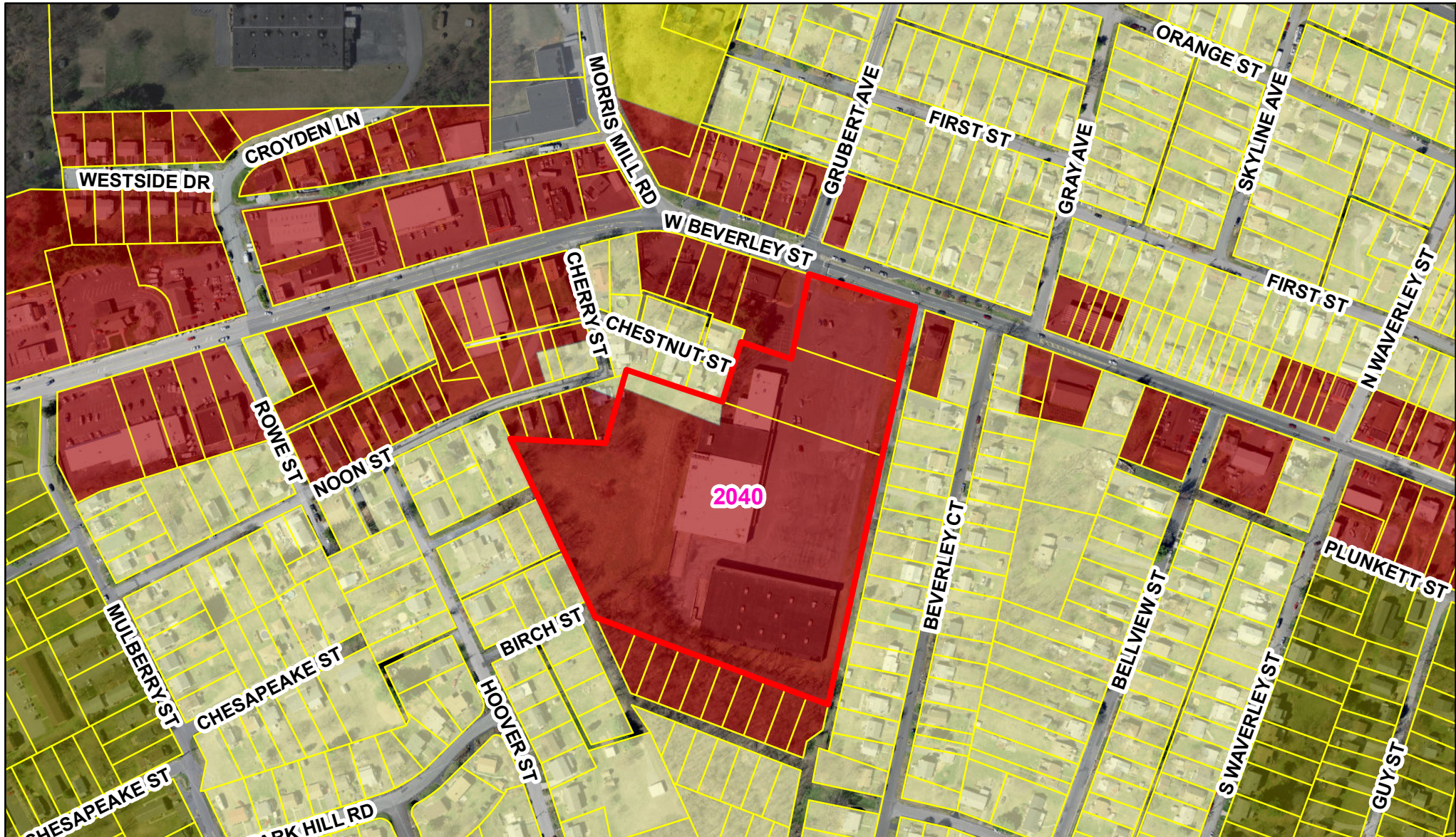
Additional Layers

- Selected Property
- Lots



Future Land Use - 2040 W Beverley St

Attachment 4



Future Land Use

- CONSERVATION/RECREATION/OPEN SPACE
- PLANNED FARM DEVELOPMENT
- PUBLIC/SEMI-PUBLIC

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM DENSITY PLANNED RESIDENTIAL
- HIGH DENSITY RESIDENTIAL

- TRADITIONAL NEIGHBORHOOD DEVELOPMENT
- LOW DENSITY PLANNED RESIDENTIAL
- NEIGHBORHOOD RESIDENTIAL
- PROFESSIONAL

- PLANNED BUSINESS
- BUSINESS
- PLANNED INDUSTRIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL

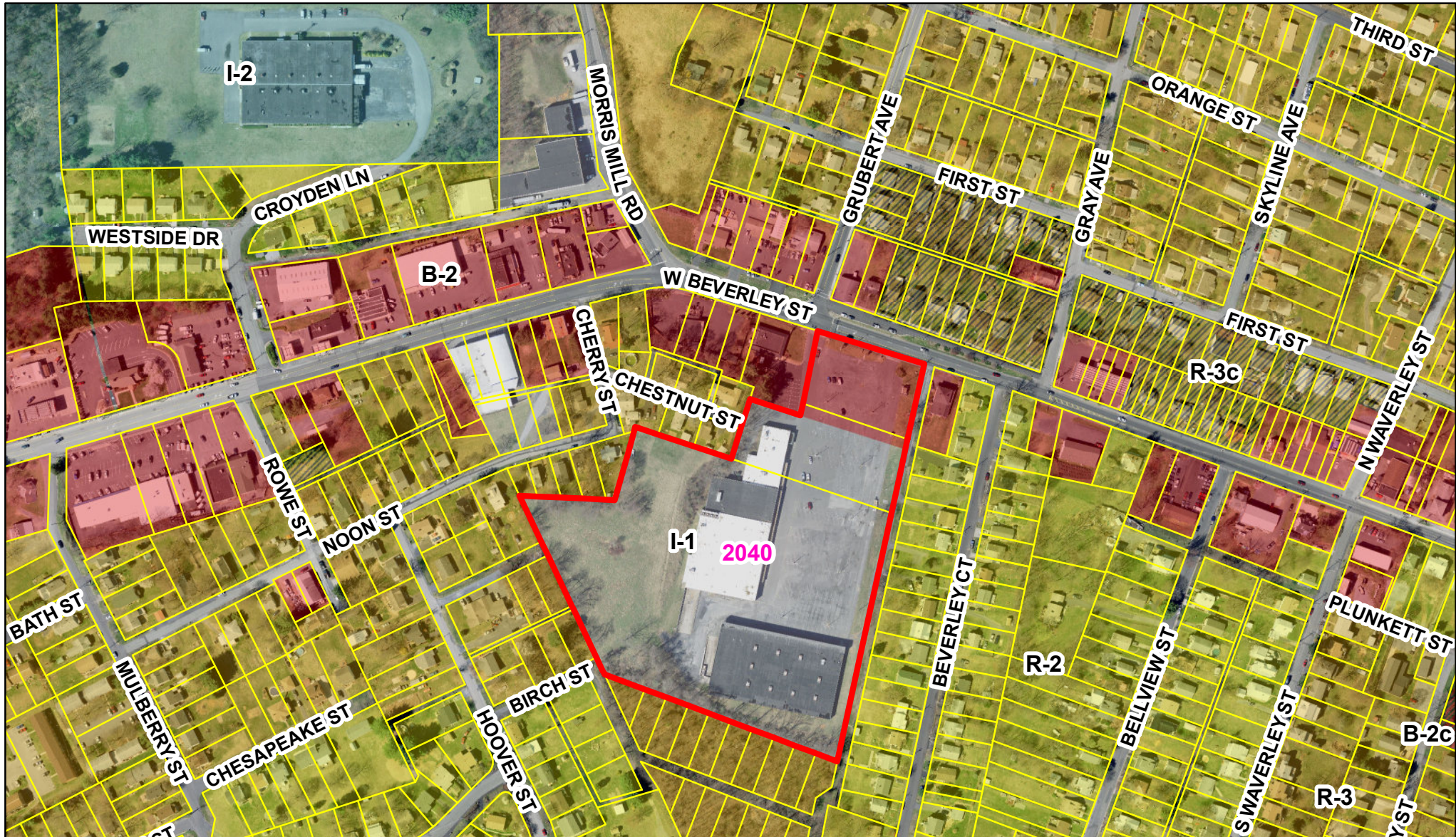
Additional Layers

- Selected Property
- Lots



0 150 300 600 ft

Proposed Rezoning - 2040 W Beverley St



0 150 300 600 ft

Zoning

- B-1
- B-1(conditional)
- B-2
- B-2(conditional)

- B-3
- HE-1
- I-1
- I-1(conditional)
- I-2

- I-2(conditional)
- I-3(conditional)
- P-1
- P-1(conditional)
- R-1

- R-2
- R-2(conditional)
- R-3
- R-3(conditional)
- R-4

Additional Layers

- Selected Property
- Lots

Attachment 6

I-1 LIGHT INDUSTRIAL DISTRICT CONDITIONAL

18.75.020 Uses permitted.

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

- (1) A retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof.
- (2) No residential use, except sleeping facilities required by caretaker or night watchman employed on the premises shall be permitted in the I-1 light industrial conditional district.
- (3) Business sign as regulated in Chapter 18.140 SCC.
- (4) Co-location of telecommunication antenna and related equipment as regulated in SCC 18.185.020(4).
- (5) The following uses when conducted within a completely enclosed building:

~~(a) The manufacture, compounding, processing, packaging, or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.~~

~~(b) The manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: aluminum, bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi-precious metals or stones, shell, rubber, textiles, tin, iron, steel, wood (excluding sawmill), yarn, and paint not involving a boiling process.~~

~~(ea)~~ The manufacture of musical instruments, toys, novelties, and rubber and metal stamps.

~~(eb)~~ Wholesale or warehouse enterprise.

- (6) Buildings, structures, and uses accessory and customarily incidental to any of the above uses.
- (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.

Commented [TAH1]: On May 10, 2021, Mr. Harding submitted additional proffers to eliminate these uses from his request for I-1, Conditional rezoning.

Ordinance No. 2021-____

**AN ORDINANCE REZONING
FROM B-2, GENERAL BUSINESS, TO I-1 LIGHT INDUSTRIAL CONDITIONAL,
A PORTION OF THAT CERTAIN TRACT OR PARCEL OF LAND
LOCATED AT 2040 W BEVERLEY STREET (PID 3432), STAUNTON, VIRGINIA**

Recitals

A. It appears by deed dated February 11, 1998, recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia, in Book 399, Page 413, that River Ridge-Chestnut Hills, LC, acquired from Joseph J. Harding Jr., and Marion B. Harding what is referenced in the deed as 10.304 acres of land located on the south side of W Beverley Street, with further description provided in the deed, a copy of which is annexed and incorporated herein by reference (**Exhibit A**);

B. River Ridge-Chestnut Hills, LC, has applied to the City of Staunton for a zoning classification change under the provisions of the Staunton City Code for 2040 W Beverley Street (Parcel Identification (PID) 3432), except for that portion of the property as shown a survey by Russell H. Orrison dated May 4, 2021, a copy of which is annexed and incorporated by reference (**Exhibit B**), from B-2, General Business to I-1, Light Industrial Conditional;

C. The Planning Commission of the City of Staunton, after study and review, has properly heard the matter;

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 the property known as 2040 W Beverley Street (PID 3432), except for that portion of the property as shown a survey by Russell H. Orrison dated May 4, 2021, in the City of Staunton, Virginia, is **HEREBY REZONED** from B-2, General Business to I-1, Light Industrial Conditional.

BE IT FURTHER ORDAINED by the Council of the City of Staunton, Virginia, that the owner of the property known as 2040 W. Beverley Street (PID 3432) voluntarily proffers to limit the use of the rezoned property to the following uses and the Council hereby agrees to limit the use of the property to the following uses:

I-1 LIGHT INDUSTRIAL DISTRICT CONDITIONAL

18.75.020 Uses permitted.

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

(1) A retail or service use only when it directly serves or is auxiliary to the needs of industrial plants or employees thereof.

(2) No residential use, except sleeping facilities required by caretaker or night

watchman employed on the premises shall be permitted in the I-1 light industrial conditional district.

(3) Business sign as regulated in Chapter 18.140 SCC.

(4) Co-location of telecommunication antenna and related equipment as regulated in SCC 18.185.020(4).

(5) The following uses when conducted within a completely enclosed building:

(a) The manufacture of musical instruments, toys, novelties, and rubber and metal stamps.

(b) Wholesale or warehouse enterprise.

(6) Buildings, structures, and uses accessory and customarily incidental to any of the above uses.

(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.

All other provision of SCC 18.75, I-1 Light Industrial District shall apply.

Introduced:

Adopted:

Effective Date:

Andrea W. Oaks, Mayor

ATTEST:

Morgan C. Smith
Interim Clerk of Council

CLR980000866

Prepared by and Return to:

Hunton & Williams
951 East Byrd Street
Richmond, Virginia 23219

DEED OF ASSUMPTION
(Staunton)

THIS DEED OF ASSUMPTION, dated as of the 11th day of February, 1998, among JOSEPH J. HARDING, JR., Trustee under that certain Revocable Trust Agreement dated April 21, 1987 (the "Trustee"), JOSEPH J. HARDING, JR., also known as JOSEPH J. HARDING, individually (the "Assignor") (for indexing purposes, the Trustee and the Assignor are referred to as the "Grantors"), MARION B. HARDING, individually (the "Assignor's Spouse"), and RIVER RIDGE-CHESTNUT HILLS, LC, a Virginia limited liability company (the "Grantee"), recites and provides as follows:

RECITALS:

This assignment and conveyance is exempt from recordation taxes pursuant to section 58.1-811.A.10 of the Code of Virginia (1950), as amended.

CONVEYANCE:

THAT for and in consideration of the conveyance made hereby, the consideration received therefor by the Trustee and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Trustee, subject to the matters described herein, hereby grants and conveys to the Grantee with special warranty, the real estate described on Exhibit A attached hereto (the "Real Estate"). Additionally, the Assignor, subject

to the matters described herein, hereby remises, releases and forever quitclaims to the Grantee, any right, title and interest which he may have in and to the Real Estate (including any buildings and improvements thereon).

The Real Estate is conveyed subject to: (a) all easements, conditions, restrictions, liens, assignments and agreements of record that lawfully apply to the Real Estate or any part thereof, and (b) the lien of the credit line deed of trust dated May 2, 1994 (the "Central Fidelity Deed of Trust"), and recorded March 3, 1995, in the Clerk's Office in Deed Book 358, at page 33, between the Assignor and G. Andrew Nea, Jr. and David J. Fairchild, as trustees, for the benefit of Central Fidelity National Bank, which secures the performance of the obligations set forth in the Central Fidelity Deed of Trust and the payment of the indebtedness secured thereby, in the original principal sum of \$250,000.00, plus interest, and having an outstanding principal balance, as of August 1, 1997, of \$138,000. The Grantee, by its execution hereof, hereby (i) assumes and agrees to perform all of the obligations of the Assignor under the indebtedness secured by the Central Fidelity Deed of Trust, and (ii) agrees to indemnify and hold the Assignor harmless from and against all loss, damage, cost and expense (including reasonable attorneys' fees) incurred by the Assignor as a result of a failure by the Grantee to fulfill its obligations under the indebtedness secured by the Central Fidelity Deed of Trust. Nothing contained herein shall be construed or deemed to release,

forgive or otherwise relieve the Assignor of any of its obligations or liabilities under the indebtedness secured by the Central Fidelity Deed of Trust, which obligations and liabilities the Assignor hereby reaffirms.

The Assignor's Spouse joins in this Deed to consent to the assignment, transfer and conveyance by the Assignor to the Grantee of the Assignor's right, title and interest in and to the Real Estate.

(SIGNATURES APPEAR ON THE FOLLOWING PAGES)

IN WITNESS WHEREOF, the Grantors have executed this instrument and the Grantee has caused this instrument to be executed on its behalf by its duly authorized representative.

TRUSTEE:

J. J. Harding, Jr.
Joseph J. Harding, Jr., Trustee
under that certain Revocable Trust
Agreement dated April 21, 1987

ASSIGNOR:

J. J. Harding, Jr.
Joseph J. Harding, Jr.,
individually

ASSIGNOR'S SPOUSE:

Marion B. Harding
Marion B. Harding, individually

GRANTEE:

RIVER RIDGE-CHESTNUT HILLS, LC, a
Virginia limited liability company

By: River Ridge, LC, a Virginia
limited liability company
Its: Sole Member

By: Joseph J. Harding, III
Name: Joseph J. Harding, III
Its: Manager

By: J. J. Harding, Jr.
Name: Joseph J. Harding, Jr.
Its: Member

By: Marion B. Harding
Name: Marion B. Harding
Its: Member

STATE OF ^{Florida} VIRGINIA,
CITY/COUNTY OF Palm Beach to-wit:

The foregoing instrument was acknowledged before me in the
City/County of Palm Beach, ^{Florida} ~~Virginia~~, this 12 day of
February, 1998, by Joseph J. Harding, Jr., as
Trustee under that certain Revocable Trust Agreement dated April
21, 1987.

My commission expires: June 17, 2001.



Tara E. Mowatt
Notary Public

STATE OF ^{Florida} VIRGINIA,
CITY/COUNTY OF Palm Beach, to-wit:

The foregoing instrument was acknowledged before me in the
City/County of Palm Beach, ^{Florida} ~~Virginia~~, this 12 day of
February, 1998, by Joseph J. Harding, Jr.,
individually and as a Member of River Ridge, LC, a Virginia
limited liability company, as the Sole Member of River Ridge-
Chestnut Hills, LC, a Virginia limited liability company, on
behalf of the limited liability company.

My commission expires: June 17, 2001.



Tara E. Mowatt
Notary Public

STATE OF ~~VIRGINIA~~ ^{Florida},CITY/COUNTY OF Palm Beach, to-wit:

The foregoing instrument was acknowledged before me in the
 City/County of Palm Beach, ~~XXXXXX~~ ^{Florida}, this 12 day of
February, 1998, by Marion B. Harding, individually
 and as a Member of River Ridge, LC, a Virginia limited liability
 company, as the Sole Member of River Ridge-Chestnut Hills, LC, a
 Virginia limited liability company, on behalf of the limited
 liability company.

My commission expires: June 17, 2001

Tara E. Mowatt
 Notary Public

STATE OF VIRGINIA,

CITY/COUNTY OF Richmond, to-wit:

The foregoing instrument was acknowledged before me in the
 City/County of Richmond, Virginia, this 11 day of
February, 1998, by Joseph J. Harding, III, as
 Manager of River Ridge, LC, a Virginia limited liability company,
 as the Sole Member of River Ridge-Chestnut Hills, LC, a Virginia
 limited liability company, on behalf of the limited liability
 company.

My commission expires: Oct. 31, 2000

David Corradi
 Notary Public

The address of the Grantee is:

River Ridge, LC
 500 Libbie Avenue, Suite 1-A
 Richmond, Virginia 23226

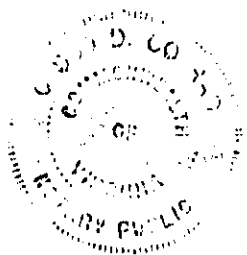


EXHIBIT ADescription of Real Estate

All those certain tracts of land, situate in the CITY OF STAUNTON, VIRGINIA, located on the south side of West Beverley Street, containing 10.304 acres, more or less, and more particularly described on a map entitled "Plat Showing Resubdivision Portion of First Noon Addition and Baylor Plat Staunton, Virginia", dated February 18, 1975, prepared by Higgs and Shumate, Engineers, Surveyors, Staunton-Waynesboro, Virginia, and recorded in the Clerk's Office of the Circuit Court of the City of Staunton, Virginia (the "Clerk's Office"), in Deed Book 200, page 470, and being the same property acquired by Joseph J. Harding, Jr. by the following deeds: (1) by deed dated April 16, 1968, from Arthur S. DePriest, et ux, recorded as aforesaid in Deed Book 164, page 15; (2) by deed dated April 18, 1968, from Fishburne B. Rowe, et ux, recorded in Deed Book 164, page 18; (3) by deed dated April 18, 1968, from Helen Dull Whitt, widow, recorded in Deed Book 164, page 21; (4) by deed dated April 26, 1968, from Thomas E. Brooks, et ux, recorded in Deed Book 164, page 152; (5) by deed dated November 5, 1968, from Genevieve L. Dull, widow and William P. Dull and Thelma M. Dull, recorded in Deed Book 169, page 232; and (6) by deeds dated May 23, 1973, and February 13, 1975, from George W. Kane, Jr., et ux, and recorded in Deed Book 191, page 177, and Deed Book 199, page 466, respectively.

TOGETHER WITH all that certain right, title and interest in and to that certain portion of Chestnut Street, lying between Lot 4 and Lot 11, in Block One (1), First Noon Addition, as vacated and abandoned pursuant to an ordinance recorded March 1, 1972, in the Clerk's Office in Book 183, page 254.

LESS, HOWEVER, a portion of said properties conveyed to the City of Staunton, Virginia, consisting of a strip along West Beverley Street by instrument dated February 2, 1972, recorded in said Clerk's Office in Deed Book 186, page 347, and a portion, together with the right of way, conveyed to Franchise Realty Interstate Corporation by deed dated May 31, 1975, recorded as aforesaid in Deed Book 200, page 157.

State Tax	039	\$	<u>Exempt</u>
Tech. Fee	106		<u>3.00</u>
City Tax	214		<u>Exempt</u>
Transfer Fee	212		<u>1.00</u>
Clerk's Fee	301		<u>15.00</u>
St. Library	145		<u>1.00</u>
State Tax	038		<u>-</u>
Local Tax	220		<u>-</u>
Total	\$		<u>20.00</u>

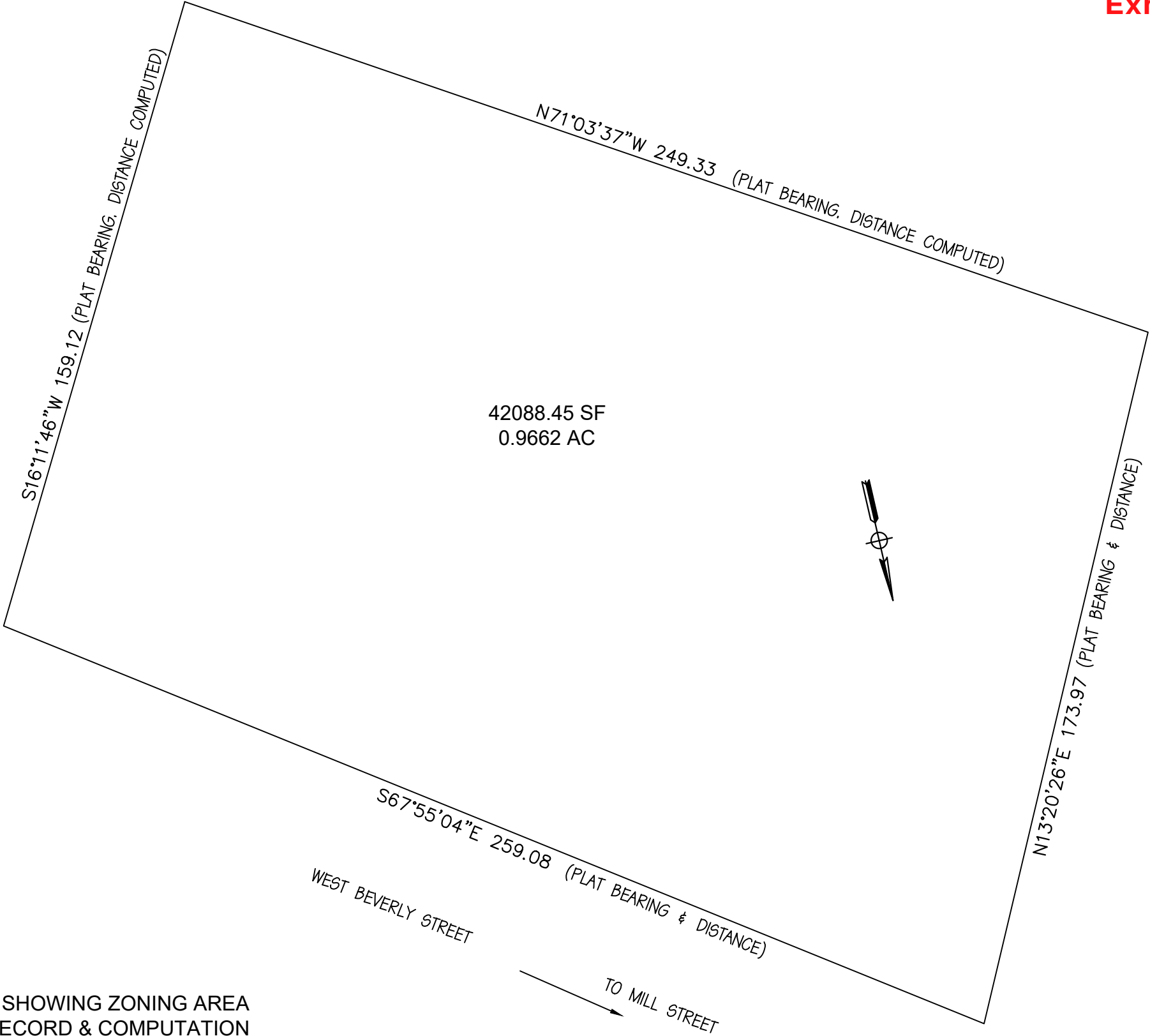
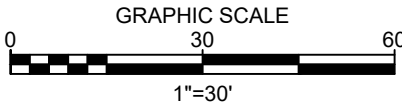
VIRGINIA: In the Clerks' Office of the Circuit Court of the City of Staunton, Virginia Mar 25, 1978 this writing was admitted to record at 14:32 o'clock P. M. and the Tax imposed by Section 58.1-802 of the Code of Virginia in the amount of \$ Exempt has been paid.
 Teste: Thomas E. Roberts, Clerk
 By: Wendy D. DeGlen Deputy Clerk



317 BROOK PARK PL, FOREST, VIRGINIA 24551
PHONE: 434-525-5985 FAX: 434-525-5986
EMAIL: pno@perkins-orrison.com

17 W. NELSON STREET LEXINGTON, VIRGINIA 24450
PHONE: 540-464-9001 FAX: 540-464-5009
EMAIL: pno@perkins-orrison.com

EXHIBIT SHOWING ZONING AREA
FROM RECORD & COMPUTATION
AS SHOWN



CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	Staff Member: Chris Tuttle
Item #	C	
Ordinance #		
Department:	Parks and Recreation	
Council Vision:	Culture	
Subject:	Public Hearing and Consideration of an Ordinance Authorizing the Lease Agreement between City of Staunton and Staunton Baseball, Inc. for the Limited Use of Baseball Field and Operation of Concession Rights	

Background: The City intends to enter into a lease agreement with Staunton Baseball, Inc. for the lease of John Moxie Memorial Baseball Stadium and related facilities for the purposes of the 2021 Valley League baseball season and the operation of the concession stand at the stadium. Staunton Baseball, Inc. staff have requested access to office facilities beginning May 15, 2021. No field activity will take place until after May 15, 2021. The proposed lease agreement has been reviewed by the City Attorney with staff (Attachment 1). A public hearing is required, as properly noticed in *The News Leader* (Attachment 2). Subsequent to the public hearing, Council may consider the proposed lease agreement and proposed ordinance (Attachment 3).

Attachments:

Attachment 1—Proposed Lease Agreement

Attachment 2—Public Hearing Notice

Attachment 3—Proposed Ordinance

City Manager's Recommendation: Conduct a public hearing and adopt the proposed

ordinance authorizing the lease agreement and further authorizing the City Manager to execute the lease agreement upon final review and approval by the City Attorney.

Suggested Motion: I move that City Council adopt the ordinance authorizing approval of the lease agreement between the City of Staunton and Staunton Baseball, Inc. for the limited use of the baseball field and operation of concession rights beginning May 15, 2021, and further authorizing the City Manager be authorized to execute the lease agreement with such modifications and in final form as approved by the City Attorney.

City Manager: Steven L. Rosenberg

**JOHN MOXIE MEMORIAL BASEBALL STADIUM
GYPSY HILL PARK
STAUNTON, VIRGINIA**

1. **Recitals.**

1.2. Staunton Baseball has requested the use of John Moxie Memorial Stadium (Stadium) for the purposes during summer months, of playing baseball with the Valley League Baseball Season. A copy of a sketch of the stadium is attached and is labeled as **Exhibit A**.

1.3. In connection with the use of Stadium, the City deems it practicable and desirable that a concession stand be operated and Staunton Baseball is desirous of operating such concession stand.

1.4. After advertising and conducting a public hearing and after approval of the Council of the City of Staunton, Virginia, the City authorizes that the City facilities (Facilities) shown on the aerial map annexed as **Exhibit B** be made available for such use, including the designated parking area for non-exclusive use, because the Valley League baseball program provides the City and its residents with a valued recreational and entertainment opportunity during the summer. Nonetheless, it is stipulated that Staunton Baseball activities, including but not limited to scheduling, programming, and participation, are not sponsored, not directed, and not managed by the City, instead being solely and completely controlled by Staunton Baseball. It is also stipulated that any decision-making is within the sole and private, independent control and exercise of discretion of Staunton Baseball and any role of the City of Staunton is minimal, providing merely neutral logistical assistance, with no role whatsoever as to making agreements, displaying advertising or adopting or enforcing any requirements.

1.5. These recitals are an integral part of this Agreement.

2. **Property.** The City hereby leases to Staunton Baseball and Staunton Baseball hereby leases from the City, for the term of this Agreement, the Facilities.

Furthermore, the City also hereby grants unto Staunton Baseball, for the term of this Agreement, the sole and exclusive privilege to concession rights at the Stadium.

3. **Term.** The term of this Agreement shall be from May 15, 2021, to and including August 31, 2021, and rent shall be the sum of \$1.00 paid by Staunton Baseball to the City.

4. **Obligations of Staunton Baseball as to John Moxie Memorial Baseball Stadium.**

4.1. Staunton Baseball is required to perform all restroom cleaning within twelve (12) hours of the conclusion of any use of Facilities by Staunton Baseball. The City will provide cleaning supplies and materials for this purpose.

4.2. Staunton Baseball will have total responsibility for timely trash pickup during and after each use of Facilities through the term of this Agreement. All trash shall be properly deposited into containers to be readily accessible to the City's refuse service.

4.3. Staunton Baseball shall be responsible for the maintenance of the playing field, including the billboard fence, at its sole expense, with the exception that the City shall mow the field, including the infield, one (1) time each week. If Staunton Baseball requests additional mowing, the City will do so and, in its discretion, may invoice Staunton Baseball for all costs associated with the use and operation of equipment, the materials and the labor. Any such invoice shall be paid within ten (10) days by Staunton Baseball, and if not paid within such period, shall bear interest at the rate of 9% per annum.

4.4. Any other special requests by Staunton Baseball for the City to provide services will be invoiced to Staunton Baseball for all costs associated with the use and operation of the equipment, materials and labor. Such invoice shall be paid within ten (10) days by Staunton Baseball, and if not paid within such period, shall bear interest at the rate of 9% per annum.

4.5 Staunton Baseball shall comply with all applicable laws and regulations including those regarding signs.

5. **Obligations of Staunton Baseball as to Concession Rights.**

5.1. Staunton Baseball agrees that the prices for items offered for sale are subject to review by the City and that any changes in approved items, prices and quality shall be submitted to review by the City's designee before implementation.

5.2. Staunton Baseball shall supply, at its expense, all equipment necessary for operation of concessions.

5.3. No advertising will be displayed on the exterior of any Facilities building.

5.4. Staunton Baseball shall be responsible for the cleaning of any part of the Facilities where concessions are conducted or used, to the sole satisfaction of the City's designee, such cleaning to be completed during the first daylight hours following each usage.

5.5. It is agreed that all concession operations shall be in strict accordance with the requirements of the Virginia Health Department.

5.6. Any concession personnel shall be uniformed in order that they are readily identifiable and will be required to be clean and neat in appearance.

5.7. No sound system used for advertising will be permitted on the Facilities.

5.8. Staunton Baseball shall provide responsible adult supervision of concession operations and sales staff at all times.

5.9. Staunton Baseball shall keep and verify an accurate accounting of all concessions receipts and expenditures, as well as make payment of applicable taxes and fees, and will make its records available for inspection by the City at such place and time as the City may designate.

6. **Staunton Baseball Business Operations Space; Water and Electricity.** The City shall furnish space at Moxie Stadium to Staunton Baseball for the operation of its business, as space may be available, and the City will further furnish at the City's cost and expense water and electricity from the presently installed hookups for the use of Staunton Baseball.

7. **Use and Restrictions.** Staunton Baseball use of the Facilities for the season is subject to the following additional conditions:

7.1. The City hereby expressly reserves and excepts the use of the Facilities during the baseball season when, in the sole discretion of the City, the Facilities are needed for civic purposes, scheduled community recreation events, or other purposes, and the Staunton High School baseball team shall have the right, as a matter of priority, to practice and play games during its season, in the afternoons or evenings during the academic year. The City shall, when practicable, give at least twenty-four (24) hours' notice to Staunton Baseball of any conflict of events. In case of emergency or necessity, to be determined in the City's sole discretion, the City may take control of and use the Facilities without Staunton Baseball receiving notice.

7.2. Staunton Baseball will provide the City with a schedule for the season on or before June 1, 2021. After the schedule is submitted to the City, all changes

of dates and times must be submitted for approval by the City at least twenty-four (24) hours prior to such changes being made.

7.3. All games played at Facilities must end and the crowds dispersed no later than 11:30 p.m. local time.

7.4. The Facilities, and equipment therein, shall continue to be available at all times for the use of the City or its agents, or assignees, at all times other than those when it is in actual use by Staunton Baseball or otherwise permitted under the terms of this Agreement.

7.5. The City will be responsible for having Facilities, including the playing field, in a reasonable condition prior to the first scheduled Staunton Baseball Valley League home game for the season; however, the City disclaims any warranty about the condition of the Facilities, which are provided AS IS, and Staunton Baseball shall have the sole ongoing obligation to inspect and correct any deficiencies. Thereafter, the City will be responsible only for mowing the grass portions of the baseball field, one (1) time each week, during the season. The infield portion of the baseball field will be otherwise maintained by Staunton Baseball to the satisfaction of the City Superintendent of Parks. Should the maintenance otherwise of the infield portion of Facilities not be performed satisfactorily, the City's grounds crew will perform the maintenance and invoice Staunton Baseball for the associated cost, which must be paid by Staunton Baseball within ten (10) days of such invoice and if not paid within such period shall bear interest at the rate of 9% per annum.

7.6. Two (2) on-site visits will be conducted by, but not limited to, the following: Director of Recreation and Parks, as designee for the City, and the president/owner of Staunton Baseball, Inc. One visit will be conducted prior to the beginning of the baseball season and one visit after the conclusion of the season. The purpose of such visit is to observe the condition of Facilities at the time of transfer of maintenance responsibilities from the City to Staunton Baseball at the beginning of the season and from Staunton Baseball back to the City after conclusion of the baseball season.

7.7. Staunton Baseball agrees that in the event a celebration is scheduled by the City or by the "America's Birthday Celebration" on or about July 4, no baseball games or events will be scheduled by Staunton Baseball which will conflict with or distract from, in the sole discretion of the City, such events in or adjacent to such park, baseball field, or other recreational or transportation facility near the Stadium. No games will be scheduled during the period of July 1, 2021 through July 5, 2021, without prior permission of The City.

180 8. **Environmental Indemnification.**
181

182 8.1. Subject to the terms of subsections 8.1 through 8.6 of this
183 Agreement, Staunton Baseball shall, at all times, indemnify, defend and hold harmless
184 the City, its members of Council, officers, directors, agents and employees, against any
185 and all demands, investigations, proceedings, claims, liens, suits, actions, debts, damages,
186 costs, losses, obligations, judgments, and expenses (including reasonable attorney and
187 other professional and non-professional fees) of any nature whatsoever, arising from or
188 relating to any statutory or common law action based on a Release of any Hazardous
189 Wastes or Toxic Substances (as hereinafter defined) unless due to the conduct of the City
190 or a third party unaffiliated with Staunton Baseball; the threat of a Release of any
191 Hazardous Wastes or Toxic Substances as set forth in CERCLA (as hereinafter defined)
192 unless due to the conduct of the City or a third party unaffiliated with Staunton Baseball;
193 or the presence of any Hazardous Wastes and/or Toxic Substances affecting Facilities,
194 including without limitation any loss of value of, loss of use of or loss of income from
195 Facilities as a result of any of the foregoing unless due to the conduct of the City or a
196 third party unaffiliated with Staunton Baseball. Staunton Baseball's obligation under this
197 Agreement shall arise whether or not any governmental authority or individual has taken
198 or threatened any action in connection with the presence of any Hazardous Wastes or
199 Toxic Substances.
200

201 8.2. In the event the City or Staunton Baseball becomes aware of the
202 presence of any Hazardous Wastes or Toxic Substances affecting Facilities in violation of
203 any federal, state or local statute or regulation related to the protection of the
204 environment, the management of Hazardous Wastes or the control of Toxic Substances,
205 or Staunton Baseball's failure to comply with any of the requirements of any federal,
206 state or local statute or regulation related to the protection of the environment, the
207 management of Hazardous Wastes or the control of Toxic Substances, the City or
208 Staunton Baseball, as applicable, shall immediately notify the other party orally, to be
209 followed immediately by written confirmation.
210

211 8.3. In the event of any Release or the presence of any Hazardous
212 Wastes or Toxic Substances affecting Facilities, or in the event Staunton Baseball shall
213 fail to comply with any of the requirements of any federal, state or local statute or
214 regulation related to the protection of the environment, the management of Hazardous
215 Wastes or the control of Toxic Substances, unless any of the aforesaid is due solely to the
216 conduct of the City or a third party unaffiliated with Staunton Baseball, Staunton
217 Baseball shall, using commercially reasonable, good faith efforts, diligently proceed to
218 restore Facilities to the original condition existing as of the date of this Agreement. If
219 Staunton Baseball fails to use its commercially reasonable, good faith efforts or to
220 diligently pursue restoration of Facilities, the City may, at its election, and at Staunton
221 Baseball's cost and expense, but without the obligation to do so, give such notice and/or
222 cause such work to be performed at Facilities and/or take any and all other actions as the
223 City shall deem necessary to restore Facilities to the original condition existing as of the
224 date of this Agreement.

225 8.4. "Hazardous Wastes" shall have the same meaning as set forth in
226 the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6901 et seq. and
227 the regulations promulgated thereunder and in the Virginia Hazardous Waste
228 Management Regulations, all as amended from time to time. The term "Toxic
229 Substances" shall include all substances defined pursuant to Section 101(14) of the
230 Comprehensive Environmental Response, Compensation and Liability Act of 1980
231 ("CERCLA"), 42 U.S.C. § 9601(14), as amended from time to time, without limitation,
232 however, as to the quantity of substances released. Further, the term "Toxic Substances"
233 shall also include petroleum as defined at 42 U.S.C. § 6991(8), whether contained above
234 or below ground, and shall include asbestos contained in or comprising building materials
235 or building components. The term "Release" shall have the same meaning as set forth at
236 42 U.S.C. § 9601(22).

237
238 8.5. The obligations of both the City and Staunton Baseball under this
239 section shall survive termination or expiration of the Agreement.

240
241 9. **General Indemnity and Hold Harmless.** Staunton Baseball shall
242 indemnify, defend and hold harmless the City, its members of Council, officers, directors,
243 agent and employees, against and from any and all demands, claims, liens, suits, actions,
244 debts, damages, costs, losses, obligations, judgments and expenses (including reasonable
245 attorney and other professional and non-professional fees) arising out of, or resulting
246 from, any and all injuries to persons or property by reason of Staunton Baseball's use of
247 Facilities and by reason of the use or act of any person, firm, or corporation operating
248 upon the Facilities with Staunton Baseball's permission. The term "Staunton Baseball's
249 use of the Facilities" means all those activities, events, equipment, displays,
250 performances, and concessions constituting the uses referred to in this Agreement. This
251 provision shall survive termination or expiration of this Agreement.

252
253 10. **Insurance.**

254
255 10.1. Staunton Baseball shall at all times during the term hereof, at its
256 own expense, maintain and keep in effect a comprehensive general liability insurance
257 policy. The amount of such insurance shall not be less than \$1,000,000.00, combined
258 single limit for personal injury or property damage. The policy shall name the City as an
259 additional insured, as its interest may appear. No policy may be cancelled or materially
260 amended without at least thirty (30) days prior written notice to the City.

261
262 10.2. The policy shall contain an endorsement or agreement by the
263 insurer that any loss shall be payable in accordance with the terms of such policy
264 notwithstanding any act or negligence of the City or Staunton Baseball which might
265 otherwise result in the forfeiture of the insurance and the further agreement of the insurer
266 waiving all rights of set off, counterclaim or deduction against the City or Staunton
267 Baseball.

10.3. The insurance required by this section shall be carried with an insurance company licensed to do business in the Commonwealth of Virginia and rated no less than A- by A.M. Best. A certified copy of the insurance policy or other evidence of current coverage reasonably satisfactory to the City shall be delivered to the City prior to entering into or occupying Facilities. In the event of the failure of Staunton Baseball to procure the required insurance, to pay the premiums thereon, or to properly maintain and keep the insurance in force, the City shall have the right and privilege, but not the obligation, to procure the insurance and to pay the premiums thereon, which amounts shall be due and payable within ten (10) days of written demand from the City to Staunton Baseball and if not paid within such period shall bear interest at the rate of 9% per annum.

11. **Damage or Destruction of Facilities.**

11.1. If Facilities are damaged by fire or other casualty, this Agreement, and all obligations hereunder, shall immediately terminate.

11.2. All insurance proceeds shall be paid to and become the sole property of the City.

12. **Notices.** All notices, requests, claims, demands and other communications hereunder shall be in writing and shall be given by delivery in person, mailed by courier or sent by facsimile and confirmed by telephone, or by registered or certified mail (postage prepaid, return receipt requested) or as subsequently designated otherwise as follows:

To the City:

The City of Staunton
Attention: City Manager and
Chief Finance Officer
116 W. Beverley St. (24401)
P. O. Box 58
Staunton, VA 24402-0058
Fax: 540-851-4000

With a copy to:

City Attorney
116 W. Beverley St. (24401)
P. O. Box 58
Staunton, VA 24402-0058
Fax: 540-851-4001

To Staunton Baseball:

Staunton Baseball, Inc.
Attention : Lance Mauck7505
Iroquois Ave.Baltimore, MD 21219
E-mail: stauntonbraves@gmail.com

314 13. **Termination.** The City reserves the right to terminate this Agreement at
315 any time on at least twenty-four (24) hours' written notice to Staunton Baseball upon
316 default of Staunton Baseball on any condition therein set forth, or upon violation by
317 Staunton Baseball of any ordinances of the City or any laws of the State of Virginia or of
318 the United States. It is expressly understood that the City shall have the right to terminate
319 this agreement if it reasonably believes Staunton Baseball to be in violation of any
320 ordinances or laws as aforesaid, and Staunton Baseball hereby waives any claim for any
321 damages resulting from termination of this Agreement as aforesaid even though it should
322 subsequently be shown that Staunton Baseball was not, in fact, in violation.
323

324 14. **Successors and Assigns.** This Agreement shall be binding upon and inure
325 to the benefit of successors in interest and permitted assigns of the City and Staunton
326 Baseball. Staunton Baseball assures the City, that this transaction is authorized. This
327 Agreement may not be assigned, nor any performance of any duty hereunder be delegated
328 by either the City or Staunton Baseball without the prior written consent of the other
329 party. This Agreement is for the use of Facilities by Staunton Baseball as part of the
330 Valley League only and shall not be used for baseball in any other league by Staunton
331 Baseball without the approval of the City.
332

333 15. **Severability.** If any provision, clause or part of this Agreement or the
334 application thereof under certain circumstances is held invalid or unenforceable for any
335 reason, the remainder of this Agreement, or the application of such provision, clause or
336 part under other circumstances, shall not be affected thereby.
337

338 16. **Immunity.** Nothing in this Agreement shall be construed or interpreted to
339 be a waiver of any sovereign or other immunity of the City, its council members,
340 officials, employees, agents or responsible parties or of Staunton Baseball.
341

342 17. **No Third-Party Beneficiary.** This Agreement is not intended to and
343 shall not be construed to create any third-party beneficiary.
344

345 18. **Waiver of Trial by Jury.** The City and Staunton Baseball each hereby
346 waive any and all right to trial by jury in any matter arising out of or in any way
347 connected with this Agreement.
348

349 19. **Appropriations.** The obligations of the City are subject to and contingent
350 upon sufficient annual appropriations of funds by the Staunton City Council for the
351 purpose of this Agreement.
352

353 20. **Governing Law and Forum Selection.** This Agreement shall be
354 governed by and construed under the laws of the Commonwealth of Virginia, without
355 reference to its conflicts of laws, rules or principles. The City and Staunton Baseball
356 agree that any proceeding connected with the subject matter of this Agreement or
357 otherwise related to the rights of either party, contractual or extra-contractual, shall be

instituted or filed and maintained by each and both of them, unless required otherwise by law, solely in the General District or Circuit Court of the City of Staunton, Virginia.

21. **Applications, Construction and Interpretation; captions.** This Agreement will be applied, construed and interpreted without any regard to any rule or principle of construction concerning the drafting or authorship of the Agreement. The headings or captions in this Agreement are for convenience of reference only and shall not affect the construction or interpretation of the provisions.

22. **Entire Agreement; Amendments.** The City and Staunton Baseball acknowledge that no representation, promise, inducement or agreement not herein expressed has been made in connection with this Agreement. No oral understandings, statements, promises or inducements contrary to the terms of this Agreement exist. They acknowledge that this Agreement and any documents which are to be executed in connection herewith pursuant to the terms of the Agreement contain the entire agreement between them regarding the subject matter thereof and supersede and replace any and all prior oral and written agreements, arrangements or understandings between them hereto relating to the subject matter hereof. This Agreement may be amended only by a written instrument signed on behalf of the City, as duly authorized, and by Staunton Baseball.

WITNESS the following signatures and seals.

The City of Staunton

Steven L. Rosenberg, City Manager

Date: _____

Staunton Baseball, Inc.

Lance Mauck, President

Date: _____



Exhibit A

1 inch = 169 feet



4/12/2018

Data and scale shown on this map are provided for planning and informational purposes only. STAUNTON (VA) and Vision Government Solutions are not responsible for any use for other purposes or misuse or misrepresentation of this information.



1. Stadium Field
2. Concessions
3. Parking Facility
4. Restrooms

Exhibit B

1 inch = 200 feet



Data and scale shown on this map are provided for planning and informational purposes only. STAUNTON (VA) and Vision Government Solutions are not responsible for any use for other purposes or misuse or misrepresentation of this information.

4/12/2018

**NOTICE OF PUBLIC HEARING
REGARDING PROPOSED LEASE
BETWEEN THE CITY OF STAUNTON
AND
STAUNTON BASEBALL, INC.**

At the regular meeting of Staunton City Council to be held at **7:30 p.m. on May 13, 2021**, in the Rita S. Wilson Council Chambers, first floor of City Hall, 116 West Beverley Street, Staunton, Virginia, Council will hold a public hearing for the following:

To consider an ordinance authorizing the City Manager to enter into an agreement with Staunton Baseball, Inc., to lease City property known as the John Moxie Memorial Baseball Stadium and facilities for the purposes, during summer months, of playing baseball during the Valley League Baseball season, including operation of a concession stand.

The proposed lease is authorized by City Charter Section 11 and Virginia Code § 15.2-1800.

Copies of the proposed lease agreement are available for inspection and review during normal working hours at the office of the Clerk of Council and at the office of the City Manager.

All persons wishing to be heard at the public hearings are invited to attend. Hearing impaired persons desiring to attend the public hearing should contact the Clerk of Council at SmithMC@ci.staunton.va.us to request an interpreter.

Morgan Smith

Interim Clerk of Council

Please publish once on **Wednesday, May 5, 2021** in the “Legal Notice” section of the newspaper.

ATTACHMENT 3

DRAFT 04.07.21

Ordinance No. 2021 -

**AN ORDINANCE
AUTHORIZING THE APPROVAL OF A LEASE AGREEMENT BETWEEN
THE CITY OF STAUNTON AND STAUNTON BASEBALL, INC.
FOR THE LIMITED USE OF BASEBALL FIELD
AND OPERATION OF CONCESSION RIGHTS**

Recitals

A. The City of Staunton owns and operates John Moxie Memorial Baseball Stadium in Gypsy Hill Park;

B. Staunton Baseball, Inc. is a privately organized and operated organization that has requested a lease agreement for the use of John Moxie Memorial Baseball Stadium for the purposes, during summer months, of playing baseball during the Valley League Baseball Season, including the operation of a concession stand;

C. The Valley Baseball League program provides the City and its residents with valued recreational and entertainment opportunities during the summer;

D. The Council of the City of Staunton has conducted a public hearing regarding the proposed lease agreement;

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

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

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA that it authorizes the lease agreement between the City of Staunton and Staunton Baseball, Inc. for the limited use of the baseball field and operation of concession rights beginning May 15, 2021; and it is

FURTHER ORDAINED that the Staunton City Manager is authorized to execute the lease agreement with such modifications and in final form as approved by the City Attorney.

Introduced:

Adopted:

Effective Date:

Andrea W. Oakes, Mayor

ATTEST: _____
Morgan Smith, Interim Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	Staff Members: Rodney Rhodes Linda Nesselrodt Historic Staunton Foundation Representative: Frank Strassler
Item #	E	
Ordinance #		
Department:	Community Development—Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Appeal of Historic Preservation Commission Denial of a Certificate of Appropriateness for 636 W. Frederick Street (Newtown Historic District)—Roof Replacement	

Introduction: This item is an appeal from a decision of the Staunton Historic Preservation Commission (Commission). Under Section 18.85.050(7)(m) of the City Code, an appeal may be taken to City Council to challenge a decision of the Commission. City Council may, in conformity with the provisions of the Zoning Code concerning the Historic Preservation District, reverse or affirm the Commission's decision in whole or in part, essentially having all the same powers of the Commission. In this instance, property owners, John and Stacey Fregosi appeal to City Council the Commission's March 23, 2021 action to deny an after-the-fact Certificate of Appropriateness (COA) for the replacement of a roof at 636 W. Frederick Street. (Exhibit A, Appeal letter from John and Stacey Fregosi.) Attached to this briefing are exhibits that constitute the administrative record of proceedings before the Commission and other relevant documentation (Attachments A – H).

Background: The subject of this appeal is a single-family structure located at 636 W. Frederick Street, in the Newtown Historic District, and constructed between 1909 and 1914. In November of 2020, the owners applied for an after-the-fact COA for the roof replacement. (Exhibit B, Application for Certificate of Appropriateness.) The owners replaced the embossed metal shingles with a standing seam metal roof with wide ridge caps. The Commission considered the request at its December 22, 2020 meeting. During the discussion,

Commissioners noted that although traditional standing seam metal roofs are historically and architecturally appropriate for Staunton's historic districts and that they have been approved as an acceptable alternative to embossed metal shingles, the wide ridge caps deviate significantly from the Historic Design Guidelines.

Mr. Frank Strassler, an expert in historic preservation with the Historic Staunton Foundation (HSF), as part of the established process, analyzes and submits a written briefing and recommendation on all such applications to the Commission. Concerning the roof, Mr. Strassler noted that the Commission has consistently utilized the following specifications to guide homeowners and roof installers toward a standing seam metal roof that meets the goal of an in-kind replacement of historic roofs:

- Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th century and throughout the 20th century.
- All chimneys are to be retained.
- The new roof will not incorporate ridge vents or caps along the hip ridges.
- The roof will utilize a 1" folded seam, and the seam should appear as a closed, locked and folded seam.
- The ends of the seams at the soffit edge and ridge should be folded flat to the roof as done historically with hand tool folded standing seam metal roofs.

Mr. Strassler recommended to the Commission that it approve the COA, stating:

In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life. The homeowner followed the advice of the roofing contractor concerning permits and approvals. HSF apologizes for missing an email requesting advice. Staff searched records and did not find that we received the email.

The goal was to install an in-kind replacement roof. However, the finished roof does not utilize embossed metal shingles and therefore does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap.

(Exhibit G, Recommendation of Historic Staunton Foundation dated December 16, 2020 for the Staunton Historic Preservation Commission.)

The application was tabled until the January meeting in order for the applicants to work with their roofer to explore options to address the modern ridge caps. (Exhibit C, Minutes of the December 22, 2020 Meeting of the Staunton Historic Preservation Commission.)

For the January 26, 2021 meeting, the applicants noted that they had talked to their roofer; however, he voiced concerns with modifying the new roof to address the ridge caps. The applicants wanted the roofer to speak directly to the Commission. The roofer wasn't in attendance at the meeting so all parties agreed to table the matter until the February meeting. (Exhibit D, Minutes of the January 26, 2021 Meeting of the Staunton Historic Preservation Commission.)

The applicants' roofer failed to attend the February 23, 2021 meeting. It was noted that it would be very difficult to change the cap or be able to cover the gap on the ridges. The applicants also voiced concerns over voiding the warranty on their roof if it was altered. The applicants requested another month to rectify the issue. The Commission agreed to table the matter until the March meeting. (Exhibit E, Minutes of the February 23, 2021 Meeting of Staunton Historic Preservation Commission.)

At its meeting on March 23, 2021, the applicants' roofer, James Holloway, was in attendance to address the Commission. Mr. Holloway explained to the Commissioners why the existing roof with the ridge caps couldn't be altered to more closely resemble a traditional folded seam.

Upon consideration of the information presented, including the Historic Staunton Foundation's recommendation, the Commission acted to deny the requested Certificate of Appropriateness for the replacement roof, noting that the modern roof with ridge caps cannot be corrected to meet the historic guidelines. (Exhibit F, Minutes of the March 23, 2021 Meeting of Staunton Historic Preservation Commission.)

Exhibit H is Historic Staunton Foundation's brief concerning the appeal of the Commission's decision, which contains a recommendation to Council:

HSF recommends Council uphold the decision reached by the Historic Preservation Commission. The Commission reviewed the existing conditions, considered and thoroughly discussed the installation of the new roofs in relation to the adopted Guidelines in reaching their decision. The Commission clearly upheld the Guidelines as they are charged.

HSF staff also explained the previous recommendation to the Commission, recommending approval of the roof. It was noted that homeowners depend upon contractor's expertise to guide their decisions on such projects. In this specific case, the owners had been assured that the roof would meet all requirements. "The owners could now be stuck with incredible expense due to the promises of the contractor. The inherent design of these new roofing systems require the modern, wide caps. Once installed, the roof cannot be changed without destroying the entire new roof."

Administrative Record Exhibits:

- A. Appeal letter from John and Stacey Fregosi
- B. Application for Certificate of Appropriateness dated November 29, 2020
- C. Minutes of the December 22, 2020 Meeting of the Staunton Historic Preservation Commission
- D. Minutes of the January 26, 2021 Meeting of the Staunton Historic Preservation Commission
- E. Minutes of the February 23, 2021 Meeting of the Staunton Historic Preservation Commission
- F. Minutes of the March 23, 2021 Meeting of the Staunton Historic Preservation Commission
- G. Recommendation of Historic Staunton Foundation dated December 16, 2020, for the Staunton Historic Preservation Commission
- H. Recommendation of Historic Staunton Foundation dated April 30, 2021, for Staunton City Council

Issue: Whether to reverse or affirm, wholly or partly, the decision of the Staunton Historic Preservation Commission, denying an after-the-fact Certificate of Appropriateness for the roof.

After conducting the appeal, City Council may:

1. reverse the decision of the Commission and approve the Certificate of Appropriateness as requested by the applicants, permitting the roof as installed;
2. affirm the decision of the Commission, denying the Certificate of Appropriateness;
3. modify the decision of the Commission; or
4. remand the matter back to the Commission to consider any new information presented at the City Council meeting.

Alternative Suggested Motions:

I move that Council wholly **affirm the decision** of the Historic Preservation Commission, denying the requested Certificate of Appropriateness, for the reasons on which the Commission based its decision.

I move that Council **reverse the decision** of the Historic Preservation Commission and approve the Certificate of Appropriateness as requested by the applicants, permitting the roof as installed.

City Manager: Steven L. Rosenberg



John and Stacey Fregosi
636 West Frederick Street
Staunton, VA 24401

April 11, 2021

To the Staunton City Council,

We, John and Stacey Fregosi, wish to appeal the decision by the Staunton Historic Preservation Committee to deny our request for a Certificate of Appropriateness after the fact. Included with this letter is:

1. Our letter describing what led to the installation of the roof in question, which we originally submitted to the Historic Preservation Committee with our Certificate of Appropriateness.
2. The e-mail we originally sent to the Historic Foundation in April and the response from the Foundation in November.
3. The review by the Historic Foundation recommending approval of the roof.
4. A previous case brought up by Mr. Rhodes in our final HPC meeting which illustrates a precedent in 2016 where the Commission unanimously approved a roof for similar reasons to our situation. Some of the Commission members from that decision are still on the Commission today.

Relevant details for parts 3 and 4 are highlighted. We wish to provide you with this information so you have as full a picture before we present our case to you.

Thank you your time and consideration,
John and Stacey Fregosi

Mr. and Mrs. John Fregosi
636 West Frederick Street
Staunton, Va. 24401
November 24, 2020

Re: Notice of Violation

To Whom it May Concern,

We recently received a letter informing us that we are in violation of Title 18.85 of the Zoning Code of Staunton. This letter is an attempt to provide additional information regarding that violation.

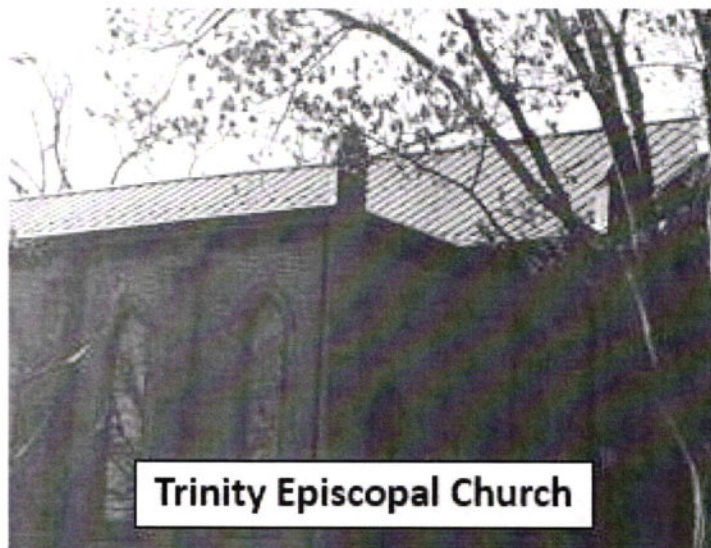
In April of 2020, we became aware of the imminent need of a roof replacement for our home at 636 West Frederick Street. As the existing roof was original to the house and over 100 years old, there was substantial deterioration which was causing extensive damage to the interior of our home. We searched for a company that specialized in historic roof replacement and finally settled on Holloway Roofing to complete the work. Prior to contracting this repair, we reached out to the Staunton Historical Society through email to ascertain any steps that needed to be taken to be in compliance with historical guidelines. Please see the attached email dated April 2, 2020. Upon receiving no reply to our request for further information, and in the face of further severe damage to the inside of our home, we contracted Holloway Roofing to complete the work. Before the work began we were verbally assured by the roofing company that all work would be in compliance with historical guidelines and that any permits needed would be obtained by the company. We were unaware of the need for an issuance of a Certificate of Appropriateness. The belief that we were in compliance, albeit fallacious, was held in good faith in the face of imminent danger to the structure of our home. I might also add that all decisions regarding this project were made during a time when most businesses and agencies were shut down due to Covid-19 restrictions, and citizens were under a stay at home order, all of which seriously limited our ability to operate in a traditional way. We researched, to the best of our ability at the time, and believed that replacing a metal roof with another metal roof would not violate historic guidelines as we were not changing materials used in the original structure. Additionally, we observed other homes within the historic district that have the same style of metal roof as Holloway proposed to install.

We understand that we were erroneous in failing to obtain the necessary approval of a Certificate of Appropriateness and for that we apologize and will take whatever steps necessary to correct that error. It is our hope that you will understand that we were acting in good faith, during a difficult time, and with limited information.

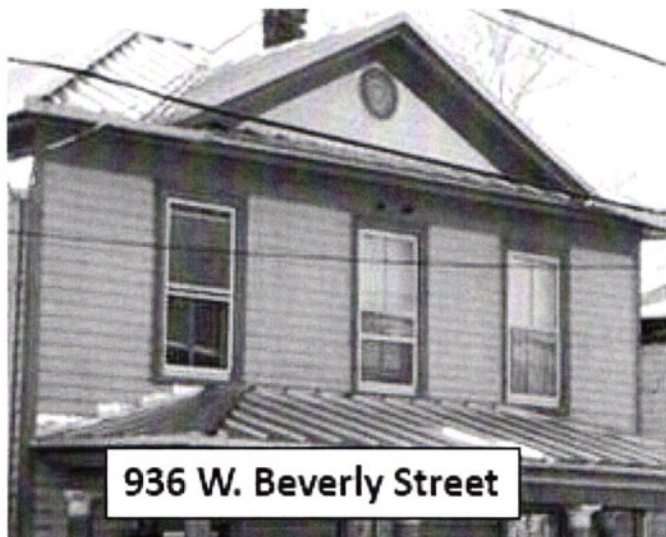
Sincerely,
John and Stacey Fregosi
Homeowners



103 Church Avenue



Trinity Episcopal Church

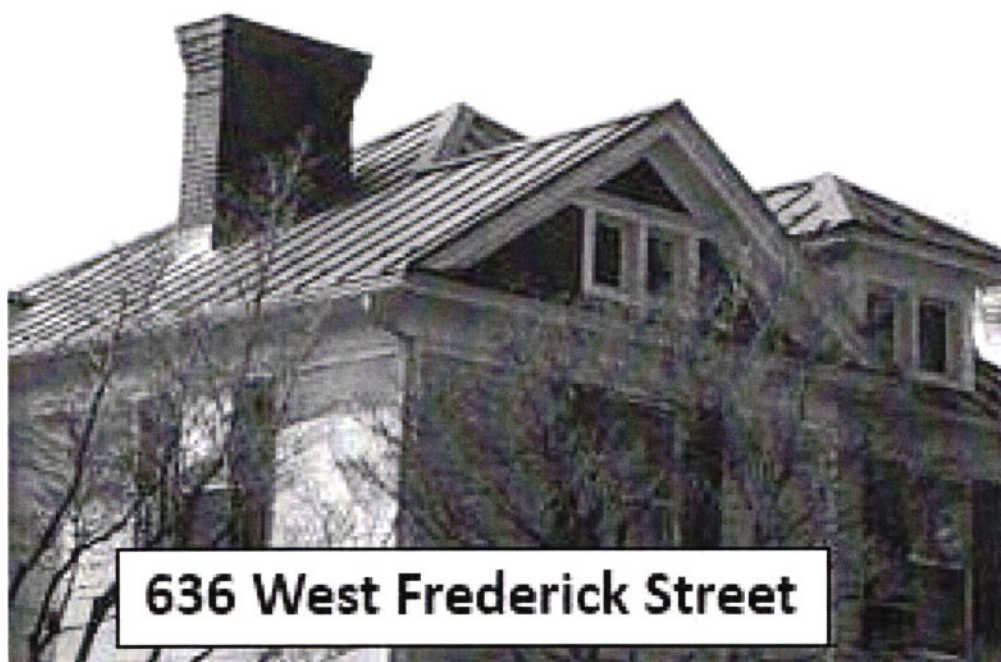


936 W. Beverly Street



Black Friar's Playhouse





Roofing questions



John Fregosi <jfregosi@staunton.k12.va.us>

Thu, Apr 2, 2020, 2:20 PM

to Frank

Hi Frank,

Stacey and I are going to be having some metal roof contractors coming over the next week to give us quotes on replacing our roof with a standing seam roof. Is there anything we need to know or to do as we start the process of replacing our leaky roof? We just want to be sure that we go about things the right way.

John

Frank Strassler <director@historicstaunton.org>

Fri, Dec 11, 2020, 4:25 PM

to me, sfregosi

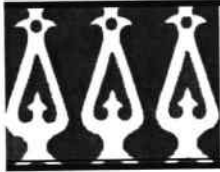
Stacy and John,

I am very sorry that there was miscommunication with the email you sent in April. Today after doing my first cursory reviewing of the applications, I searched my computer and cell looking for the message and I just don't have it. Maybe it went to spam and was cleaned – who knows. But normally I return messages. The weird thing is, on April 2, I provided advice on two other roofs that went before the HPC.

So my role in this is to outline the applicable guidelines and make a recommendation to the HPC. Yes there are other properties that have installed ridge caps/vents. In some cases those were to be limited to the gable ridge and stepped back from the front edge. In others, they just put on a roof and no one enforced the zoning. The contractors should be very aware of the guidelines. There are some in town that know exactly what to do and others that just seem to not bother. My review will point out that yes, it can seem confusing to homeowners and when the contractor says that's how it's done of course homeowners follow their advice.

Again - sorry for the confusion,

Frank


Historic Staunton Foundation

20 South New Street
Staunton Virginia, 24401
www.historicstaunton.org

STAUNTON HISTORIC PRESERVATION COMMISSION

December 16, 2020

HSF Recommendation

Certificate of Appropriateness

636 West Frederick Street

New Roof with Ridge and Hip Caps - Installed

Newtown Historic District

Existing Condition: Built between 1909 and 1914 this is a 2 bay, 2 ½ story frame residence with complex hip roof including a corbeled masonry chimney. The house façade is sheathed with wide German pattern siding. The inventory photo indicates replacement siding was over the German siding. Architectural features include a hipped dormer with paired windows, a façade bay with fish scale shingles in the gable. The architectural inventory also notes a removed front porch. The 1979 photo indicates the porch roofline and ghost outlines of engaged Tuscan columns. The German siding is exposed within the ghost outline of the columns.

The roof was covered with embossed metal shingles including rolled ridge caps. A new prefinished standing seam metal roof with wide ridge caps has been installed.

July Proposed Work:

See the application for description, photographs, and drawings.

“Before the work began we were verbally assured by the roofing company that all work would be in compliance with historical guidelines and that any permits needed would be obtained by the company. We were unaware of the need for an issuance of a Certificate of Appropriateness.”

“We researched, to the best of our ability at the time, and believed that replacing a metal roof with another metal roof would not violate historic guidelines as we were not changing materials used in the original structure. Additionally, we observed other homes within the historic district that have the same style of metal roof as Holloway proposed to install.”

Note:

The new roof was intended to be a replacement in-kind. However, the new standing seam metal roof replaced a stamped or embossed shingle roof with rolled ridge caps. The new roof includes the addition of contemporary ridge caps on the main ridge and dormers of the house.

Discussion:

See - <https://www.ci.staunton.va.us/home/showdocument?id=1672>

C. The Secretary of the Interior's Standards for Rehabilitation

The guidelines in this publication are based on The Secretary of the Interior's Standards for Rehabilitation (<https://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>).

They are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building, its site, and its environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, other visual qualities, and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Guidelines for Existing Buildings - Elements J. Roof

J. Roof

One of the most important elements of a structure, the roof serves as the cover to protect the building from the elements. Its visibility, shape and materials make it one of the most important character-defining elements of a historic building. Good roof maintenance is critical for the roof's preservation and for the preservation of the rest of the structure.

Typical local historic roof materials include standing-seam metal and slate. The earliest buildings in Staunton's residential historic districts originally may have had wood shingle roofs, but because of fire risk, they were replaced with standing-seam metal roofs later in the 19th century. Many of the roofs of commercial buildings have sloped metal roofs. If the roof is hidden by a parapet wall, the roof may have been replaced with a built-up roof or a rubber membrane roof.

1. Retain original or historic roof materials, such as slate, standing-seam metal, or metal shingles, particularly when they are highly visible character-defining elements of the building.
2. Preserve original roof shapes and pitches.
3. Retain architectural features including chimneys, roof cresting, finials, dormers, cornices, and exposed rafter tails.
4. Repair of roof materials and elements should be made in kind with materials that duplicate the original materials.
5. Replace roof coverings when necessary by using new material that matches the original roof covering as closely as possible in composition, size, shape, color, and texture.
6. Place solar collectors, satellite dishes, and other antennae on less visible locations of the roof.
7. Place roof-mounted mechanical equipment behind a parapet wall or a screen integral to the building's architectural design, or locate them in setback locations away from the edge of the roof to minimize their visibility. (ADD types of screening by code)
8. Do not change the historic roof material to asphalt shingles or other non-historic materials if the original or a close facsimile is available.

9. Do not add dormers, vents, and skylights to roof if viewable from a primary elevation. They should be placed inconspicuously on rear sections of the building.
10. Do not replace a deteriorated historic roof with a material that does not have the same visual qualities as the original. For example, some current pre-coated metal roofs are designed for new industrial buildings with wide V-shaped snap lock seams. This type of installation does not replicate a historic standing-seam roof that has a thin raised seam at the joints created by mechanically or hand-folding and locking the seam.
11. Do not replace slate roofs if the material is not deteriorating. Leaks in slate roofs usually are due to the deterioration of associated flashing and fasteners or due to wood deterioration surrounding hidden gutters or cornices.
12. Do not paint metal roofs or install new pre-coated metal roofs with bright colors. More appropriate colors would be shades of gray, dark green, or black. See Chapter X. Guidelines for Painting for further guidance.

Recommendation:

HSF recommends approval of the COA. In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life. The homeowner followed the advice of the roofing contractor concerning permits and approvals. HSF apologizes for missing an email requesting advice. Staff searched records and did not find that we received the email.

The goal was to install an in-kind replacement roof. However, the finished roof does not utilize embossed metal shingles and therefore does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap.

I: Introduction G. Design Review Authorities

4. Exemptions from Design Review

Ordinary maintenance or repair of any exterior architectural or environmental feature in or on an historic property or a building, structure, site, or object within an historic district to correct deterioration, decay, or damage or to sustain the existing form and that does not involve a material change in design, material, or outer appearance thereof does not require a COA. Such actions may include:

- Repainting resulting in the same or in a different color. (Original painting of masonry surfaces is not exempted from review.)
- features with matching in kind materials.
- Replacing broken window panes, missing roof shingles, or missing
- Addition or deletion of storm windows and doors, window-box gardens, awnings, temporary canopies, window air conditioners, or similar appurtenances.
- Addition or deletion of television or radio antennas, skylights, or solar collectors in locations not visible from a public street.
- Planting of grass, trees, and shrubs but not including landscape treatment that substantially alters the contour of a site or involves landscaping or construction of parking areas, fences, walls, walkways, pools, fountains, and the like that materially affect the appearance of a site and that is visible from a public street.
- Any changes to a structure that are not visible from a public street.

The new standing seam metal roof also includes the addition of wide ventilation caps on all of the hips. Present day contemporary caps tend to be wide and do not reflect the lower profile or intended decorative profile of historic ridge caps. Contemporary ventilation if detailed carefully can be adequately installed on a main ridge with minimal profile. Minimal view might be attained by installing the new feature on a top gable ridge and back away from the most viewable front roof edge. Ridge cap ventilation tends to be most viewable on hip roofs.

Building Science experts note that ventilation is a good feature for most all climates. However, it is a building treatment requiring careful detailing that must include attic air sealing and insulation to be effective. Roofs and attics can also be retrofitted without ventilation; however, this treatment also requires very specific, careful design and execution.

Embossed metal shingles are manufactured and available.

- <https://www.berridge.com/products/shingle-systems/>
- <https://wfnorman.com/products/roofing/>

However, based upon various homeowner quotes obtained from roofers, the material is extremely expensive to obtain and install. Standing seam metal roofs are historically contemporary with embossed metal shingles. Staunton's historic districts include a multitude of homes from the late 19th Century with standing seam metal roofs. However, the adopted guidelines do not lead to a conclusion of recommending replacement of shingle roofs with standing seam metal roofing.

V. Guidelines for Existing Buildings - Elements J. Roof

One of the most important elements of a structure, the roof serves as the cover to protect the building from the elements. Its visibility, shape and materials make it one of the most important character defining elements of a historic building. Good roof maintenance is critical for the roof's preservation and for the preservation of the rest of the structure.

Typical local historic roof materials include standing seam metal and slate. The earliest buildings in Staunton's residential historic districts originally may have had wood shingle roofs, but because of fire risk, they were replaced with standing-seam metal roofs later in the 19th century.

5. *Replace roof coverings when necessary by using new material that matches the original roof covering as closely as possible in composition, size, shape, color, and texture.*
8. *Do not change the historic roof material to asphalt shingles or other non-historic materials if the original or a close facsimile is available.*
10. *Do not replace a deteriorated historic roof with a material that does not have the same visual qualities as the original. For example, some current pre-coated metal roofs are designed for new industrial buildings with wide V-shaped snap lock seams. This type of installation does not replicate a historic standing-seam roof that has a thin raised seam at the joints created by mechanically or hand-folding and locking the seam.*

The HPC has recognized that the life span of Staunton's original embossed metal shingle roofs is at an end. In addition, that the historical record in Staunton indicates that standing seam metal roofs are historically contemporary with embossed metal shingles. The Commission has approved projects that replace failed embossed metal shingles with new standing seam metal roofing.

Previously the Commission asked a homeowner to review replacement of installed wide ridge caps with a new product that resembles a historic rolled ridge. Note that the older roof included a round profile ridge cap. This request is based upon meeting the guideline to match "*the original roof covering as closely as possible in composition, size, shape, color, and texture.*"

Note the guidelines do not specifically state that ventilation caps may not be utilized.

Rolled ridge caps or similar examples are available.

- <http://www.bbsheetmetal.com/product/flashing/roof-systems/ridge-caps-or-hip-caps/>
- <https://www.riversidesheetmetal.net/flashing-metal/ridge-cap/>
- <https://www.homedepot.com/p/Gibraltar-Building-Products-11-7-8-in-x-10-ft-Galvanized-Steel-Roll-Type-Ridge-Cap-15652/100319980>

The commission has consistently utilized the following specification to guide homeowners and roof installers toward a standing seam metal roof that meets the goal of an in-kind replacement of historic roofs.

Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th Century and throughout the 20th Century.

All chimneys are to be retained.

The new roof will not incorporate ridge vents or caps along the hip ridges.

The roof will utilize a 1" folded seam and the seam should appear as a closed, locked, and folded seam.

The ends of the seams at the soffit edge and ridge should be folded flat to the roof as done historically with hand tool folded standing seam metal roofs.

STAUNTON HISTORIC PRESERVATION COMMISSION**November 22, 2016****5:30 p.m.****Council Chambers**

PRESENT: **David Brown, Chair**
 Deneen Brannock, Vice Chair
 Michael Brown
 Abby Wightman

ABSENT: **Nancy Gregory**

ALSO PRESENT: **Sharon Angle, Director of Planning**
 Frank Strassler, Historic Staunton Foundation
 Timothy Hartless, City Planner
 Linda Nesselrodt, Zoning Technician
 Terry Holmes, Council Liaison
 Linda Little, Clerk of Council

The Chair opened the meeting at 5:30 p.m. and a moment of silence was observed. The Chair then read the preamble of the Historic Preservation Commission.

APPROVAL OF MINUTES

Ms. Brannock moved to approve the minutes of the October 25, 2016 meeting. The motion was seconded and carried 3 to 0, with Mr. Michael Brown abstaining due to his absence at that meeting.

NEW BUSINESS

- a. **CERTIFICATE OF APPROPRIATENESS****
 F. Page Nelson, Jr.
 509 N. New Street
 Amend COA to add Garage/Replace Windows

Mr. Page Nelson was present to represent this request. He thanked the Commission for their approval of his previous Certificate of Appropriateness. He noted that he needed to put new windows in the house but would preserve the five windows in the front of the house to be put back at a later date. He noted that the front windows would be temporary, but could not be specific when the old windows would be put back in.

Mr. Michael Brown asked if Mr. Nelson would be replacing all the windows in the house.

Mr. Nelson stated that he intends to put new windows in all the openings within the next month. He noted that the windows in the rear don't exist anymore and the openings are covered over with siding.

Discussion ensued regarding the design of the new windows.

Ms. Brannock stated that the Commission would need to see where the windows in the back of the house would be going. She further stated that they would like to see a sample or manufacturers cut sheets of information on the windows Mr. Nelson was thinking of using. She noted also that she would encourage Mr. Nelson to look into the cost of having the five front windows repaired and replaced in kind. She stated that windows are a very prominent feature on any historic building and the Commission is very conscientious of that and it is a primary focus in the guidelines.

HSF Recommendation – HSF recommends the Certificate of Appropriateness for the replacement windows be denied based upon the information provided and the guidelines adopted by the City of Staunton.

Mr. Frank Strassler stated that he would like to provide some educational notes about historic windows. He noted that numerous studies, not by preservation organization, but by independent testing laboratories and universities have clearly shown that replacement windows do not perform in a manner that will make up their cost in energy savings. It would take somewhere between 40 and 400 years to gain back enough funds from saving energy from a replacement window in order to pay it off. He stated that historic windows can be rehabilitated and made energy efficient.

Ms. Brannock moved that the Certificate of Appropriateness be denied for replacement windows based on the City's guidelines and the Secretary of Interior's guidelines, and encourage the owner to come back with information on the new windows to go into the former openings that are presently empty, and a plan for retaining the historic windows on the front of the building.

The motion was seconded and carried unanimously.

Mr. Nelson presented his request for the garage. He noted that the garage would be 14' by 24' with 8' walls. He stated that it would be on a concrete pad and the siding and trim would be painted.

HSF Recommendation – HSF recommends approval of the Certificate of Appropriateness as designed.

Mr. Michael Brown moved that the Certificate of Appropriateness be approved for the addition of a garage at the rear of the property. The garage will include wood siding, corner boards, fascia, corner, door and window trim matching the house with a painted finish.

The motion was seconded and carried unanimously.

b. CERTIFICATE OF APPROPRIATENESS
Andrea Coffman
306 N. New Street
Replace Roof

Ms. Andrea Coffman was present to represent this request. She stated that the roof has already been replaced on the house. She noted that she tried to repair the roof but eventually had the roof replaced. She stated that she did know that she was in a historic district and was told by Lowe's that she would need to go with a metal roof. She further noted that she did not know she needed to apply for a Certificate of Appropriateness but that she would have to match the color of the roof to what was existing.

Ms. Brannock stated that this was not the best alternative, although it is replacing metal with metal as opposed to asphalt shingles.

Mr. Michael Brown stated that he agreed with Ms. Brannock but that the applicant had the correct intentions.

HSF Recommendation – HSF understands the homeowner's problem since they have already completed the work. However, based upon the guidelines and established precedent, the roofing material is not appropriate due to the contemporary appearance of the snap lock seams, the wavy corrugated pan, and the applications of ridge caps on all of the hip ridges. The roof does not create the same appearance as a traditional, folded seam, flat pan standing seam metal roof.

Mr. Michael Brown moved that the Certificate of Appropriateness be approved, knowing that a better product with a traditional standing seam could have been used, given the intent of the applicant replacing metal with metal and matching the color which is basically what the guidelines state.

The motion was seconded and carried unanimously.

c. CERTIFICATE OF APPROPRIATENESS

Susan Shaver
311 N. Coalter Street
Windows

Ms. Susan Shaver was present to represent this request. She stated that when she moved in she replaced the windows because they were in bad shape. She noted that she had saved three of the original windows and those three front windows have been repaired. She further noted that two facing the front still have the replacement windows but her contractor has been able to find some old windows that match the same style and he could modify the trim on the interior of the house to make them fit.

Ms. Shaver stated that the issue is with the side windows. She noted that the house is very slanted and her contractor has told her that he is going to have to pull the frames out because the slant is so severe they will have to rebuild it, but the issue is it will change the siding on the side of the house and also on the interior.

Ms. Brannock stated that the Commission appreciates Ms. Shaver's efforts to replace the historic windows on the front in keeping with the guidelines.

Discussion ensued regarding the number of side windows (6) and the slop of the house.

Mr. Michael Brown stated that he could not make a decision until he had a chance to view the windows himself.

HSF Recommendation – HSF continues the previous recommendation because the guidelines are clear on the subject.

Ms. Brannock moved to table the application until the January, 2017 meeting in order for the owner to obtain more information from her contractor, for Mr. Strassler to obtain more information on possible repairs and recommendations, and for another site review by members of the Commission.

The motion was seconded and carried unanimously.

Ms. Shaver signed an Agreement to Table Agenda Item. See Attachment A.

- d. **CERTIFICATE OF APPROPRIATENESS**
Raela I, LLC/DLS Contractors, Inc.
120 S. Augusta Street
Extension of Certificate of Appropriateness
Amend COA for Parapet Wall/Add 2nd Story Deck/Platform for Mechanical Equipment/Window Lintels/New Façade Entry

Ms. Laurie Berman was present to represent this request along with her contractor Danny Spitler. She stated that it was a review by the Building Inspector that brought some of these issues to light. She noted that since she had to come before the Commission again, she would like to request one more time an approval for two decks.

Ms. Berman stated that the reason for the creation of the vestibule was for handicap access with an outswing door. However, since meeting with City staff, it was decided to leave the existing door and entrance but make it an outswing door with threshold changes.

Ms. Berman stated that another issue was the approval for the lintels and sills. She noted that with the previously approved COA they presented a drawing showing the lintels and sills and the approval spoke to approving the windows on the south wall according to specifications in the package.

Mr. Frank Strassler noted that the lintels and sills have been installed and he didn't think it would be an issue as far as the character of the building at this point. However, he pointed out that it was previously mentioned that the rear of the building should not be treated as a front façade and that the window details for the rear of the building were changed to reflect that.

Ms. Linda Nesselrodt noted that for clarification, the west side was approved for the lintels and sills but the south side was not.

Next, Ms. Berman mention that the HVAC on the roof had to be larger than anticipated. She noted that the roof is very old and they need to put in an industrial steel catwalk deck in order to hold the HVAC system. She also mentioned that they would like to put in a roof hatch in order to get to the HVAC system for repairs, as well as a skylight.



Sample Motions:

I move for approval of the Certificate of Appropriateness base solely upon the local guidelines stating that *"Good roof maintenance is absolutely critical for the roofs preservation and for the preservation of the rest of the structure."*

While a much a better product could have been specified to *"match original materials as closely as possible"*, the installed roof is a contemporary standing seam roof as opposed to asphalt shingles. This is supported by the local guideline stating *"Avoid, for example, replacing a standing seam metal with asphalt shingles as this would dramatically alter the building's appearance"*.

One select line of the Secretary of Interior Guidelines states: *"If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered."*

Removing the now installed roof to replace with yet another standing seam metal roof might create a case of undue financial hardship. This motion should not be construed as to set a precedence for roof replacement in the historic districts, to guide future decisions of the HPC, or as a precedence for asking for a Certificate of Appropriateness after installation.

Or

Should the HPC decide the roof appearance is out of character based upon first hand visual inspection during the scheduled field trip:

I move for denial of the Certificate of Appropriateness. The proposed roofing is not compatible due to the use of wider snap lock seams, wavy corrugated pan, and ridge caps on the hip ridges. These features do not reflect the architectural design and features of a traditional folded seam metal roof therefore the proposed roofing material does not meet the intent of Secretary of Interior Standards number 6 or the Staunton Guideline number 2.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

The Standards are further explained by the Guidelines;

Replace

RECOMMENDED

Replacing in kind an entire feature of the roof that is too deteriorated to repair--if the overall form and detailing are still evident--using the physical evidence as a model to reproduce the feature. Examples can include a large section of roofing, or a dormer or chimney. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.

NOT RECOMMENDED

Removing a feature of the roof that is unrepairable, such as a chimney or dormer, and not replacing it; or replacing it with a new feature that does not convey the same visual appearance

Staunton Residential Historic District Guideline

2. When replacing a roof, match original materials as closely as possible. Avoid, for example, replacing a standing seam metal roof with asphalt shingles as this would dramatically alter the building's appearance.



IMPORTANT NOTE: The complete application must be filed with the City of Staunton's Office of Planning & Inspections no later than the first Tuesday of the month to be heard at that month's Historic Preservation Commission Meeting. Applications received after the first Tuesday of the month will be heard at the next month's meeting.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

City of Staunton, Virginia

Historic Preservation Commission

116 W. Beverley Street

Staunton, VA 24401

Phone: (540) 332-3862 Fax: (540) 332-3807

Location of property	636 west Frederick	Historic District	Yes
Business Name		Tax Map No:	
Application Fee \$50 Paid	☒ YES ☐ NO		

Applicant/Property/ Owner Name (PRINT) John Fregosi, Stacey Fregosi	Representative Agent(s) Name
Signature	Firm
Mailing Address 636 west Frederick	Mailing address
City/State/Zip Staunton, VA 24401	City/State/Zip
Phone/Fax Number: 540 447 9275	Phone/Fax Number:
Email: jfregosi@staunton.k12.va.us	Email:

(Check the appropriate boxes—CHECK ALL THAT APPLY)

☐	Exterior Change	☐	Addition	☐	Relocation
☐	Wall/Fence	☐	Deck/Porch	☐	Demolition
☐	Driveway/Parking Area	☐	New Structure/Building	☐	Grounds/Landscaping
☐	Signage	☐	Dumpster Screen	☐	Other _____
☒	Other replaced roof	☐	Other _____	☐	Other _____

The above named person(s)/firm has permission to represent me regarding this request for architectural review. I understand that I or my representative agent(s) must be present at the Historic Preservation Commission Meeting on the date listed above to present my proposal and that failure to attend may result in the denial of my proposal by the Commission due to insufficient information. No material change in the appearance of my property, that is viewable from any public street, shall be performed before receiving a Certificate of Appropriateness. I further understand that approval by the Historic Preservation Commission for any modifications to homes, buildings, landscaping, or grounds including fences, driveways, and parking areas shall expire 12 months from the date of approval.

SIGNATURE

DATE

11/29/2020

PLEASE READ: Applicants are encouraged to submit complete applications with sufficient information to enable a clear understanding of the proposal by the Historic Preservation Commission members and staff. Incomplete applications that do not clearly communicate the proposed improvements or changes will be denied.

FULL DESCRIPTION OF PROPOSAL:

Our old metal roof had severe rust damage and leaks causing water damage. We thought changing a metal roof for a metal roof was not an issue if it was the same style as other roofs in the district. So we failed to get a COA. This is an effort to rectify that.

REQUIRED INFORMATION TO BE SUBMITTED WITH APPLICATION:

(Each item submitted is to be INITIALED by the applicant. If you are not submitting any of the requested information, please indicate not applicable and explain in the space provided why it is not necessary for this project)

☒ Sketch, drawing and/or elevations showing the proposed changes or improvements
photographs of finished roof - attached

☐ Site plan or plat of property

☒ Photographs showing property, work in question, and the area of the proposed project

photos of roof, plus photos of similar styled roofs in the downtown/ historic district

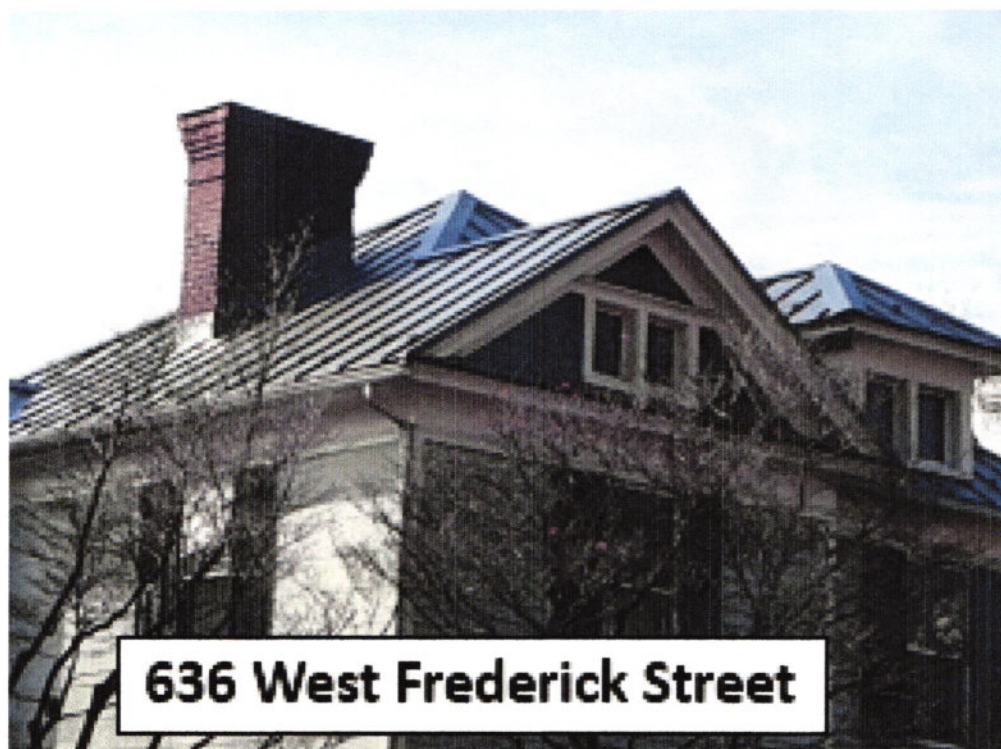
☐ Other (please list)

☐ A list of materials that identifies the type and quality of materials to be used in the Proposed project

☒ Twelve sets of all information and materials for use by the Historic Preservation Commission members and staff in the review of this request (REQUIRED)

*****COA for signs only requires two sets of information.*****

(Applicants may refer to typical submissions kept at the Planning and Inspections Department of the City of Staunton on the third floor of City Hall located at 116 W. Beverley Street for illustrations of how to present the required information)



636 West Frederick Street



636 West Frederick Street

Mr. and Mrs. John Fregosi
636 West Frederick Street
Staunton, Va. 24401
November 24, 2020

Re: Notice of Violation

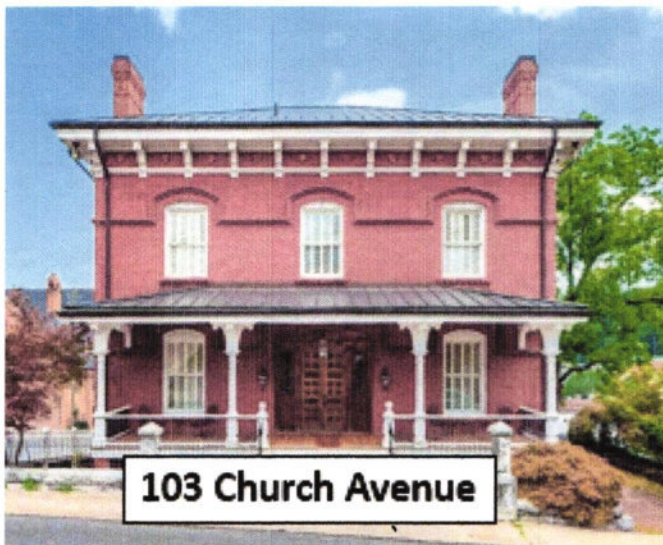
To Whom it May Concern,

We recently received a letter informing us that we are in violation of Title 18.85 of the Zoning Code of Staunton. This letter is an attempt to provide additional information regarding that violation.

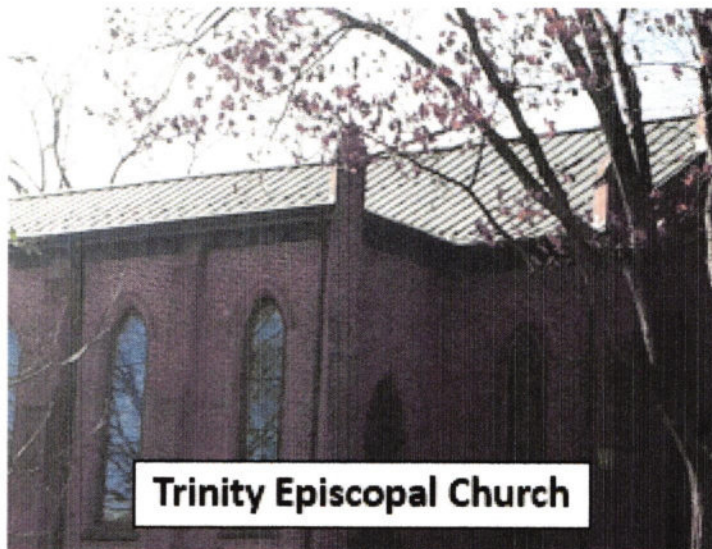
In April of 2020, we became aware of the imminent need of a roof replacement for our home at 636 West Frederick Street. As the existing roof was original to the house and over 100 years old, there was substantial deterioration which was causing extensive damage to the interior of our home. We searched for a company that specialized in historic roof replacement and finally settled on Holloway Roofing to complete the work. Prior to contracting this repair, we reached out to the Staunton Historical Society through email to ascertain any steps that needed to be taken to be in compliance with historical guidelines. Please see the attached email dated April 2, 2020. Upon receiving no reply to our request for further information, and in the face of further severe damage to the inside of our home, we contracted Holloway Roofing to complete the work. Before the work began we were verbally assured by the roofing company that all work would be in compliance with historical guidelines and that any permits needed would be obtained by the company. We were unaware of the need for an issuance of a Certificate of Appropriateness. The belief that we were in compliance, albeit fallacious, was held in good faith in the face of imminent danger to the structure of our home. I might also add that all decisions regarding this project were made during a time when most businesses and agencies were shut down due to Covid-19 restrictions, and citizens were under a stay at home order, all of which seriously limited our ability to operate in a traditional way. We researched, to the best of our ability at the time, and believed that replacing a metal roof with another metal roof would not violate historic guidelines as we were not changing materials used in the original structure. Additionally, we observed other homes within the historic district that have the same style of metal roof as Holloway proposed to install.

We understand that we were erroneous in failing to obtain the necessary approval of a Certificate of Appropriateness and for that we apologize and will take whatever steps necessary to correct that error. It is our hope that you will understand that we were acting in good faith, during a difficult time, and with limited information.

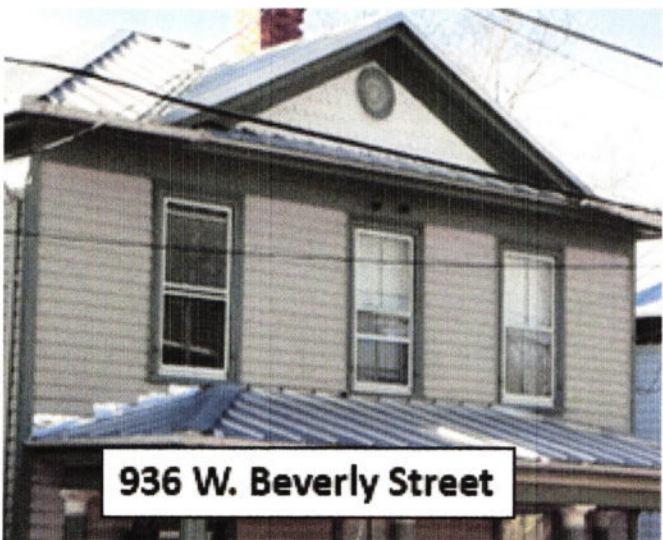
Sincerely,
John and Stacey Fregosi
Homeowners



103 Church Avenue



Trinity Episcopal Church



936 W. Beverly Street



Black Friar's Playhouse





Stacey Fregosi <sfregosi@staunton.k12.va.us>

Fwd: Roofing questions

1 message

John Fregosi <jfregosi@staunton.k12.va.us>
To: Stacey Fregosi <sfregosi@staunton.k12.va.us>

Mon, Nov 23, 2020 at 2:17 PM

----- Forwarded message -----

From: **John Fregosi** <jfregosi@staunton.k12.va.us>
Date: Thu, Apr 2, 2020 at 2:20 PM
Subject: Roofing questions
To: Frank Strassler <director@historicstaunton.org>

Hi Frank,

Stacey and I are going to be having some metal roof contractors coming over the next week to give us quotes on replacing our roof with a standing seam roof. Is there anything we need to know or to do as we start the process of replacing our leaky roof? We just want to be sure that we go about things the right way.

John

We realize this e-mail was made at the beginning of the Covid-19 panic. Schools were closing, businesses were shutting down, and Governors were issuing stay at home orders. It is quite understandable how one e-mail could get lost in all the confusion.

Ms. Brannock asked Mr. Strassler if he had any further comments.

Mr. Strassler stated he did not have any further comments.

Ms. Brannock asked if Commission members had any questions or comments.

Mr. Lively asked if there would be brackets underneath the bay.

Ms. Woodwell stated there would be little wooden brackets that would be underneath the bay.

Ms. Brannock asked what would be the projection depth of that bay.

Ms. Woodwell stated it would project out two feet and was approximately seven feet in width.

Commission members did not have any further questions or comments.

HSF Recommendation - HSF recommends approval of a COA based upon the City Council's approval, which did not stipulate details or applicable guidelines.

Minutes of Staunton City Council Meeting August 13, 2020 Page No. 10

"Mr. Claffey moved that Council reverse the decision of the Historic Preservation Commission and approve the Certificate of Appropriateness as requested by the applicant, permitting the addition as presented."

Mr. Lively moved for approval of a Certificate of Appropriateness for adding a window box as proposed.

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

Mr. Blanton	aye
Mr. Lively	aye
Mr. Brown	aye
Ms. Brannock	aye
Mr. Avery	aye

e. CERTIFICATE OF APPROPRIATENESS

John & Stacey Fregosi

636 W. Frederick Street

Replace Roof / Already Completed

John and Stacey Fregosi, 636 W. Frederick Street, stated their roof had been having leaking problems for years and this year, in particular, it was having a significant leak by the back chimney. Mr. Fregosi stated when they decided to get it replaced was when the Covid-19 pandemic struck. He stated they sent an email to the Staunton Historic Foundation asking what they should do, but apparently the email was lost and they never received a response. Mr. Fregosi stated they went on the idea that since they were replacing a metal roof with a standing seam metal roof that was similar

to others in the area that it would be fine. He stated they realized afterwards that it wasn't and were now trying to rectify that.

Mr. Fregosi stated, from their understanding, that the majority of the roof that was installed, we wanted to make sure that it was within historic guidelines. He noted their roofing contractor had installed ridge covers, not vents as there is no venting there. He stated they did not know that there was anything that could be done differently with the seaming of the ridges. He stated, of the three different contractors that they spoke with, none of them mentioned that there were different types of seams. Mr. Fregosi stated they stressed to the contractor that they wanted to make sure that the work being done was within the historic guidelines. He noted the contractor assured them the work would be fine. Additionally, he noted they had observed other homes within the historic district that had the same style of metal roof as the contractor proposed to install. Mr. Fregosi stated they were now trying to find a way to deal with the ridges on the roof.

Ms. Brannock noted it was a very frustrating and unfortunate situation. She stated not all roofers are aware of the historic guidelines or take the time to explore them.

Ms. Brannock asked Mr. Strassler if he had any further comments.

Mr. Strassler stated in this case the existing roof was a patterned tin shingle roof with a rolled ridge cap. He noted the replacement was a standing seam metal roof. He stated in his outline the Commission had approved those in the past, but it was usually with a fairly specific stipulation about ridges. Mr. Strassler provided background information on pre-finished metal roofs when they first came out, especially regarding the ridge cap.

Mr. Strassler stated the Guidelines moved toward not having those wide caps on the roof seam if replacing in-kind. He noted the Guideline is very specific about a 1" folded seam, appeared closed and locked, and either using that same seam on the ridges and specifically on the hips. He noted many roofs historically had that rolled ridge cap.

Mr. Strassler stated the challenge for the Commission was to try and figure out how not to tear off the roof. He noted that was wasteful and the majority of the roof was perfectly fine for a standing seam metal roof. He noted the challenge was the appearance of the caps. He noted the Guidelines specified the caps on the hips. He noted that it wasn't that there couldn't be ventilation caps on a roof, but have asked that they be set back away from the front façade. He noted when wide caps are put on hips, it became more of a commercial looking roof.

Ms. Brannock asked if Commission members had any questions or comments.

Mr. Lively asked if the existing caps be reengineered to appear as though it was a folded seam.

Mr. Strassler stated his understanding was that once the roof was put on that manner, it was stopped short of the ridge with the panels. He noted there was probably a 1-2" gap between the ends of the panels on either side of the ridge and that was why there was a cap on there in order to seal that gap. He noted there wouldn't be any material to fold together.

Mr. Avery stated unfortunately, in the future, the Commission would probably receive pictures of

the Fregosi's house.

Ms. Fregosi stated they understood and were willing to do whatever was needed. She noted that was a question that they could pose to the roofer. She noted the roofer had yet to return their calls.

Ms. Brannock stated the Commission needed to be consistent in upholding the Guidelines and otherwise wouldn't produce the effect that they were established to do.

Mr. Blanton stated this was a regrettable situation; however, the Commission was bound to adhere to the Guidelines. He noted the Commission had confronted that type of issue before and had attempted to find some sort of reasonable compromise, as Mr. Strassler suggested. He stated it would be recommended to work with the roofer to find appropriate caps. He noted Mr. Strassler had provided in his review a number of potential sources for a rolled ridge cap.

Ms. Fregosis questioned if that would only be for the hips as Mr. Strassler said or for all of the existing vents.

Mr. Blanton stated he wasn't prepared to answer that alone, but noted the key for the Commission was whether there was a material change in appearance of the structure, particularly in this case the roof. He stated, he would open it up for discussion, but supposed there could be sections of the roof that were less visible where the kind of existing cap could be maintained and replace the new ridge vent where it was most visible from the street. He noted that was hypothetical and would want to hear from other Commission members before approving anything.

Ms. Brannock stated the Commission could give the owners time to explore those options and return to the Commission with a proposed plan for replacing part of them versus leaving others, if that were the case.

Mr. Brown stated he would reiterate what Mr. Blanton said and explore the options. He noted the Commission did something similar with owners recently off of Madison Street.

Mr. Avery stated something that was more historically echoing.

Ms. Brannock questioned if the name of the roofer could be obtained for the most recent project on Madison and perhaps pass that along to the owners.

Ms. Nesselrodt stated she would review that and reach out to the owners.

Commission members did not have any further questions or comments.

HSF Recommendation - HSF recommends approval of the COA. In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life. The homeowner followed the advice of the roofing contractor concerning permits and approvals. HSF apologizes for missing an email requesting advice. Staff searched records and did not find that we received the email.

The goal was to install an in-kind replacement roof. However, the finished roof does not utilize

embossed metal shingles and therefor does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap.

Mr. Brown stated if the applicants were willing to, then he would move that the Commission table this until next month to allow them time to explore those options and return.

The motion was properly seconded by Mr. Lively.

Ms. Brannock stated the motion had been made and seconded to table this for a month to let the owners explore some options. She stated the Commission would need the owner's approval to do so if they were willing.

The owners were in agreement to table.

The motion carried as follows:

Mr. Lively	aye
Mr. Brown	aye
Ms. Brannock	aye
Mr. Avery	aye
Mr. Blanton	aye

Ms. Brannock stated the Commission was willing to work with the owners so hopefully a solution could be found that would fit the Guidelines, but didn't require the entire roof to be replaced. She noted Ms. Nesselrodt would be in touch with the name of the roofer.

f. CERTIFICATE OF APPROPRIATENESS
Robert D. & Leslie G. Banta
650 W. Frederick Street
Replace Roof / Already Completed

Robert and Leslie Banta, 650 W. Frederick Street, stated they were in the same situation as the previous owners and noted they hired the same contractor. Mr. Banta stated he liked the way the roof looked and felt the caps and hip ridges put a finer point on the architectural style. He stated the contractor had been more responsive and was very concerned.

Mr. Banta stated he didn't realize that he was the one required to get the Certificate of Appropriateness or the permit, and the roofer did not realize the property was in a historic district after beginning work on the roof. He noted they had their roof installed several months after the owners at 636 W. Frederick Street and was under similar circumstances with a leak.

Mr. Banta stated, particularly with the guidance given to the Fregosi's, he was seeking guidance about the width of the hip ridges. He stated he did have a ridge vent that was separate at the top and could not be folded together. Mr. Banta stated along the hips the Guidelines stated it was too wide and looked too commercial and that he was sensitive to that.

Mr. Avery stated traditionally they had no cap at all. He noted the panels came together and were

folded. On the ridge, there was just a standing seam like the standing seam going down.

Mr. Banta stated the previous roof had a rolled ridge as well as coming down off of the hips. He stated they were seeking to replace that same sort of visual element. He stated he didn't think the rolled element looked particularly good with the standing seam as they had embossed shingles as did the Fregosi's.

Mr. Avery stated that rolled cap was associated with the embossed shingles. He noted the traditional standing seam would have had the ridge seam folded and no rolled cap. He stated that the Commission's issue was that there was now a cap where traditionally there would be no cap at all of any sort either on the hip or the ridge. Discussion ensued.

Ms. Brannock stated the quandary becomes the fact that they were replacing one type of historic metal roof – the embossed shingles – with what the Commission would allow as a new contemporary compatible roof, which was the standing seam. She stated the Commission wanted it to stay true to the historic style and uphold their Guidelines. Ms. Brannock stated the Commission was reasonable and were trying to work with property owners to come up with a compromise since the roof was already completed. She noted a similar situation could happen here as the Commission had agreed to with the Fregosi's.

Ms. Brannock asked Mr. Strassler if he had any further comments.

Mr. Strassler stated he didn't know if the owner wanted to do a lot of historical research and find out if standing seam metal roofs used some sort of ridge cap. He noted most of what was seen in the city had been stipulated that it was a folded ridge. He noted that would not be obtained in this situation. He stated he thought the Commission had tried, starting with the project on Locust Street, to try to find a way that would accommodate that without having to completely remove the roof. He noted that he recognizes that the existing roof had a rolled ridge cap; therefore, if that feature was retained at least, that a compromise might be able to be found and retain the standing seam metal roof. Mr. Strassler stated he would encourage some further research and understanding of what style ridge cap could be placed there which reflected a historic roof. He noted those modern commercial wide caps that were meant for vents were not seen on a hip roof or on any roofs. He stated that definitely changed the character of the building.

Ms. Brannock asked if Commission members had any questions or comments.

Mr. Blanton stated he understood the owner's point regarding how the traditional rolled cap was incompatible design-wise with the standing seam roof that was currently on there. He stated part of the Commission's compromise recommendation was to find a reasonable facsimile for something like a rolled ridge vent that was functional. He noted it would not be a perfect match with the historic ones, but was in the spirit of compromise.

Mr. Banta stated what he appreciated about the vent was that it got very hot in the attic and the vent allowed a lot of that heat to be released. He noted he did not have that before.

Ms. Brannock stated Mr. Strassler could perhaps provide information for how historic houses were traditionally vented.

Mr. Strassler stated the reality was that most of those roofs weren't vented. He stated he'd attached information regarding pros and cons of vent. Discussion ensued. He stated what the Commission was dealing with in this case was the appearance of the house from a public road and getting that roof back to how it would appear as a historic roof.

Mr. Avery asked Mr. Banta if he were willing to table the item until next month to explore options.

Mr. Banta stated he was willing to do so.

Commission members did not have any further questions or comments.

HSF Recommendation - HSF recommends approval of the COA with reluctance. In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life.

The owners installed a replacement roof that matches other roof installations in the historic district. However, the finished roof does not utilize embossed metal shingles and therefore does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap. The project did require a COA because it is not a replacement in kind. Other properties provided as examples may be roofs installed before the Historic District zoning was adopted or roofs that did not follow the approved guidelines. Property owners are advised to utilize the official adopted guidelines to plan projects and to not rely upon other property owners.

I: Introduction G. Design Review Authorities

4. Exemptions from Design Review

Ordinary maintenance or repair of any exterior architectural or environmental feature in or on a historic property or a building, structure, site, or object within an historic district to correct deterioration, decay or damage or to sustain the existing form and that does not involve a material change in design, material, or outer appearance thereof does not require a COA. Such actions may include:

- ☐ Repainting resulting in the same or in a different color. (Original painting of masonry surfaces is not exempted from review.)
- ☐ features with matching in kind materials.
- ☐ Replacing broken window panes, missing roof shingles, or missing
- ☐ Addition or deletion of storm windows and doors, window-box gardens, awnings, temporary canopies, window air conditioners, or similar appurtenances.
- ☐ Addition or deletion of television or radio antennas, skylights, or solar collectors in locations not visible from a public street.
- ☐ Planting of grass, trees, and shrubs but not including landscape treatment that substantially alters the contour of a site or involves landscaping or construction of parking areas, fences, walls, walkways, pools, fountains, and the like that materially affect the appearance of a site and that is visible from a public street.
- ☐ Any changes to a structure that are not visible from a public street.

The new standing seam metal roof also includes the addition of wide ventilation caps on all of the hips. Present day contemporary caps tend to be wide and do not reflect the lower profile or intended

decorative profile of historic ridge caps. Contemporary ventilation if detailed carefully can be adequately installed on a main ridge with minimal profile. Minimal view might be attained by installing the new feature on a top gable ridge and back away from the most viewable front roof edge. Ridge cap ventilation tends to be most viewable on hip roofs.

Building Science experts note that ventilation is a good feature for most all climates. However, it is a building treatment requiring careful detailing that must include attic air sealing and insulation to be effective. Roofs and attics can also be retrofitted without ventilation; however, this treatment also requires very specific, careful design and execution.

Embossed metal shingles are manufactured and available.

- ☐ <https://www.berridge.com/products/shingle-systems/>
- ☐ <https://wfnorman.com/products/roofing/>

However, based upon various homeowner quotes obtained from roofers, the material is extremely expensive to obtain and install. Standing seam metal roofs are historically contemporary with embossed metal shingles. Staunton's historic districts include a multitude of homes from the late 19th Century with standing seam metal roofs. However, the adopted guidelines do not lead to a conclusion of recommending replacement of shingle roofs with standing seam metal roofing.

V. Guidelines for Existing Buildings - Elements J. Roof

One of the most important elements of a structure, the roof serves as the cover to protect the building from the elements. Its visibility, shape and materials make it one of the most important character defining elements of a historic building. Good roof maintenance is critical for the roof's preservation and for the preservation of the rest of the structure.

Typical local historic roof materials include standing seam metal and slate. The earliest buildings in Staunton's residential historic districts originally may have had wood shingle roofs, but because of fire risk, they were replaced with standing-seam metal roofs later in the 19th century.

5. Replace roof coverings when necessary by using new material that matches the original roof covering as closely as possible in composition, size, shape, color, and texture.

8. Do not change the historic roof material to asphalt shingles or other non-historic materials if the original or a close facsimile is available.

10. Do not replace a deteriorated historic roof with a material that does not have the same visual qualities as the original. For example, some current pre-coated metal roofs are designed for new industrial buildings with wide V-shaped snap lock seams. This type of installation does not replicate a historic standing-seam roof that has a thin raised seam at the joints created by mechanically or hand-folding and locking the seam.

The HPC has recognized that the life span of Staunton's original embossed metal shingle roofs is at an end. In addition, that the historical record in Staunton indicates that standing seam metal roofs are historically contemporary with embossed metal shingles. The Commission has approved projects that replace failed embossed metal shingles with new standing seam metal roofing.

Previously the Commission asked a homeowner to review replacement of installed wide ridge caps with a new product that resembles a historic rolled ridge. Note that the older roof included a round profile ridge cap. This request is based upon meeting the guideline to match "the original roof covering as closely as possible in composition, size, shape, color, and texture."

Note the guidelines do not specifically state that ventilation caps may not be utilized.

Rolled ridge caps or similar examples are available.

- ☐ <http://www.bbsheetmetal.com/product/flashing/roof-systems/ridge-caps-or-hip-caps/>
- ☐ <https://www.riversidesheetmetal.net/flashing-metal/ridge-cap/>
- ☐ <https://www.homedepot.com/p/Gibraltar-Building-Products-11-7-8-in-x-10-ft-Galvanized-Steel-Roll-Type-Ridge-Cap-15652/100319980>

The commission has consistently utilized the following specification to guide homeowners and roof installers toward a standing seam metal roof that meets the goal of an in-kind replacement of historic roofs.

Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th Century and throughout the 20th Century.

All chimneys are to be retained.

The new roof will not incorporate ridge vents or caps along the hip ridges.

The roof will utilize a 1" folded seam and the seam should appear as a closed, locked, and folded seam.

The ends of the seams at the soffit edge and ridge should be folded flat to the roof as done historically with hand tool folded standing seam metal roofs.

Mr. Avery moved that this be tabled until next month to allow the homeowners to explore a compromise ridge cap alternative that could satisfy all parties.

The motion was properly seconded by Mr. Lively.

Ms. Brannock noted Ms. Nesselrodt could provide the owner with some contact information regarding the Locust Street project. Discussion ensued.

The motion carried as follows:

Mr. Brown	aye
Ms. Brannock	aye
Mr. Avery	aye
Mr. Blanton	aye
Mr. Lively	aye

OLD BUSINESS

a. CERTIFICATE OF APPROPRIATENESS

Michael S. McCue

604 Stuart Street

Retaining Wall / Parking Area

Ms. Brannock asked the applicant to give details on his new proposal.

Michael McCue, 604 Stuart Street, stated in order to make the concrete in its bare form, which currently had a broom finish on it, was to cover it with RollerRock which was made of granite.

Mr. McCue stated he would like to contact Mr. Strassler for further information. Discussion ensued.

Commission members did not have any further questions.

HSF Recommendation – Covering the installed concrete with brick pavers does address guideline:

V. Guidelines for Site Design & Elements - A. Walkways, Driveways, & Parking

9. Ensure that any new paving material is compatible with the context of traditional materials found on surrounding sites. Avoid large expanses of bright, lightly colored concrete or darkly colored asphalt.

It is also recommended that the Commission continue to address previous issues concerning screening, the loss of the yard and portico definition, unshielded lighting, and unfinished pressured treated poles.

Mr. Blanton moved that Mr. McCue's application be tabled for a month until the next meeting so he'll have time to make consultations with Mr. Strassler and others.

The motion was properly seconded by Mr. Lively.

Mr. Brown stated perhaps it might be emphasized, along with plan, the Commission probably needed to see what planters he proposed would be, what they would be made of, etc.

Ms. Brannock stated materials, a layout, and additional information was definitely in order.

The motion carried as follows:

Ms. Brannock	aye
Mr. Avery	aye
Mr. Blanton	aye
Mr. Lively	aye
Mr. Brown	aye

b. CERTIFICATE OF APPROPRIATENESS

**John & Stacey Fregosi
636 W. Frederick Street
Replace Roof/Already Completed**

John Fregosi, 636 W. Frederick Street, stated after the last meeting they were able to get in contact with their roofing contractor, James Holloway. After discussions, he stated the roofer voiced questions and concerns. He stated Mr. Holloway wanted to talk with the Commission himself. He stated he'd also held conversations with their neighbors, the Banta's, at 650 W. Frederick Street, that might also apply to their situation.

Mr. Fregosi questioned if Mr. Holloway was there in person for the meeting. Mr. Holloway was not present either in-person or on Zoom. Mr. Fregosi stated that they'd wanted the roofer to have the opportunity to talk with the Commission and had expected that coming into the meeting. He stated he did not have anything new to add. Mr. Fregosi stated if the roofer was not in attendance, then essentially, they were at a point where they did not have a whole lot to say. Ms. Fregosi stated they had spoken with the roofer that the Commission had recommended. She noted that roofer felt that the roof could be adapted to have the hips and ridges like Mr. Strassler was suggesting. She noted that roofer was reticent to do any of that work because the roof was currently under warranty through Holloway Roofing and any alterations made by him would invalidate the warranty. Discussion ensued.

Ms. Brannock stated the Commission was happy to have Mr. Holloway attend the meeting next time. In the meantime, he might want to reach out to staff in the Planning Department or perhaps with Mr. Strassler for more information. Discussion ensued.

Ms. Brannock asked if Commission members had any further questions.

Mr. Blanton stated he was very appreciative of the efforts that the owners were making to resolve the issue.

Mr. Brown stated the roofer might want to reach out directly to City staff and Mr. Strassler and discuss with them directly himself with some of his questions and perhaps get that worked out ahead of time.

Ms. Fregosi stated she would make the recommendation to Mr. Holloway that there was no need for him to wait for the official meeting. Discussion ensued.

Commission members did not have any further questions.

Ms. Brannock asked Mr. Rhodes if a motion should be made to table the item until next month.

Mr. Rhodes stated he felt the applicant should clearly state that they wanted permission to table the item.

Mr. Fregosi asked for permission to table the item until next month.

Mr. Avery moved that the Commission table the item until next month.

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

Mr. Brown	aye
Mr. Blanton	aye
Ms. Brannock	aye
Mr. Lively	aye
Mr. Avery	aye

c. CERTIFICATE OF APPROPRIATENESS

Robert D. & Leslie G. Banta
650 W. Frederick Street
Replace Roof/Already Completed

Mr. Banta stated they didn't have anything more to add that the owners from the previous item hadn't already added. He stated he thought James Holloway, their roofing contractor, would send a document and/or letter in advance of the meeting. He stated they were trying to get a response from Mr. Holloway and figure out if there was a solution that was workable for the Commission.

Ms. Brannock asked Mr. Banta if he would like to return next month as well.

Mr. and Mrs. Banta stated they would like to return next month.

Mr. Avery moved that the item be tabled until next month.

The motion was properly seconded by Mr. Brown and carried as follows

Mr. Brown	aye
Ms. Brannock	aye
Mr. Avery	aye
Mr. Blanton	aye
Mr. Lively	aye

OTHER BUSINESS

Mr. Rhodes stated he did not have any other business.

ADJOURNMENT

The Chair adjourned the meeting at 6:53 p.m.

Suzanne F. Simmons
Clerk of Council

- Plantings will be installed and maintained further creating a garden appearance over the coming year.
- The unshielded lighting and 4x4 pressure treated support poles will be removed
- The concrete block retaining wall will be pargeted with a traditional mix of mortar pargeting to reflect traditional concrete walls found in Newtown Historic District.

Mr. Brown moved for approval of the COA for the proposed plan to mitigate the current stark appearance of the installed concrete and wall. The plan will attempt to shield the view of the patio from the street and create planning areas that attempt to restore the relationship with the house with a yard. The project will mitigate the visual impact and installation of the concrete in the front and side yard of the property. Concrete adjoining the house will be covered with a softscape, and edging. Red cedar planters will be installed along the north border of the patio to create a planter wall and shield the view of the patio area, and those are as submitted in the package. The patio area will be reduced from 520 feet to about 184 square feet and covered with brick pavers. The relationship of the walkway and the stoop will refract the previous configuration. Plantings will be installed and maintained further, creating a garden appearance over the coming year. The unshielded lighting and 4X4 pressure treated support poles will be removed. The concrete block retaining wall will be parched with a traditional mix of mortar parging to reflect traditional concrete walls found in the Newtown Historic District. We have also attached the proposed schedule to the motion as well.

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

Ms. Brannock	aye
Mr. Avery	aye
Mr. Blanton	aye
Mr. Lively	aye
Mr. Brown	aye

b. CERTIFICATE OF APPROPRIATENESS

John & Stacey Fregosi

636 W. Frederick Street

Replace Roof/Already Completed

John Fregosi, 636 W. Frederick Street, stated he and his wife have been working with Robert and Lesley Banta, who are going to be following us tonight, and we're talking a lot about the same things. In the interest of time, and considering a lot of the same issues will be brought up, we'd like to ask if they can be part of our discussion.

Ms. Brannock said anyone is welcome to join in.

Mr. Fregosi said his roofer, James Holloway, is also expected to be at the meeting in person. It was determined he was not at the meeting or on Zoom.

Mr. Fregosi stated he is very disappointed that Mr. Holloway was not present, as he very clearly stated he would be. Mr. Fregosi said Mr. Holloway is very much against the idea of needing to do any alterations. Mr. Fregosi said Mr. Holloway cited the numerous examples of the same type

of roofs in the area. Mr. Fregosi said Mr. Holloway was of the attitude that he did not want to have to alter it in any way unless it went through the appeal process. Mr. Fregosi sent Mr. Holloway to talk with Mr. Strassler.

Mr. Strassler noted they had a short discussion, and said Mr. Holloway explained to him that the type of installation for the ridge vents include what is called a Z bar (Mr. Strassler believes this term is correct). Mr. Strassler looked up on various roofing manufacturers websites, and it is basically a bent piece of metal fastened to the roof, in which the vent caps didn't fasten to the Z bar, and because of the installation of the z bar in the gap between the roofing panels, it would be very difficult to change the cap or to be able to cover that gap. Mr. Strassler did not understand why Mr. Holloway couldn't change the profile of the cap in that situation. My understanding from Mr. Holloway is they would prefer not to do any of that work because it would cost a lot of money, and somebody is going to be out of quite a bit of money because of having to redo the work. The discussion devolved into questioning the guidelines and questioning the zoning and why other people were able to get by with doing roofs that they had. That's a long discussion of why people go ahead with projects and don't follow the guidelines, and why is it that some projects just get away with it, or that they were done before the zoning ordinance went into effect. There are a number of different parameters that can be discussed, but what needs to be focused on here are these two roofs before us, and what the roofer could do to mitigate the caps. The commission may also decide that that contemporary edition and roofline is acceptable in that it preserves the structure and basically meets the very basic content of the guidelines.

Mr. Fregosi said a major issue this comes down to is the warranty of his and Mr. Banta's roofs. Any alterations needing to be done must be done by our roofer, or our warranties are voided. Even so, we have contacted and talked with James Drury. He has given some possibilities of how he believes the roofs could be altered in a way that could still protect them when the Z bar would need to be removed and fastened down. Ultimately, he's not the one that we can have to do it. We have our other roofer saying he won't do this, as its going to be way too expensive and he doesn't think it will work. If this is not fixed, then the entire roof is going to have to get taken down. We are stuck, in that we don't foresee that our roofer is going to be accommodating by trying to come up with a solution, unless he is literally forced to. Anything that we try to do ourselves would either void our warranty or cost us a lot more money out of pocket that we really shouldn't be paying. We are looking to the Commission for a solution. We are frustrated, tired and a bit broken in the soul, as we think you can all understand. We hate to keep constantly coming to you with nothing new to say, but we're trying to navigate our way through. Mr. Fregosi asked Mr. Banta if he would like to add to this.

Robert Banta of 650 West Frederick Street spoke about talking with Mr. Drury about a possible solution. If there's a solution on the table that we could look at, we could then see if it meets the Commission's approval. Mr. Banta echoed Mr. Fregosi's sentiment, that we feel like we're between a rock and a hard place, because one person says it can be done, but the person who actually did the work and would be doing the work again, says it can't be done.

Mr. Fregosi added that there are no pictures of Mr. Drury's work in Charlottesville or Richmond, because he has never actually done the work himself on a standing seam roof, only copper and slate.

Mr. Strassler suggested speaking to the roofing manufacturer directly, that Mr. Holloway works under or gets his supplies from. Ask them to come take a look at the situation, and to cover your warranty. Usually, the warranty has to do with the finish on the roof. Perhaps they can install something or make changes without altering the finish.

Ms. Brannock notes it is the Commission's job to uphold the guidelines and work with property owners to come up with solutions. We have offered a couple of suggestions, and you have been diligent to follow up on those.

Mr. Brown commented that we could not approve these two roofs as is, because it would set a precedent. The roofer could then do this anytime he wanted, because these two were approved.

Mr. Fregosi believes that a precedent has already been set, as there are numerous types of this same, exact roof, including Trinity Church. Mr. Fregosi suggested that Mr. Holloway was supposed to write a letter to the Commission, apologizing for putting numerous roofs on like this, not knowing it was wrong, and promising to never install a roof such as this on another property.

Mr. Brown added he had been on the Commission for 12 years, and doesn't recall ever having to deal with roofs like this before. Some may have gotten away with it, and no one noticed.

Ms. Brannock stated the Commission is charged with upholding the guidelines and, unfortunately, this type of roof installed by Holloway does not meet those guidelines in its current form. You do have recourse, and you can certainly appeal any decision that we would make. We would hope to come up with a resolution for you that's beneficial and not terribly expensive. If you would like to follow Mr. Strassler's suggestion of talking again to the roofer, we'd be willing give you more time to do that. If we vote on this, and you do appeal, and your appeal is rejected, you either have to come up with a solution or you'll have to take your roof down. Ms. Brannock deferred to City Staff, as there is not a City Attorney present.

Mr. Rhodes noted right now we have two roofs that were installed without any approvals. The entire roof is in violation, and this commission has bent over the past couple of months trying to come up with a remedy to that, that doesn't require the complete removal of that roof. If they deny a COA for your roof, then that's not just addressing the ridge cap. They're talking about the entire roof. That would be an appeal to City Council, and must be done within 30 days. Depending on what City Council does, you can then appeal that to Circuit Court.

Mr. Fregosi asked for one more month to try to rectify this issue. Mr. Banta agreed.

Mr. Blanton reminded Mr. Fregosi and Mr. Banta of the URLs that Mr. Strassler posted in his recommendation. He said looking at them gives him encouragement that there may be something already out there that is manufactured that might be adaptable to the case.

Ms. Brannock asked if Commission members had any further questions.

Commission members did not have any further questions.

Mr. Avery moved to table this item for 636 West Frederick (Item b.- Old Business) and 650 West Frederick (Item c.- Old Business) until the March Historic Preservation Commission Meeting.

Ms. Nesselrodt noted it is important when an item is tabled that the tabled agreement is returned to her. She is missing Mr. Banta's from last month, so both need to be returned as soon as possible.

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

Ms. Brannock	aye
Mr. Avery	aye
Mr. Blanton	aye
Mr. Lively	aye
Mr. Brown	aye

c. CERTIFICATE OF APPROPRIATENESS

Robert D. & Leslie G. Banta

650 W. Frederick Street

Replace Roof/Already Completed

Mr. Avery moved to table this item for 636 West Frederick (Item b.- Old Business) and 650 West Frederick (Item c.- Old Business) until the March Historic Preservation Commission Meeting.

Ms. Nesselrodt noted it is important when an item is tabled that the tabled agreement is returned to her. She is missing Mr. Banta's from last month, so both need to be returned as soon as possible.

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

Ms. Brannock	aye
Mr. Avery	aye
Mr. Blanton	aye
Mr. Lively	aye
Mr. Brown	aye

OTHER BUSINESS

Mr. Rhodes stated he did not have any other business.

ADJOURNMENT

The Chair adjourned the meeting at 7:25 p.m.

Kim Cormier
Interim Clerk

suggested, if that area was reduced, hard surface pavement could be considered for approval by us. And certainly, the permeable paver option is something that would be aligned with our guidelines.

Ms. Bishop stated she would have Brad Bryant to come out and help her measure, and invited the Commission to come take a look.

Ms. Brannock suggested he do a sketch for her to scale, using the depth and width of the backyard. Also include where the screening landscape areas could be. If Ms. Bishop wanted to do that, we could delay the consideration of the paved area, and go ahead and review the deck part tonight. We think once you look at the space that you're talking about paving, you will realize 25 by 50 would be a very large area. Also keep in mind, the more hidden it is, the better. If this is the plan, do we have any other questions about the deck?

There were no more questions.

Motion:

Mr. Blanton moved that the COA for a new deck be approved, specifically noting that the railing will have a bird's mouth finish. The pickets will be closely spaced, and set in the underside of the top rail. All the railings and pickets will be painted. No end cuts will be visible. The railings and pickets will be pressure treated lumber. The floor of the deck will either be pressure treated lumber, which is stained or painted appropriately, or finished composite materials such as Trex, in a wood or gray tone to match the house. The deck will include a set of stairs off the side of the deck, which will be finished in a similar fashion. The deck is estimated to be 10 by 25 by 18 feet. I further move that you postpone the decision about the parking area in the back until you consult with a contractor regarding your options for either permeable paving or a smaller hard surface paving area.

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

Mr. Lively aye

Ms. Brannock aye

Mr. Blanton aye

Ms. Nesselrodt will email Ms. Bishop the agreement to table the item, and Ms. Bishop can sign it and electronically send it back, or she can print it off and mail it in. The form states you're agreeing to table that part until next month.

OLD BUSINESS

a. CERTIFICATE OF APPROPRIATENESS

John & Stacey Fregosi

636 W. Frederick Street

Replace Roof/Already Completed

Background Statement:

John & Stacey Fregosi, 636 W. Frederick Street, have applied for an after the fact - Certificate of Appropriateness for a roof replacement. A notice of violation was issued to the owners on November 19, 2020 for replacing a roof, with a change in material/appearance, at the subject properties without the required application and approval by the Historic Preservation Commission (HPC). The roof was previously covered with embossed metal shingles including rolled ridge caps. A new standing seam metal roof with wide ridge caps has been installed. The HPC reviewed this application for the first time on December 22, 2020.

At that meeting, the HPC was of the collective opinion that the replacement of the roof with a standing seam metal was an acceptable replacement. The concern is with the ridge caps. A historically appropriate traditional standing seam metal roof should not have ridge vents or caps. The item was tabled until the January 26, 2021 regular meeting on the basis that the applicant would explore a compromise ridge cap alternative that could satisfy all parties.

At the January 26, 2021 meeting, the applicants had requested that the contractor who completed the work attend the HPC meeting. The contractor was not in attendance and with nothing new to present, the item was tabled until the February 23, 2021 regular meeting. At the February 23, 2021 meeting, the contractor was again not in attendance. The applicants noted the difficulties in replacing the ridge caps and their desire to allow the existing caps to remain. The item was tabled until the March meeting so the applicant could explore contacting the manufacturer of the roof directly to inquire about the warranty and making changes to the roof materials.

HSF Recommendation:

HSF recommends approval of the COA. In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life. The homeowner followed the advice of the roofing contractor concerning permits and approvals. HSF apologizes for missing an email requesting advice. Staff searched records and did not find that we received the email.

The goal was to install an in-kind replacement roof. However, the finished roof does not utilize embossed metal shingles and therefor does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap.

The new standing seam metal roof also includes the addition of wide ventilation caps on all of the hips. Present day contemporary caps tend to be wide and do not reflect the lower profile or intended decorative profile of historic ridge caps. Contemporary ventilation if detailed carefully can be adequately installed on a main ridge with minimal profile. Minimal view might be attained by installing the new feature on a top gable ridge and back away from the most viewable front roof edge. Ridge cap ventilation tends to be most viewable on hip roofs.

Building Science experts note that ventilation is a good feature for most all climates. However, it is a building treatment requiring careful detailing that must include attic air sealing and insulation to be effective. Roofs and attics can also be retrofitted without ventilation; however, this treatment also requires very specific, careful design and execution.

Embossed metal shingles are manufactured and available.

<https://www.berridge.com/products/shingle-systems/>

<https://wfnorman.com/products/roofing/>

However, based upon various homeowner quotes obtained from roofers, the material is extremely expensive to obtain and install. Standing seam metal roofs are historically contemporary with embossed metal shingles. Staunton's historic districts include a multitude of homes from the late 19th Century with standing seam metal roofs. However, the adopted guidelines do not lead to a conclusion of recommending replacement of shingle roofs with standing seam metal roofing.

The HPC has recognized that the life span of Staunton's original embossed metal shingle roofs is at an end. In addition, that the historical record in Staunton indicates that standing seam metal roofs are historically contemporary with embossed metal shingles. The Commission has approved projects that replace failed embossed metal shingles with new standing seam metal roofing.

Previously the Commission asked a homeowner to review replacement of installed wide ridge caps with a new product that resembles a historic rolled ridge. Note that the older roof included a round profile ridge cap. This request is based upon meeting the guideline to match "the original roof covering as closely as possible in composition, size, shape, color, and texture."

Note the guidelines do not specifically state that ventilation caps may not be utilized.

Rolled ridge caps or similar examples are available.

<http://www.bbsheetmetal.com/product/flashing/roof-systems/ridge-caps-or-hip-caps/>

<https://www.riversidesheetmetal.net/flashing-metal/ridge-cap/>

<https://www.homedepot.com/p/Gibraltar-Building-Products-11-7-8-in-x-10-ft-Galvanized-Steel-Roll-Type-RidgeCap-15652/100319980>

The commission has consistently utilized the following specification to guide homeowners and roof installers toward a standing seam metal roof that meets the goal of an in-kind replacement of historic roofs.

Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th Century and throughout the 20th Century.

All chimneys are to be retained.

The new roof will not incorporate ridge vents or caps along the hip ridges.

The roof will utilize a 1" folded seam and the seam should appear as a closed, locked, and folded seam.

The ends of the seams at the soffit edge and ridge should be folded flat to the roof as done historically with hand tool folded standing seam metal roofs.

Discussion:

Mr. Fregosi said it's been a long road, and we appreciate all the patience that you have shown us through this whole process. Our roofer, James Holloway is here. Over the last month, we've been going through and investigating the suggestions that we've been given through other roofers and Mr. Holloway would like to explain what we found as we've been going through this process about trying to make this rather unusual alteration to make this more historic.

Mr. James Holloway spoke, saying he is a local roofer. He started his own business about five years ago. He's been in the trade since he was 12 years old, and is now 32. He has about 20 years of full time experience of roofing locally in the valley since 2012. This is the first time that his company has run into this situation. And unfortunately, it happened twice at once, as they performed the same roofing installation on two homes in the same neighborhood. We are looking for acceptable appropriateness from the Commission, and we've met wall after wall. We are trying to make the right decision for these homes, for the district, and primarily for our customers, the Fregosis and the Bantas. Mr. Holloway understands a modern standing seam roof and has worked really hard to modernize and get away from a lot of the traditional hand seaming methods to increase the integrity of the roofs and actually uphold them even longer through innovation. The fact that we have a modern standing seam roof installed with a ventilation system and snow guards makes it impossible to now turn that into a traditional standing seam roof. It's impossible to take that modern roof and make it traditional, He believes some Commission members had ideas that haven't yet been performed or executed. He asked for questions or comments from the Commission members and also Mr. Strassler.

Mr. Strassler said he did not have anything else to add, other than it was hoped that there was a way to install a cap on this roof that appeared in more of a historic profile than the wide flat pans that are used to cap these roofs. Some roofs in town have been approved to have a ridge vent on a gable roof because you can step it back from the front and back facade that would be viewable. On these hip roofs, those wide caps really stand out, and I think that's what caught people's eye.

Ms. Brannock asked if there was a small scale cap that could be installed.

Mr. Holloway said there was not. He offered to draw a visual so the Commission could better understand the workmanship involved. He stated for a traditional standing seam roof, you would run panels all the way up to the peak of the roof, and they would extend two inches past to allow to fold that seam up. Then we double interlock them together with a hand seaming mechanism. Currently, since we went with the modern approach, with the ventilated roofs, we run those panels two inches short and these panels are from top to bottom. There are no breaks in these panels; it's a seamless system. We can't stretch the metal. To get a smaller profile than what we have, is also impossible. We run those panels up, cut them two inches short from the peak, then come down seven inches, and then install a Z bar in between each one of those panels which allows that ridge cap to elevate on top of that roof. Then, each piece of Z bar in between each panel has about eight screws. It's actually also adhered to that panel with mastic tape. There are no exposed fasteners,

there are no screws, there are no holes to the roof. This is a lifetime roof installation. If we were to remove all of that, the cap that has been proposed to go on would actually have to be bigger than the old cap. There is no way that we can shrink up that size, when we actually have to go down further and cover the old existing holes in that roof.

As the contractor, Mr. Holloway apologized that this situation occurred. He wishes he was educated on this because he would have never allowed his customers to buy this product from him and move forward.

Ms. Brannock thanked Mr. Holloway, and said the Commission greatly appreciates this is an unfortunate situation. At the same time, as a Commission, they have to uphold the guidelines, because if they don't, they set a precedent for a product or a method that is not in character with the guidelines of the historic district. It's nothing personal against your company or your product, or the property owner. It's an unfortunate situation. The Commission has to look at this based on the guidelines and what the guidelines recommend. They fully understand and appreciate the circumstances that led to this point. Ms. Brannock asked if there were any other questions or comments.

Mr. Blanton stated we're working mightily to try and resolve this and compromise in some fashion. He said he can't speak for the rest of the Commission. He wondered if they could ignore the Z bar and just left it, as it's a low profile. He said he assumed that it would not be that visible or obtrusive from the street. Could you then custom create a ridge cap that met the historical profile span, basically a four inch space at the ridge?

Mr. Holloway said it is 14 inches at the ridge. If he were to do another alteration to that, it would expand out to 16 inches, because he would need a one inch overlap past where the additional holes are.

Mr. Blanton asked Mr. Holloway if he could leave the Z bar exactly where it is, attached the way it is, then just fashion through some custom metal fabrication process, a ridge cap that simply closes the gap along the ridge.

Mr. Holloway stated that would be exactly what we have now. There would be no way. Mr. Holloway demonstrated taking one triangular roof with two hips, and several panels run in between that because there are seams on 21 inches. If they were to remove that old ridge cap, and then install a new ridge cap, there's no way that they could make it conform to the roof and it not look the way that it does now. Mr. Holloway was concerned about the integrity of the roof. Discussion ensued about possibilities. He further believes the safety of the roofers who would have to get up on 4 story 12/12 pitch roofs would be at risk. Mr. Holloway stated he saw many other examples in town with similar roofs. He also added he is now educated, and from his company, the Commission would never have to worry about this again.

Mr. Fregosi said they are in a real pickle, as they have not found examples of anyone who has done this. Some have made suggestions, but added they had never tried it. He said they are looking for guidance. He added this is exactly the kind of situation that they desperately wanted to avoid. He said they reached out to Mr. Strassler at Historic Staunton foundation in April 2020 asking for guidance, and received no response. He said they are not blaming anyone, as there was a brand

new pandemic, a lot of businesses were closed, and it was just a matter of a communication breakdown. He said they ended up making a mistake that now looks like the only way to fix it is to take the roof down, which is \$25,000 in a roof that's 95% good. They are trying to find something that they could possibly do. They understand the Commission has their guidelines, and we support whatever decision that you make here. This was an exceptional kind of communication breakdown. Tearing down the roofs and putting them both up again would serve no purpose. We are trying to find a way out of this where we're not coughing up another \$25,000.

Ms. Brannock said the Commission understands and absolutely appreciates that. The Commission also appreciates the patience and everything you've done to try to come up with a solution. We know you've worked very diligently on that and reached out to lots of different people. If the Commission were to deny the application, the next step would be that you have a right to appeal any decision the Commission makes to City Council.

Ms. Fregosi asked what the process would be if they chose not to appeal the process.

Linda Nesselrodt said if the application was denied and you chose not to appeal during the timeframe, it's a violation of the zoning ordinance and we would have to take it to court. A judge would determine guilty or not guilty in regards to violating a zoning ordinance, and then it goes on from there in regards to correcting the matter through the courts.

Ms. Brannock said the logical next step to take if it were denied would be to appeal to City Council.

Rodney Rhodes spoke about being aware of two similar circumstances that have come before this Commission, where it was kind of an all or nothing type, and it's appeared there was no simple fix. A couple of years ago, the Commission denied and an after the fact roof that had the large ridge caps. That was appealed to City Council and that Council upheld the Commission's decision, and that roof was replaced in an appropriate manner. However, we have researched and found another instance, five or six years ago on North New Street, also after the fact with ridge caps, and that was approved by the Commission. Mr. Rhodes stated he didn't know if what the Commission was doing tonight would actually set a precedent.

Ms. Fregosi asked for clarification, if Mr. Rhodes was implying that the precedent has already been set, with finding evidence of that type of roof being approved after the fact.

Mr. Rhodes stated he wasn't here five or six years ago, but he assumes that the decision was based on the circumstances at that time. He doesn't believe the Commission was saying that roof was the appropriate type of roof in the historic district.

Ms. Brannock believes that might have had something to do with visibility, but doesn't remember exactly. Ms. Brannock asked the Fregosis when they first decided to replace the roof, if they were having serious mold issues.

Ms. Fregosi stated they were having large amounts of water coming into their daughter's room, with a significant leak in the roof. They were getting damage to the interior of their house, and the roof had been patched several times. It had passed their ability to continue to patch it, and was creating significant damage on the inside of their home.

892
893 There was a picture of mold that was viewed and determined to be from the Banta's home.
894

895 Ms. Fregosi said there was also structural damage occurring to the back chimney as well. She
896 added one of the things that we had put in the original packet was explaining the circumstances
897 we were facing, with structural damage to the home. She explained they were simultaneously
898 facing the shutdown of all businesses everywhere because of the pandemic, and coupled with their
899 trying to reach out to people to give them guidance, and not receiving that guidance back. She
900 added they were in a position where they just had to do something, because it was an emergency
901 situation.
902

903 Mr. Holloway commented that this has weighed very heavy on both families involved. He added
904 that through the process, neither one of the home owners were trying to cut corners or cut costs,
905 and they actually bought from one of the more expensive well known contractors, based on
906 workmanship. They bought top of the line roofing installs, with both investments well over
907 \$20,000 each. They are school teachers, and they're building up their houses here locally on West
908 Frederick. Their roofs look phenomenal in comparison to their neighbors, and the rest of the
909 historic neighborhood. Mr. Holloway added he takes so much pride in trying to do the right thing
910 and be a good business person and perform good work. He said they were all oblivious to the
911 nature of what has transpired. The families have worried about this for three months, and their
912 nerves and their anxiety has put them on edge, as well as my company, as a business owner trying
913 to do things, right. To put roofing crews back on their roofs, with tool belts and safety gear, four
914 stories up on a 12/12 piece of metal that's covered in pollen and dirt is dangerous. If one guy drops
915 one tool, and that punctures a hole, that also impacts the integrity of the roof, and we've created
916 more problems with the strain on the roof. Mr. Holloway stated they are really not trying to turn a
917 blind eye to this, they have bent over backwards trying to find a good solution that would protect
918 their safety, protect the integrity of the homeowner's investment and home, and move forward.
919 Thank you for listening to us.
920

921 Mr. Holmes asked if they knew they were working in a historic district, and did they check to see
922 if they had guidelines.
923

924 Ms. Fregosi said they just didn't have the knowledge to ask the right questions, and did not
925 understand some of the language that's used in the guidelines. Every contractor that they talked to
926 was very well aware of their home being in a historic district, including Mr. Holloway. She said
927 they were trying to do their best to do their due diligence, under the circumstances with the
928 pandemic shutting everything down, and without any communication back from their requests that
929 were made by email. In light of the crisis they were facing with the water coming into their house,
930 Ms. Fregosi said they were in a position where they just made the best decision at the moment.
931

932 Mr. Holmes said he would think that contractors working in a historic district would know the
933 specs. If the Commission doesn't honor the guidelines, it opens it up for others to say, "Well, you
934 did it here".
935

936 Mr. Holloway said as the roofer, he didn't realize that their home was in the Newtown district,
937 because his company's salesmen went out and contracted with them. He said he was oblivious to
938 the fact of the guidelines of historical district roof installations. He said he has worked for other

prominent roofing companies in this area, and has installed the exact same roof installations for them. They have been in business in this area for 15-20 years, and are the most well-known. Mr. Holloway feels contractors have not been educated in this realm, and not just his company, as a Class A contractor. He said they are not out here trying to break the rules or defy the Commission. They are literally uneducated as to what is happening here. This has put a lot of stress, a lot of pressure, and a lot of anxiety on all of them.

Ms. Nesselrodt stated anytime a property changes ownership, they send out a new owner letter. They also drafted a letter last year with the help of the City Attorney, and sent it to all major contractors in the area as well as to suppliers and builders. They did a mass mailing in regards to the ordinances, but they do not send them out annually. Guidelines are also on the website.

Mr. Blanton echoed the comment that Mr. Holmes made, that it is the Commission's responsibility to follow these guidelines. The Commission tries very hard to work with property owners to find solutions to situations. The guidelines are a roadmap. In this case, it seems impossible to approve the roof as it stands now. Time and time again they have tried to be very clear about the expectations for roof criteria. Mr. Blanton said he is still not 100% satisfied that there is not a solution that would prevent you from completely replacing the installation that you have. He added he is not a roofer, and he doesn't know what that solution is. Conceivably, the Fregosis could come back with a potential remedy, and it would just require some work. But as things stand now, I don't think we could approve the roof.

Mr. Holloway noted there are at least 500 other roofs in the historic district that have these ridge vents, and if they are all in violation, the Commission's caseload would be pretty busy.

Mr. Blanton said there may be situations where the roof was installed prior to enactment of the guidelines, or are not in the historic district. But generally speaking, since he has been here, they have not allowed anything other than a traditional standing seam metal roof.

Mr. Holloway asked how enforcement is handled.

Ms. Brannock explained that City staff does not physically look for violations. They are brought to the city by complaint. If investigated and there is a violation, we deal with it. Ideally, people make an application before work begins.

Mr. Blanton read a quote, in the initial application that says: "Before the work began, we were verbally assured by the roofing company that all work would be in compliance with historical guidelines, and then any permits needed would be obtained by the company."

Ms. Fregosi stated they had that verbal conversation with Mr. Holloway, but they truly believe that Mr. Holloway was making that assurance based on his current knowledge in everyday application.

Mr. Holloway stated if this was not brought before our attention, we would still be selling and installing the exact same thing that we sold installed to the Fregosis.

Ms. Fregosi said not truly understanding what was expected through the guidelines, even after reading the guidelines, was what prompted them to reach out in the first place, to ask for further

986 guidance, because they didn't want to do the wrong thing. And when they didn't receive that
987 guidance back, they had nothing else to work off of. If they had, then they wouldn't be in a situation
988 now, because they would have been easily been able to say, no, it has to be a traditional roof. From
989 May to November, all during that time they assumed that had done what they needed to do and
990 were moving forward. The circumstances again, were very unusual, between the crisis, the lack of
991 communication and the pandemic, and it was very difficult as a lay person that knows nothing
992 about City Council, nothing about ordinances and nothing about roofing, to know what to do, let
993 alone to be able to navigate some of the pitfalls that they've obviously run into.

994
995 Ms. Brannock said the Commission greatly appreciates that, and again, you have recourse after
996 whatever decision is made. There is no ill will and hopefully you understand too, we're in a
997 position where we just don't know what else to do.

998
999 Mr. Holloway said they got a reference from you all for a house down on Locust, and also got a
1000 recommendation from another local roofer named Drury. Again, the only alternative was beefing
1001 up the ridge vent system, taking off the old folding over the seams and then screwing it down
1002 through the roof again, which would void their workmanship warranty. Aesthetically, the look of
1003 that could be very displeasing due to the bulky profile and the uneven surface.

1004
1005 Ms. Fregosi agreed that James Drury suggested a potential fix, but he himself had never done it,
1006 and he doesn't know anyone that has. There is no physical example. They were all just saying this
1007 might be able to be done, but we've never done it.

1008
1009 Mr. Strassler mentioned one thing to be considered. He has been doing a lot of walking around
1010 looking at these roofs and doing some reading. Each of these 19th century and into the 20th century
1011 roofing materials, whether it's embossed stamp, embossed shingle roof, or in some cases, the
1012 standing seam roof, appear to be a kit, almost like a product that was developed. They included a
1013 roll ridge capsule and a ridge cap in order to be able to finish the ridge because of the shape of
1014 those embossed shingles. When you are installing a standing seam metal roof in a traditional
1015 fashion, you're working with material and you're fashioning as you go. I'm looking at a ton of
1016 them out of my window here. Everything's formed with a one inch seam. And it's a nice, delicate
1017 seam, everything's folded carefully and done. But where we get into these manufactured products,
1018 whether it be in the early 20th century or now, you get more bulky application of a prefabricated
1019 material. I don't know if the Commission can consider that this is a new prefabricated material and
1020 in the vein of the historic materials, that's something to consider. Some of the previous projects
1021 that may have been approved were a situation where the homeowners felt that they had been misled
1022 by the people who sold them the roof. They were told they were getting a traditional standing seam
1023 roof, but they ended up with corrugations and with ridge caps, and they end up with a prefab
1024 product. We are seeing consistently in the historic district roofs being put on without any review.
1025 Mr. Strassler saw yet another one this week that on Jefferson Street with a cap. There is another
1026 one downtown. Not that that's going to excuse this situation, but we are being overrun by product
1027 installation. Somehow, we have to change the course of this and I'm not sure if it's through the
1028 homeowners. Perhaps it's the City publicizing more about the historic districts and making it clear.
1029 If you take the time to walk around the historic districts, these roofs have been put on, and the
1030 example was given of Trinity Church, put on during a restoration. The O'Brien's put one on when
1031 they did their copper roof on Church Street. There are a number of them. It's frustrating, but I do
1032 not think in this case at all it is the homeowners' fault. The idea for them to remove a roof and to

1033 incur that horrendous cost just isn't right. I know that's not in the guidelines, and it's not in the
1034 zoning code. It's just not the right way to go. I think the right way to go is getting the message
1035 across to installers in the future. As far as people in the area and companies that know how to do
1036 this and do it right, we have at least four to eight people on our list at Historic Staunton Foundation.
1037 These are not secret people. These are people with businesses right here in Staunton in the
1038 Shenandoah Valley that do good, traditional seams every day, day in and day out, and they know
1039 exactly what to do. They're just not installing just a general product.

1040
1041 Ms. Brannock asked if there were any other questions or comments.

1042
1043 Mr. Blanton asked if we make a decision tonight, it is only on the property at 636 West
1044 Frederick.

1045
1046 Ms. Nesselrodt said there are two different separate agenda items. You will make a motion for
1047 each one.

1048
1049 The Bantas from 650 West Frederick are not here or represented.

1050
1051 Mr. Holloway said they had been present two months consecutive. And the situation is 100%
1052 identical.

1053
1054 Ms. Fregosi stated they have worked with them in tandem to research everything.

1055
1056 Mr. Holloway suggested they're probably not here this evening for a more concerning family
1057 related issue, because they were planning to be here.

1058
1059 Mr. Fregosi said the reason why they ended up getting the roof that they did was when they saw
1060 ours up, they wanted to get one just like us. They made the decision that they did was because of
1061 how ours came about.

1062
1063 Mr. Holloway said they upgraded their products from thinner gauge metal to thicker gauge metal
1064 and went with a more expensive roofing installation. They have a 24 gauge lifetime standing seam
1065 roof installed there.

1066
1067 Mr. Blanton said his position on this with respect to Mr. Strassler is that he cannot accept that an
1068 epidemic of violations constitutes grounds to make exceptions. He said this could be windows, it
1069 could be materials, and it would completely erode the integrity of the guidelines in the process. If
1070 we chose to alter our guidelines and our decision making criteria, then that's another matter. As
1071 the guidelines stand now, that's the basis for the decisions as he see it. It's a problem. If we want
1072 to open that Pandora's Box, there are many violations in the historic districts. Enforcement is an
1073 issue. But the guidelines are the guidelines that we have to work under, and that's our
1074 responsibility.

1075
1076 Ms. Fregosi said she doesn't think they are asking you to make any kind of exception based on the
1077 actions of others in their neighborhood. She thinks they are asking you to consider the
1078 circumstances that they were under at the time and consider the payout that would be achieved
1079 after another \$25,000 repair to their home, which would honestly break them. The product that

they would get in the end, would it be worth their daughter's college fund. Ms. Fregosi said she really wants the Commission to just take into consideration the time that they were working with in the pandemic, with the fact that they tried to reach out and do their due diligence to find out what they didn't know. Also, the fact that they were under a crisis, with having structural damage to not only the existing roof, the attic, but the inside of their children's bedrooms. Those are circumstances Ms. Fregosi said she is asking the Commission to consider, not the actions of the other community members in the historic district.

Mr. Holmes asked who they reached out to.

Mr. Strassler said it was him, and he (Mr. Strassler) missed the email.

Ms. Brannock said she believes what we have here is this perfect storm. This is an unfortunate situation due to lots of circumstances, last spring, and we're faced with dealing with this the best that we can. The Commission's job solely is to uphold the guidelines and to work with property owners to resolve issues as best we can. If we would deny this, she would encourage the applicants to go to City Council. We definitely don't want them to overturn our decisions, but they can take a little more into consideration than we can with our job looking at the guidelines.

Mr. Holloway asked how this was brought before the commission.

Ms. Brannock stated there was a violation reported.

Ms. Nesselrodt added that staff works on a complaint basis, and we received a complaint.

Mr. Holloway questioned the process, due to the fact a local citizen reported this, but Mr. Strassler sees violations and they are not reported. He feels they are being made an example of, and he doesn't feel like it's fair to them.

Ms. Nesselrodt stated the City has a policy in regards to complaints and violations. That person would have made a phone call, sent an email, or made a complaint in person for us to initiate an investigation. It's just like living in a subdivision and someone lets their grass grow too high, and someone calls and complains. The City is obligated to go and check it out and act upon it.

Mr. Holloway said if you all were to get 500 claims tomorrow, you would just put in overtime to go out and enforce all of the violations.

Ms. Nesselrodt said that would require investigation time. Like Mr. Blanton said, a lot of times these violations were already there prior to the ordinance being adopted. The ordinance was adopted in 1995.

Mr. Holloway stated that a lot of pre made products that Mr. Strassler was talking about, like snap lock and ridge vents actually didn't exist prior to 1995. A lot of these installations are within the last 20 years.

Mr. Holmes asked if the roof has to be vented this way, and are there any options to change this so it doesn't violate the warranty.

Mr. Holloway said again, the panels are too short to get rid of the profile. They would either have to increase the size of the profile to cover up the old holes. They are very well versed in installing traditional standing seam; it's actually easier to fold that up. Double seaming it together eliminates the Z bar and eliminates multiple cuts and additional metals being made. This is based on the nature that ventilation actually helps the home and helps the roof.

Ms. Fregosi added one of the most frustrating aspects of this for them is knowing the fact now that they could have just put a traditional roof up.

Mr. Holloway said there are multiple reasons that we go with the more modern approach. Folding the seams together down at the gutter and folding the bottom of the rib over actually creates a moisture trap. And then you get trapped moisture which creates rust. When they go out on traditional roofs, the bottom of the valleys are deteriorating, because they're folded over, and they have trapped moisture. They have really innovated and improved the integrity of their roof installations from differing from some of the traditional methods and incorporating them with some of the modern.

Mr. Holmes said he doesn't think this committee can give the approval, and he thinks you'll have to bring it to City Council. Mr. Holmes gave an example of how he was once in violation because of a metal door, and it cost \$2,500, but he did it, because he didn't want to be in violation. Mr. Holmes stated if they did not get approved by City Council, they could take it to court.

There was further discussion on who receives notifications from the City on ordinances such as this, and Ms. Nesselrodt said they send them to local contractors as well as the bigger business such as Lowe's and Home Depot. There was a mailing where over 250 pieces of mail went out. She added if we come across any other ones, we send them out as well.

Ms. Brannock said there are no other points to this that we can discuss, unless anyone has anything new to add or ask. She called for a motion.

Motion:

Mr. Blanton moved for denial of the Certificate of Appropriateness for the previously completed, replacement of the embossed metal shingle roof with a folded seam standing seam metal roof. The modern roof with ridge caps cannot be corrected to meet our guidelines. In the event a correction could be discovered, we would be more than happy to revisit the case.

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

Ms. Brannock	aye
Mr. Blanton	aye
Mr. Lively	aye

Mr. and Ms. Fregosi will receive a letter with instructions on appealing the decision.

b. CERTIFICATE OF APPROPRIATENESS

Robert D. & Leslie G. Banta
650 W. Frederick Street
Replace Roof/Already Completed

Background:

Robert and Leslie Banta, 636 W. Frederick Street, have applied for an after the fact - Certificate of Appropriateness for a roof replacement. A notice of violation was issued to the owners on November 19, 2020 for replacing a roof, with a change in material/appearance, at the subject properties without the required application and approval by the Historic Preservation Commission (HPC). The roof was previously covered with embossed metal shingles including rolled ridge caps. A new standing seam metal roof with wide ridge caps has been installed. The HPC reviewed this application for the first time on December 22, 2020.

At that meeting, the HPC was of the collective opinion that the replacement of the roof with a standing seam metal was an acceptable replacement. The concern is with the ridge caps. A historically appropriate traditional standing seam metal roof should not have ridge vents or caps. The item was tabled until the January 26, 2021 regular meeting on the basis that the applicant would explore a compromise ridge cap alternative that could satisfy all parties.

At the January 26, 2021 meeting, the applicants had requested that the contractor that completed the work attend the HPC meeting. The contractor was not in attendance and with nothing new to present, the item was tabled until the February 23, 2021 regular meeting. At the February 23, 2021 meeting, the contractor was again not in attendance. The applicants noted the difficulties in replacing the ridge caps and their desire to allow the existing caps to remain. The item was tabled until the March meeting so the applicant could explore contacting the manufacturer of the roof directly to inquire about the warranty and making changes to the roof materials.

HSF Recommendation:

HSF recommends approval of the COA. In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life. The homeowner followed the advice of the roofing contractor concerning permits and approvals. HSF apologizes for missing an email requesting advice. Staff searched records and did not find that we received the email.

The goal was to install an in-kind replacement roof. However, the finished roof does not utilize embossed metal shingles and therefor does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap.

The new standing seam metal roof also includes the addition of wide ventilation caps on all of the hips. Present day contemporary caps tend to be wide and do not reflect the lower profile or intended decorative profile of historic ridge caps. Contemporary ventilation if detailed carefully can be adequately installed on a main ridge with minimal profile. Minimal view might be attained by installing the new feature on a top gable ridge and back away from the most viewable front roof edge. Ridge cap ventilation tends to be most viewable on hip roofs.

Building Science experts note that ventilation is a good feature for most all climates. However, it is a building treatment requiring careful detailing that must include attic air sealing and insulation to be effective. Roofs and attics can also be retrofitted without ventilation; however, this treatment also requires very specific, careful design and execution.

Embossed metal shingles are manufactured and available.

<https://www.berridge.com/products/shingle-systems/>

<https://wfnorman.com/products/roofing/>

However, based upon various homeowner quotes obtained from roofers, the material is extremely expensive to obtain and install. Standing seam metal roofs are historically contemporary with embossed metal shingles. Staunton's historic districts include a multitude of homes from the late 19th Century with standing seam metal roofs. However, the adopted guidelines do not lead to a conclusion of recommending replacement of shingle roofs with standing seam metal roofing.

The HPC has recognized that the life span of Staunton's original embossed metal shingle roofs is at an end. In addition, that the historical record in Staunton indicates that standing seam metal roofs are historically contemporary with embossed metal shingles. The Commission has approved projects that replace failed embossed metal shingles with new standing seam metal roofing.

Previously the Commission asked a homeowner to review replacement of installed wide ridge caps with a new product that resembles a historic rolled ridge. Note that the older roof included a round profile ridge cap. This request is based upon meeting the guideline to match "the original roof covering as closely as possible in composition, size, shape, color, and texture."

Note the guidelines do not specifically state that ventilation caps may not be utilized.

Rolled ridge caps or similar examples are available.

<http://www.bbsheetmetal.com/product/flashing/roof-systems/ridge-caps-or-hip-caps/>

<https://www.riversidesheetmetal.net/flashing-metal/ridge-cap/>

<https://www.homedepot.com/p/Gibraltar-Building-Products-11-7-8-in-x-10-ft-Galvanized-Steel-Roll-Type-RidgeCap-15652/100319980>

The commission has consistently utilized the following specification to guide homeowners and roof installers toward a standing seam metal roof that meets the goal of an in-kind replacement of historic roofs.

Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th Century and throughout the 20th Century.

All chimneys are to be retained.

The new roof will not incorporate ridge vents or caps along the hip ridges.

The roof will utilize a 1" folded seam and the seam should appear as a closed, locked, and folded seam.

The ends of the seams at the soffit edge and ridge should be folded flat to the roof as done historically with hand tool folded standing seam metal roofs.

Discussion:

Neither Robert or Leslie Banta were present in person or via Zoom.

Mr. Blanton stated he doesn't want to vote on a person's property unless they are present and have some input, unless they have assigned Mr. Holloway, officially.

Ms. Nesselrodt stated if the applicants are not present, generally the application is denied.

Mr. Holmes asked if this type of roofing issue has happened before.

Mr. Strassler said he does not know of any technical solution to this issue. He has looked at various products, but the reality is, this is the type of roof that was installed. This roof is similar to a kit, like he explained before. When you cut those panels short and leave that gap, you just cut out your materials. It's like cutting a sleeve on a shirt too short, if you were making a shirt with a sewing machine. If it's short - it's short, and you can't make it fit. There's no cap that's going to be able to be worked in there, is my understanding. They are in a situation where they purchased a product, and that's what was installed.

Mr. Lively has reached out to a friend today on the Annapolis Maryland Historic Preservation Commission. He is waiting on a response. He is thinking this must have come up before.

Ms. Brannock agreed, there ought to be someone with a solution. In her firm, with tax credit projects, a standing seam metal roof is what's expected.

Mr. Blanton stated he knows the Department of the Interior, the National Park Service, puts out preservation briefs. He assumes there is nothing in any of the new preservation briefs that covers this.

Ms. Brannock said it just suggests that you use traditional materials. It doesn't give you any guidance on how to fix a new ridge cap.

Motion:

Mr. Blanton moved for denial of the Certificate of Appropriateness for the previously completed, replacement of the embossed metal shingle roof with a folded seam standing seam metal roof. The modern roof with ridge caps cannot be corrected to meet our guidelines. In the event a correction could be discovered, we would be more than happy to revisit the case.

1315
1316 The motion was properly seconded by Mr. Lively and carried as follows:
1317

1318 Ms. Brannock aye
1319 Mr. Blanton aye
1320 Mr. Lively aye
1321

1322 Mr. and Ms. Banta will receive a letter with instructions on appealing the decision.
1323

1324 Mr. Rhodes will notify the Commission if and when we receive those appeals. The last time an
1325 appeal was received, the Commission expressed an interest in having a representative at City
1326 Council. That is something the Commission may want to consider.
1327

1328 **OTHER BUSINESS**
1329

1330 Mr. Rhodes stated he did not have any other business.
1331

1332 **ADJOURNMENT**
1333

1334 The Chair adjourned the meeting at 7:39 p.m.
1335
1336

Kim Cormier
Interim Clerk



Historic Staunton Foundation

20 South New Street

Staunton Virginia, 24401

www.historicstaunton.org

STAUNTON HISTORIC PRESERVATION COMMISSION

December 16, 2020

HSF Recommendation

Certificate of Appropriateness

636 West Frederick Street

New Roof with Ridge and Hip Caps - Installed

Newtown Historic District

Existing Condition: Built between 1909 and 1914 this is a 2 bay, 2 ½ story frame residence with complex hip roof including a corbeled masonry chimney. The house façade is sheathed with wide German pattern siding. The inventory photo indicates replacement siding was over the German siding. Architectural features include a hipped dormer with paired windows, a façade bay with fish scale shingles in the gable. The architectural inventory also notes a removed front porch. The 1979 photo indicates the porch roofline and ghost outlines of engaged Tuscan columns. The German siding is exposed within the ghost outline of the columns.

The roof was covered with embossed metal shingles including rolled ridge caps. A new prefinished standing seam metal roof with wide ridge caps has been installed.

July Proposed Work:

See the application for description, photographs, and drawings.

“Before the work began we were verbally assured by the roofing company that all work would be in compliance with historical guidelines and that any permits needed would be obtained by the company. We were unaware of the need for an issuance of a Certificate of Appropriateness.”

“We researched, to the best of our ability at the time, and believed that replacing a metal roof with another metal roof would not violate historic guidelines as we were not changing materials used in the original structure. Additionally, we observed other homes within the historic district that have the same style of metal roof as Holloway proposed to install.”

Note:

The new roof was intended to be a replacement in-kind. However, the new standing seam metal roof replaced a stamped or embossed shingle roof with rolled ridge caps. The new roof includes the addition of contemporary ridge caps on the main ridge and dormers of the house.

Discussion:

See - <https://www.ci.staunton.va.us/home/showdocument?id=1672>

C. The Secretary of the Interior's Standards for Rehabilitation

The guidelines in this publication are based on The Secretary of the Interior's Standards for Rehabilitation (<https://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>).

They are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building, its site, and its environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, other visual qualities, and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Guidelines for Existing Buildings - Elements J. Roof

J. Roof

One of the most important elements of a structure, the roof serves as the cover to protect the building from the elements. Its visibility, shape and materials make it one of the most important character-defining elements of a historic building. Good roof maintenance is critical for the roof's preservation and for the preservation of the rest of the structure.

Typical local historic roof materials include standing-seam metal and slate. The earliest buildings in Staunton's residential historic districts originally may have had wood shingle roofs, but because of fire risk, they were replaced with standing-seam metal roofs later in the 19th century. Many of the roofs of commercial buildings have sloped metal roofs. If the roof is hidden by a parapet wall, the roof may have been replaced with a built-up roof or a rubber membrane roof.

1. Retain original or historic roof materials, such as slate, standing-seam metal, or metal shingles, particularly when they are highly visible character-defining elements of the building.
2. Preserve original roof shapes and pitches.
3. Retain architectural features including chimneys, roof cresting, finials, dormers, cornices, and exposed rafter tails.
4. Repair of roof materials and elements should be made in kind with materials that duplicate the original materials.
5. Replace roof coverings when necessary by using new material that matches the original roof covering as closely as possible in composition, size, shape, color, and texture.
6. Place solar collectors, satellite dishes, and other antennae on less visible locations of the roof.
7. Place roof-mounted mechanical equipment behind a parapet wall or a screen integral to the building's architectural design, or locate them in setback locations away from the edge of the roof to minimize their visibility. (ADD types of screening by code)
8. Do not change the historic roof material to asphalt shingles or other non-historic materials if the original or a close facsimile is available.

9. Do not add dormers, vents, and skylights to roof if viewable from a primary elevation. They should be placed inconspicuously on rear sections of the building.
10. Do not replace a deteriorated historic roof with a material that does not have the same visual qualities as the original. For example, some current pre-coated metal roofs are designed for new industrial buildings with wide V-shaped snap lock seams. This type of installation does not replicate a historic standing-seam roof that has a thin raised seam at the joints created by mechanically or hand-folding and locking the seam.
11. Do not replace slate roofs if the material is not deteriorating. Leaks in slate roofs usually are due to the deterioration of associated flashing and fasteners or due to wood deterioration surrounding hidden gutters or cornices.
12. Do not paint metal roofs or install new pre-coated metal roofs with bright colors. More appropriate colors would be shades of gray, dark green, or black. See Chapter X. Guidelines for Painting for further guidance.

Recommendation:

HSF recommends approval of the COA. In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life. The homeowner followed the advice of the roofing contractor concerning permits and approvals. HSF apologizes for missing an email requesting advice. Staff searched records and did not find that we received the email.

The goal was to install an in-kind replacement roof. However, the finished roof does not utilize embossed metal shingles and therefore does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap.

I: Introduction G. Design Review Authorities

4. Exemptions from Design Review

Ordinary maintenance or repair of any exterior architectural or environmental feature in or on an historic property or a building, structure, site, or object within an historic district to correct deterioration, decay, or damage or to sustain the existing form and that does not involve a material change in design, material, or outer appearance thereof does not require a COA. Such actions may include:

- *Repainting resulting in the same or in a different color. (Original painting of masonry surfaces is not exempted from review.)*
- *features with matching in kind materials.*
- *Replacing broken window panes, missing roof shingles, or missing*
- *Addition or deletion of storm windows and doors, window-box gardens, awnings, temporary canopies, window air conditioners, or similar appurtenances.*
- *Addition or deletion of television or radio antennas, skylights, or solar collectors in locations not visible from a public street.*
- *Planting of grass, trees, and shrubs but not including landscape treatment that substantially alters the contour of a site or involves landscaping or construction of parking areas, fences, walls, walkways, pools, fountains, and the like that materially affect the appearance of a site and that is visible from a public street.*
- *Any changes to a structure that are not visible from a public street.*

The new standing seam metal roof also includes the addition of wide ventilation caps on all of the hips. Present day contemporary caps tend to be wide and do not reflect the lower profile or intended decorative profile of historic ridge caps. Contemporary ventilation if detailed carefully can be adequately installed on a main ridge with minimal profile. Minimal view might be attained by installing the new feature on a top gable ridge and back away from the most viewable front roof edge. Ridge cap ventilation tends to be most viewable on hip roofs.

Building Science experts note that ventilation is a good feature for most all climates. However, it is a building treatment requiring careful detailing that must include attic air sealing and insulation to be effective. Roofs and attics can also be retrofitted without ventilation; however, this treatment also requires very specific, careful design and execution.

Embossed metal shingles are manufactured and available.

- <https://www.berridge.com/products/shingle-systems/>
- <https://wfnorman.com/products/roofing/>

However, based upon various homeowner quotes obtained from roofers, the material is extremely expensive to obtain and install. Standing seam metal roofs are historically contemporary with embossed metal shingles. Staunton's historic districts include a multitude of homes from the late 19th Century with standing seam metal roofs. However, the adopted guidelines do not lead to a conclusion of recommending replacement of shingle roofs with standing seam metal roofing.

V. Guidelines for Existing Buildings - Elements J. Roof

One of the most important elements of a structure, the roof serves as the cover to protect the building from the elements. Its visibility, shape and materials make it one of the most important character defining elements of a historic building. Good roof maintenance is critical for the roof's preservation and for the preservation of the rest of the structure.

Typical local historic roof materials include standing seam metal and slate. The earliest buildings in Staunton's residential historic districts originally may have had wood shingle roofs, but because of fire risk, they were replaced with standing-seam metal roofs later in the 19th century.

5. *Replace roof coverings when necessary by using new material that matches the original roof covering as closely as possible in composition, size, shape, color, and texture.*
8. *Do not change the historic roof material to asphalt shingles or other non-historic materials if the original or a close facsimile is available.*
10. *Do not replace a deteriorated historic roof with a material that does not have the same visual qualities as the original. For example, some current pre-coated metal roofs are designed for new industrial buildings with wide V-shaped snap lock seams. This type of installation does not replicate a historic standing-seam roof that has a thin raised seam at the joints created by mechanically or hand-folding and locking the seam.*

The HPC has recognized that the life span of Staunton's original embossed metal shingle roofs is at an end. In addition, that the historical record in Staunton indicates that standing seam metal roofs are historically contemporary with embossed metal shingles. The Commission has approved projects that replace failed embossed metal shingles with new standing seam metal roofing.

Previously the Commission asked a homeowner to review replacement of installed wide ridge caps with a new product that resembles a historic rolled ridge. Note that the older roof included a round profile ridge cap. This request is based upon meeting the guideline to match "*the original roof covering as closely as possible in composition, size, shape, color, and texture.*"

Note the guidelines do not specifically state that ventilation caps may not be utilized.

Rolled ridge caps or similar examples are available.

- <http://www.bbsheetmetal.com/product/flashing/roof-systems/ridge-caps-or-hip-caps/>
- <https://www.riversidesheetmetal.net/flashing-metal/ridge-cap/>
- <https://www.homedepot.com/p/Gibraltar-Building-Products-11-7-8-in-x-10-ft-Galvanized-Steel-Roll-Type-Ridge-Cap-15652/100319980>

The commission has consistently utilized the following specification to guide homeowners and roof installers toward a standing seam metal roof that meets the goal of an in-kind replacement of historic roofs.

Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th Century and throughout the 20th Century.

All chimneys are to be retained.

The new roof will not incorporate ridge vents or caps along the hip ridges.

The roof will utilize a 1" folded seam and the seam should appear as a closed, locked, and folded seam.

The ends of the seams at the soffit edge and ridge should be folded flat to the roof as done historically with hand tool folded standing seam metal roofs.

Sample motion:

I move for approval of the Certificate of Appropriateness for the previously completed, replacement of the embossed metal shingle roof with a folded seam standing seam metal roof. For this specific project, the installation of vented ridge caps is approved with the stipulation that the treatment was done due to a misunderstanding of the definition for replacement in kind.

The new ridge vents are flat with a higher and wider profile, while the previous roof included a lower profile rolled ridge cap.

This motion is based upon the local guidelines stating, “One of the most important elements of a structure, the roof serves as the “cover” to protect the building from the elements. Good roof maintenance is absolutely critical for the roofs preservation and for the preservation of the rest of the structure.”

In addition, that the Secretary of Interior Guidelines state: “If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.”

Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th Century and throughout the 20th Century.

In this specific project:

- All chimneys were retained.
- The new roof incorporates ridge vents or caps along the hip ridges replacing a rolled ridge cap.
- The roof utilizes a 1” folded seam and the seam appear closed, locked, and folded.

LOCATION/OWNERSHIP

Name of Structure _____

Street Address 636 West Frederick Street

Present Owner(s) John D. & Stacey A. Fregosi

Mailing Address Same

Present Use Residence

Sold for -
101,500

LEGAL DESCRIPTION

Account No. 52820-00

Assessor's Map No. 375

Block & Lot L-2

Present Zoning R-4

Accessible to Public No

Additional Surveys _____

Original Use Residence

Date of Construction 1909-1914

Source of Date Map estimate

Date of Major Known Remodeling _____

Source of Date _____

Architect or Builder Unknown

PHYSICAL DESCRIPTION

No. of Bays 2 No. of Stories 2½

Roof Type Complex hip

Porch Type None (removed)

Building Materials: Clapboards ☒ Brick ☐ Stone ☐

Stucco ☐ Shingles ☒ Board & Batten ☐

Other: (German siding - underneath)

Notable Architectural Features: dormer window; fishscale shingles in gable end; (porch has been removed)

Date 3/79 Surveyed By WTF

Photograph Roll No. 3709 Neg. No. 2

Significant Interior Details:

Unknown

Significant Outbuildings or Landscape Features:

None

Architectural Style ☐ or

Characteristics ☒ :

Greek Revival ☐

Gothic Revival ☐

Stick Style ☐

Italianate ☐

Queen Anne ☒

Chateausque ☐

Romanesque Revival ☐

Shingle Style ☐

Colonial Revival ☒

Beaux Arts ☐

Vernacular ☐

Other _____



EVALUATION**Building Condition:**

Excellent ☐ (3)
Good ☒ (2)
Fair ☐ (1)
Deteriorated ☐ (0)

Alteration of Original Design:

None or Minor ☐ (3)
Moderate ☒ (2)
Considerable ☐ (1)

Importance to Neighborhood:

Great ☒ (3)
Moderate ☐ (2)
Minor ☐ (1)

Incidence in Area:

Rare ☐ (2)
Frequent ☒ (1)

Architectural Value:

Outstanding ☐ (6)
Notable ☐ (4)
Worthy of Mention ☒ (2)

Associative Value:

National ☐ (3)
Regional ☐ (2)
Local ☐ (1)
Unknown ☒ (0)

TOTAL PRESERVATION VALUE: 9 **Category:** A ☐ (15-20) B ☐ (11-14) C ☒ (6-10) D ☐ (0-5)

OLD MAP REFERENCES:

YEAR PAGE USE

1857 _____
1870 _____
1877 _____
1884 _____
1886 _____
1891 _____
1894 _____
1899 _____
1904 _____
1909 _____
1914 7 #636 Dwelling
1921 7 " "
1929 7 " "
Other: _____

OLD PHOTO REFERENCES:**BIBLIOGRAPHIC REFERENCES:****ADDITIONAL MAP INFORMATION:**

MAJOR ALTERATIONS: full front porch removed in 1977 and openings have been "colonial-ized".

DEED RESEARCH AND ADDITIONAL INFORMATION:

Before 1970's alteration design was very similar to 632 and 638 West Frederick St.

635 West Frederick



A Crash Course in Roof Venting

Understand when to vent your roof, when not to, and how to execute each approach successfully

BY JOSEPH LSTIBUREK

So much information has been devoted to the subject of roof venting that it's easy to become confused and to lose focus. So I'll start by saying something that might sound controversial, but really isn't: A vented attic, where insulation is placed on an air-sealed attic floor, is one of the most underappreciated building assemblies that we have in the history of building science. It's hard to screw up this approach. A vented attic works in hot climates, mixed climates, and cold climates. It works in the Arctic and in the Amazon. It works absolutely everywhere—when executed properly.

Unfortunately, we manage to screw it up again and again, and a poorly constructed attic or roof assembly can lead to excessive energy losses, ice dams, mold, rot, and lots of unnecessary homeowner angst.

Here, I'll explain how to construct a vented attic properly. I'll also explain when it makes sense to move the thermal, moisture, and air-control layers to the roof plane, and how to detail vented and unvented roofs correctly.

Theory behind venting

The intent of roof venting varies depending on climate, but it is the same if you're venting the

entire attic or if you're venting only the roof deck.

In a cold climate, the primary purpose of ventilation is to maintain a cold roof temperature to avoid ice dams created by melting snow and to vent any moisture that moves from the conditioned living space to the attic. (See "Energy Smart Details" in *FHB* #218 for more on ice dams.)

In a hot climate, the primary purpose of ventilation is to expel solar-heated hot air from the attic or roof to reduce the building's cooling load and to relieve the strain on air-conditioning systems. In mixed climates,

ventilation serves either role, depending on the season.

Vent the attic

A key benefit of venting the attic is that the approach is the same regardless of how creative your architect got with the roof. Because the roof isn't in play here, it doesn't matter how many hips, valleys, dormers, or gables there are. It's also easier and often less expensive to pile on fiberglass or cellulose insulation at the attic floor to hit target R-values than it is to achieve a comparable R-value in the roof plane.

The success of this approach hinges on the ceiling of the

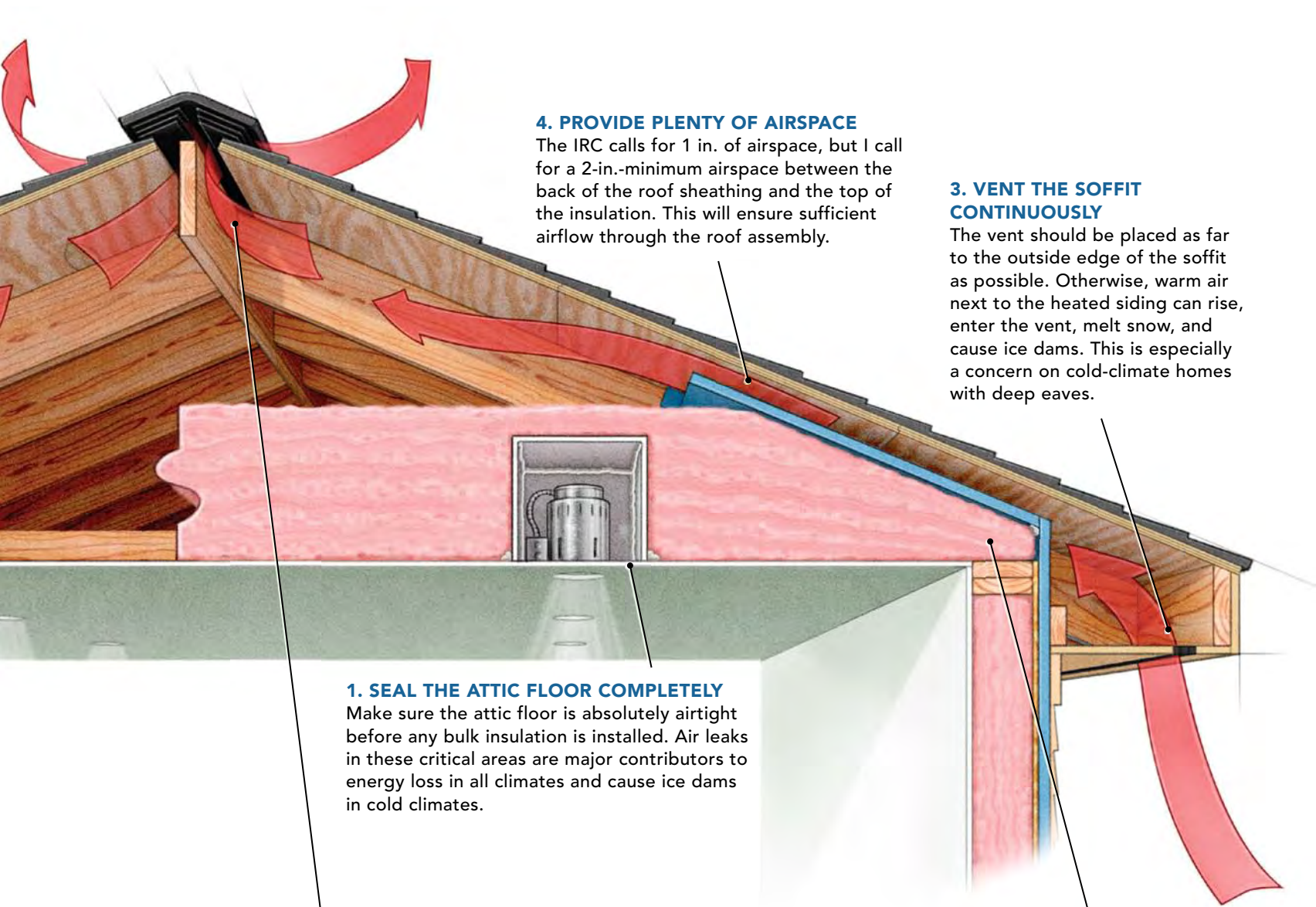
top level of the house being absolutely airtight before any insulation is installed. (See "Attic-Insulation Upgrade" in *FHB* #200.) It's also important to ensure that there isn't anything in the attic except lots of insulation and air—not the Christmas decorations, not the tuxedo you wore on your wedding day, nothing. Attic space can be used for storage, but only if you build an elevated platform above the insulation. Otherwise, the insulation gets compressed or kicked around, which diminishes its R-value. Also, attic-access hatches are notoriously leaky. You can build an airtight entry to the



ROOF VENTING 101

Vent the attic space

To ensure that a vented attic performs at its best, you need to get the details right. Here are **five rules** that are critical to the success of this simple roof design. These rules must guide design and construction no matter where the roof is being built.



4. PROVIDE PLENTY OF AIRSPACE

The IRC calls for 1 in. of airspace, but I call for a 2-in.-minimum airspace between the back of the roof sheathing and the top of the insulation. This will ensure sufficient airflow through the roof assembly.

3. VENT THE SOFFIT CONTINUOUSLY

The vent should be placed as far to the outside edge of the soffit as possible. Otherwise, warm air next to the heated siding can rise, enter the vent, melt snow, and cause ice dams. This is especially a concern on cold-climate homes with deep eaves.

1. SEAL THE ATTIC FLOOR COMPLETELY

Make sure the attic floor is absolutely airtight before any bulk insulation is installed. Air leaks in these critical areas are major contributors to energy loss in all climates and cause ice dams in cold climates.

SLIGHTLY PRESSURIZE THE ATTIC

Building codes suggest balancing the intake and exhaust ventilation. The code, however, is wrong, and I'm working hard to get it changed. **More ventilation at the eaves than at the ridge will slightly pressurize the attic. A depressurized attic can suck conditioned air out of the living space, and losing that conditioned air wastes money.**

For best results, provide between 50% and 75% of the ventilation space at the eaves; a 60/40 split is a good sweet spot. The code specifies 1 sq. ft. of net free-vent area (NFVA) for every 300 sq. ft. of attic space. (Keep in mind that different vent products have different NFVA ratings.) Here's how to do the math for a 1200-sq.-ft. attic.

STEP 1

Calculate how much NFVA you need.

$$\begin{aligned} &1200 \text{ sq. ft.} \\ &\div 300 \text{ sq. ft.} \\ &= 4 \text{ sq. ft. of NFVA} \end{aligned}$$

STEP 2

Convert that to inches.

$$\begin{aligned} &4 \text{ sq. ft. of NFVA} \\ &\times 144 \text{ (in. per sq. ft.)} \\ &= 576 \text{ sq. in. of NFVA} \end{aligned}$$

STEP 3

Divide it up between the soffit and the ridge.

$$\begin{aligned} &60\% \text{ of } 576 \text{ sq. in.} = \\ &345.6 \text{ sq. in. (soffit vents)} \\ &40\% \text{ of } 576 \text{ sq. in.} = \\ &230.4 \text{ sq. in. (ridge vents)} \end{aligned}$$

STEP 4

Apply it to the particular soffit and ridge vents that you are using.

Soffit vents

$$\begin{aligned} &345.6 \text{ sq. in.} \div 9 \text{ (NFVA-per-ft.} \\ &\text{rating of vent)} \\ &= 38.4 \text{ lin. ft. of intake, or} \\ &= 19.2 \text{ ft. of intake per side of roof} \end{aligned}$$

Ridge vents

$$\begin{aligned} &230.4 \text{ sq. in.} \div 9 \\ &= 25.6 \text{ lin. ft. of exhaust} \end{aligned}$$



ROOF VENTING 201

Vent the roof deck

If the attic space is conditioned or if a room has a vaulted ceiling, the roof deck should be vented from eave to ridge. I suggest a 2-in. airspace between the sheathing and the insulation. The IRC calls for a minimum of 1 in. of airspace; the AccuVent baffles shown here comply.

attic, but you should know that the more it is used, the leakier it gets.

How do people get this simple approach wrong? They don't follow the rules. They punch a bunch of holes in the ceiling, they fill the holes with recessed lights that leak air, and they stuff mechanical systems with air handlers and a serpentine array of ductwork in the attic. The air leakage from these holes and systems is a major cause of ice dams in cold climates and a major cause of humidity problems in hot climates. It's also an unbelievable energy waste no matter where you live.

Don't think you can get away with putting ductwork in an unconditioned attic just because you sealed and insulated it. Duct-sealing is faith-based work. You can only hope you're doing a good-enough job. Even when you're really diligent about air-sealing, you can take a system with 20% leakage and bring it down to maybe 5% leakage, and that's still not good enough.

With regard to recessed lights and other ceiling penetrations, it would be great if we could rely on the builder to air-seal all these areas. Unfortunately, we can't be sure the builder will air-seal well or even air-seal at all. So we have

to take some of the responsibility out of the builder's hands and think of other options.

In a situation where mechanical systems or ductwork has to be in the attic space or when there are lots of penetrations in the ceiling below the attic, it's best to bring the entire attic area inside the thermal envelope. This way, it's not as big a deal if the ceiling leaks air or if the ducts are leaky and uninsulated.

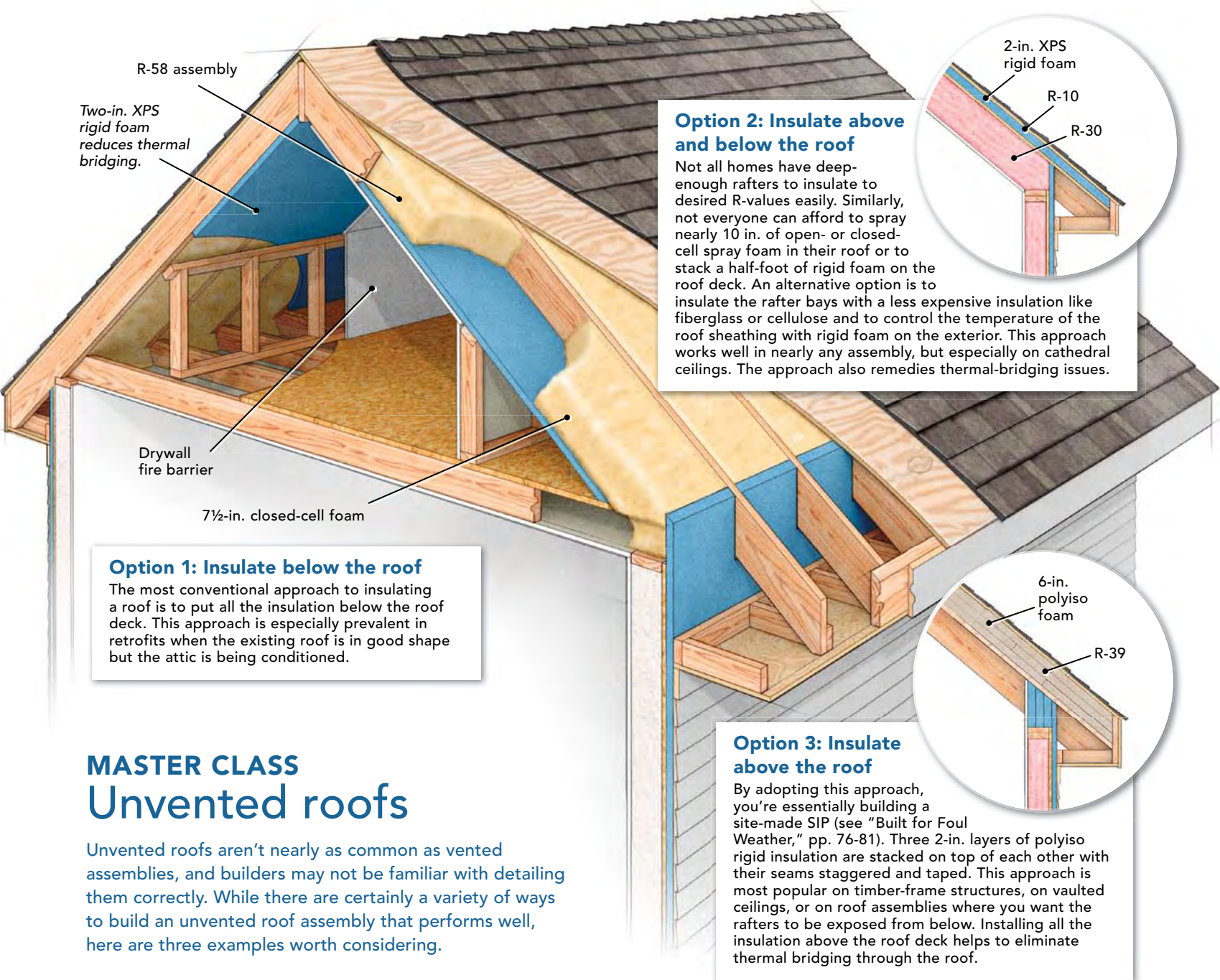
Vent the roof deck

If the attic space is going to be conditioned, either for living or mechanical purposes, or if a home design calls for a vaulted

ceiling, provision R806.3 in the International Residential Code calls for the roof deck above the space to be vented continuously from the eave to the ridge. This is easy to accomplish in simply constructed roofs and difficult, if not impossible, to accomplish in roofs that have hips, valleys, dormers, or skylights that interrupt the rafter bays.

If you choose to vent the roof deck, then be serious about it and really vent it. The code calls for a minimum of 1 in. of airspace between the top of the insulation and the back of the roof sheathing. That's not enough. For best performance, the airspace in the vent chute should be a minimum of 2 in. deep. Unless you're bulk-filling rafter bays between 2x10 or 2x8 rafters with closed-cell spray foam, this approach will likely require you to fur out the rafters to accommodate additional insulation to achieve desired R-values. That can be a pain, but you won't run into the problems associated with having too little air circulating under the roof. To be sure your roof is getting enough ventilation, there are simple calculations that you can follow (sidebar p. 69)

Beyond the decreased capacity for insulation when venting the roof deck, venting the roof deck or the attic has some other drawbacks worth considering. In cold climates, snow can enter the soffit and ridge vents, melt, and potentially cause rot. Similarly, in coastal environments or in regions with lots of rain and wind, moisture can be forced into the vents and into the roof assembly. In hurricane-prone zones with frequent high-wind events, vented-soffit collapse can pressurize a building, which can cause windows to blow out and the roof to be blown off. Finally, in wildfire zones, floating embers can enter the vents and cause roof fires. If any of these

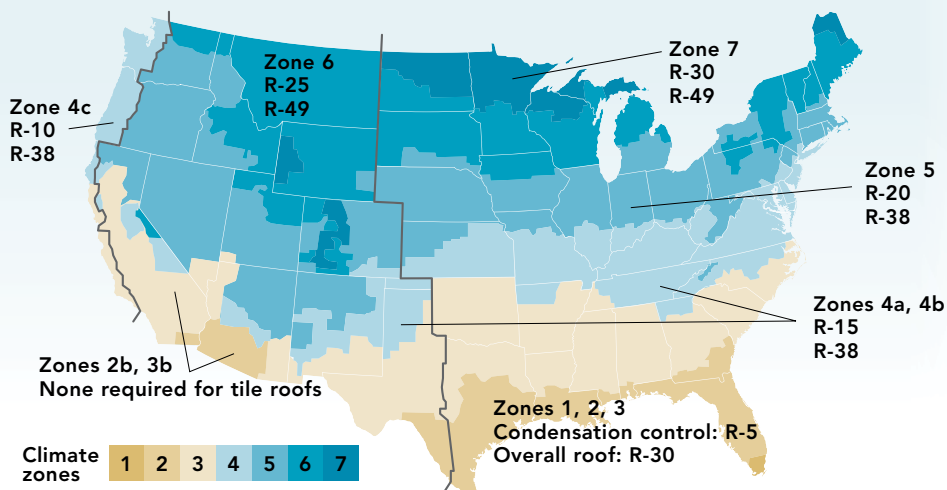


MASTER CLASS Unvented roofs

Unvented roofs aren't nearly as common as vented assemblies, and builders may not be familiar with detailing them correctly. While there are certainly a variety of ways to build an unvented roof assembly that performs well, here are three examples worth considering.

PREVENT CONDENSATION WITH THE RIGHT AMOUNT OF INSULATION

An unvented roof assembly is possible only if you keep the roof sheathing warm enough to prevent conditioned air from condensing against it. The map at right, which is based on table R806.4 of the IRC, lists the minimum R-values required to prevent condensation in unvented assemblies in various climate zones. The thickness of the insulation will vary depending on the type. These R-value requirements are intended only to prevent condensation and don't supersede the code-required R-values for energy efficiency, which are also listed.



EXTRA CREDIT

Site-built or prefab baffles?

The success of a vented attic or roof deck relies on its airtightness. The space above the top plate of exterior walls—at the bottom of each rafter bay—is especially important. Baffles placed in this area channel intake air into either the attic space or vent chutes, and also prevent insulation from falling into the soffit and blocking airflow.

Site-built: 2-in. chutes and baffles

Cut 1-in.-thick rigid polyiso insulation into 2-in.-wide spacer strips, and glue them to the inside face of each rafter with a spray-foam adhesive like Pur Stick (www.todol.com). Cut the polyiso insulation to fit snugly in each rafter bay, and foam it in place against the spacer to create a 2-in. chute or baffle.

Size: Custom-cut polyiso foam

Cost: \$23 per sheet

Source: Dow
www.dow.com

1-in. rigid foam

Spray-foam sealant

Rigid-foam furring strips

Prefab: fast and functional

The AccuVent soffit insulation baffle is made of rigid recycled plastic. It's more durable than other foam-based products and installs quickly with staples. These baffles should still be air-sealed with spray foam, but they're a good option if you're looking for a stock product.

Size: 41 in. by 22 in.

Cost: \$1.68 each

Source: Berger Building Products
www.bergerbuildingproducts.com

Spray-foam sealant

Baffle

Go to FineHomebuilding.com for a video of Joseph Lstiburek speaking about roof venting.



issues are of concern, there is another option.

Create an unvented roof

Through provision R806.4, the IRC also allows you to build an unvented roof assembly. Unvented assemblies work particularly well on complex roofs that would be difficult or impossible to vent properly or on roofs where it would be difficult to insulate properly if the roof were vented.

It should be noted, however, that in high-snow-load areas, you still need a vented over-roof to deal with ice damming. In essence, you're creating a hybrid vented/unvented roof system.

The goal in an unvented roof is to keep the roof deck—the principal condensing surface in roof assemblies—sufficiently warm through the year to prevent condensation from occurring. In most climates, builders have to insulate the roof sheathing to prevent condensation from occurring within the assembly. The exception is hot-dry climates such as in Phoenix, where condensation isn't as big an issue.

Condensation control is most often accomplished by installing rigid foam above the roof deck or by installing air-impermeable spray-foam insulation directly against the underside of the roof deck. The code also allows for air-permeable insulation, such as fiberglass or cellulose, to be used under the roof deck as long as rigid foam is used above the roof sheathing. Flash-and-batt (or flash-fill) assemblies are also allowed. Any of these approaches can adequately prevent condensation from occurring within the roof when the rigid foam or spray foam is installed at the appropriate thickness (chart p. 71).

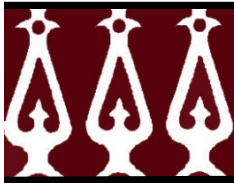
If you're spraying foam on the underside of the roof deck, be sure you're using the right product. Closed-cell spray foam

works in all climates, but especially well in climate zones 5 through 8, where high R-values are desired and where air-impermeable insulation also must be a vapor retarder. Low-density, open-cell foam is permissible, but in climate zones 5 and above, it has to be covered with a vapor-retarder coating, like rigid foam or painted drywall.

Also pay attention to roofing materials. Asphalt shingles require special attention when installed on unvented roof assemblies in hot-humid, mixed-humid, and marine climates due to inward vapor drive. To keep moisture out of the roof assembly, a roofing underlayment with 1 perm or less (class-II vapor retarder) must be installed under the shingles. Also, check to be sure that you are in compliance with the manufacturer warranties when installing shingles over an unvented roof in all climates. Some manufacturers don't warranty or offer only a limited warranty when their products are used over an unvented roof assembly.

Shingles that are installed on unvented roof assemblies operate at slightly higher temperatures, roughly 2°F to 3°F warmer than shingles on vented assemblies. This can reduce their service life by roughly 10%. You can vent the roof cladding, which will increase its longevity, but the expense of fastening battens over the roof sheathing, then adding another layer of plywood over the battens as a nail base for the shingles, may not be worth the expense. After all, the shingle color and the roof orientation are much more significant concerns when it comes to shingle life. □

This article was excerpted from a class taught by Joseph Lstiburek, Ph.D., P.Eng., of Building Science Corp. in Westford, Mass.



Historic Staunton Foundation

20 South New Street

Staunton Virginia, 24401

www.historicstaunton.org

STAUNTON CITY COUNCIL

April 30, 2021

HSF Brief

Appeal of the HPC Decisions for 636 and 650 West Frederick Street

New Roof

Newtown Historic District

Discussion:

Please read the complete HPC review conducted for the Historic Preservation Commission. This document is an outline providing an architectural description, existing conditions, proposed changes, and an outline of Guidelines applicable to the project. The review helps the Commission establish a “finding of fact” relevant to the adopted Zoning, that again establishes a basis of information including location in a historic district, view of the features from a public street, and establishes elements relating the historic character of the property. Applicable Historic District Guidelines as adopted by the City of Staunton were outlined.

Further Review Discussion:

Following the Historic District Design Guidelines – the review followed Guidelines for Existing Buildings - Elements J. Roof

<https://www.ci.staunton.va.us/home/showdocument?id=1672>

The reviews conducted also reference the Secretary of Interior Standards for Rehabilitation and the Secretary of Interior Guidelines for Rehabilitation that are a basis for local guidelines. Council is encouraged to read sections **I. Introduction** and **II. Guidelines for Planning your Project** of the Staunton Guidelines. In addition to reviewing the Guidelines, a helpful process is to work through the proposed project with the aid of the **Design Review Check List found in Appendix 2A.**

Guidelines for Existing Buildings - Elements J. Roof

J. Roof

One of the most important elements of a structure, the roof serves as the cover to protect the building from the elements. Its visibility, shape and materials make it one of the most important character-defining elements of a historic building. Good roof maintenance is critical for the roof's preservation and for the preservation of the rest of the structure.

Typical local historic roof materials include standing-seam metal and slate. The earliest buildings in Staunton's residential historic districts originally may have had wood shingle roofs, but because of fire risk, they were replaced with standing-seam metal roofs later in the 19th century. Many of the roofs of commercial buildings have sloped metal roofs. If the roof is hidden by a parapet wall, the roof may have been replaced with a built-up roof or a rubber membrane roof.

1. Retain original or historic roof materials, such as slate, standing-seam metal, or metal shingles, particularly when they are highly visible character-defining elements of the building.
2. Preserve original roof shapes and pitches.
3. Retain architectural features including chimneys, roof cresting, finials, dormers, cornices, and exposed rafter tails.
4. Repair of roof materials and elements should be made in kind with materials that duplicate the original materials.
5. Replace roof coverings when necessary by using new material that matches the original roof covering as closely as possible in composition, size, shape, color, and texture.
6. Place solar collectors, satellite dishes, and other antennae on less visible locations of the roof.
7. Place roof-mounted mechanical equipment behind a parapet wall or a screen integral to the building's architectural design, or locate them in setback locations away from the edge of the roof to minimize their visibility. (ADD types of screening by code)

8. Do not change the historic roof material to asphalt shingles or other non-historic materials if the original or a close facsimile is available.
9. Do not add dormers, vents, and skylights to roof if viewable from a primary elevation. They should be placed inconspicuously on rear sections of the building.
10. Do not replace a deteriorated historic roof with a material that does not have the same visual qualities as the original. For example, some current pre-coated metal roofs are designed for new industrial buildings with wide V-shaped snap lock seams. This type of installation does not replicate a historic standing-seam roof that has a thin raised seam at the joints created by mechanically or hand-folding and locking the seam.
11. Do not replace slate roofs if the material is not deteriorating. Leaks in slate roofs usually are due to the deterioration of associated flashing and fasteners or due to wood deterioration surrounding hidden gutters or cornices.
12. Do not paint metal roofs or install new pre-coated metal roofs with bright colors. More appropriate colors would be shades of gray, dark green, or black. See Chapter X. Guidelines for Painting for further guidance.

The Secretary of the Interior's Standards for Rehabilitation:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

For further reading and explanation:

Please read the attached NPS Introduction to Rehabilitation, with specific attention to replace:

Replace Deteriorated Historic Materials and Features

Following repair in the hierarchy, Rehabilitation guidance is provided for replacing an entire character-defining feature with new material because the level of deterioration or damage of materials precludes repair. If the missing feature is character defining or if it is critical to the survival of the building (e.g., a roof), it should be replaced to match the historic feature based on physical or historic documentation of its form and detailing. As with repair, the preferred option is always replacement of the entire feature in kind (i.e., with the same material, such as wood for wood). However, when this is not feasible, a compatible substitute material that can reproduce the overall appearance of the historic material may be considered.

It should be noted that, while the National Park Service guidelines recommend the replacement of an entire character-defining feature that is extensively deteriorated, the guidelines never recommend removal and replacement with new material of a feature that could reasonably be repaired and, thus, preserved.

Recommendation:

HSF recommends Council uphold the decision reached by the Historic Preservation Commission. The Commission reviewed the existing conditions, considered, and thoroughly discussed the installation of the new roofs in relation to the adopted Guidelines in reaching their decision. The Commission clearly upheld the Guidelines as they are charged.

Excerpt from the recommendation made by HSF to the Commission:

*HSF recommends approval of the COA. In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life. **The homeowner followed the advice of the roofing contractor concerning permits and approvals.** HSF apologizes for missing an email requesting advice. Staff searched records and did not find that we received the email.*

The goal was to install an in-kind replacement roof. However, the finished roof does not utilize embossed metal shingles and therefor does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap.

In these specific cases, the installed roofs do not match the removed historic roof. Therefore, the installation does not meet the zoning prescription of replacement in-kind. Because the replacement was not in-kind, the projects required a review by the Historic Preservation Commission for a Certificate of Appropriateness. Review was required before any work by the contractor was to commence.

Contractors have clear information available to guide their work. The information is available in person at City Hall, by voice on the phone, and on the web (accessible by mobile phone) at the following location:

<https://www.ci.staunton.va.us/departments/planning-zoning-division/historic-preservation-districts>

This accessible page provides more than eight highlighted links that lead to the necessary information.

1. Provides a clear map of the historic districts

<https://www.ci.staunton.va.us/home/showpublisheddocument/6200/636969730749270000>

2. Provides a definition of the Commission and meeting schedules

<https://www.ci.staunton.va.us/board-commissions>

3. Provides a direct link to the applicable section of the Zoning Code

<https://www.ci.staunton.va.us/?splash=http%3a%2f%2fwww.codepublishing.com%2fVA%2fStaunton%2fhtml%2fStaunton18%2fStaunton1885.html&isexternal=true>

4. Provides the Guidelines (which also stipulate the entire process, step by step)

<https://www.ci.staunton.va.us/home/showpublisheddocument/1672/636969728556070000>

5. Provides another link to a map of the Historic Districts

<http://www.arcgis.com/home/webmap/viewer.html?webmap=1e09ff55accf402c96c953a813f450db>

6. Provides another outline of what is required if making changes:

<http://www.arcgis.com/home/webmap/viewer.html?webmap=1e09ff55accf402c96c953a813f450db>

7. Provides the application form.

<https://www.ci.staunton.va.us/home/showpublisheddocument/1670/636355466525130000>

8. Provides another schedule of the meeting dates:

<https://www.ci.staunton.va.us/home/showpublisheddocument/4324/637448385763330000>

The sources inform the reader to the HPC process including repeated information. The page also provides a link to the Historic Staunton Foundation website.

Here, HSF attempts to place the information in an easy to understand FAQ. Because HSF addresses many issues in addition to the HPC process, navigating to the specific FAQ page requires three clicks.

<https://www.historicstaunton.org/>

➤ <https://www.historicstaunton.org/resources/>

➤ <https://www.historicstaunton.org/resources/faqs/>

Why did HSF's staff provide a recommendation to approve the installation of the roofs? HSF staff realizes that when homeowners are faced with relatively expensive projects requiring skilled, licensed contractors, they depend upon that contractor's expertise to guide their decisions. The influence of warrantee and promise of a surefire product that solves unhealthy situations such as water coming through a roof, weigh heavy in decision-making. In this specific situation, individual homeowners could be stuck with incredible expense due to the promises of the contractor. These are not commercial, income producing properties with the ability to offset the expense. Of course, those stated reasons have nothing to do with the Guidelines. The applicable Guidelines were clearly outlined for the Commissions and homeowners.

When considering the Guidelines, one considers the appearance and performance of a specific material or object in relation to the buildings architectural characteristics. It is also important to step back and consider the larger general landscape of the historic district. Please take the time to walk along West Frederick Street, from both directions and consider the appearance of the entire streetscape. In addition to the general streetscape, there is opportunity to view newly installed roofs and very old historic roofs.

Previously conducted reviews document why embossed metal shingle roofs are currently not being replaced in kind. Much of this has to do with expense, performance, and contractors not willing to perform the work. Standing seam metal roofs (correctly detailed and installed) are historically and architecturally appropriate in Staunton's historic districts. For these specific appeals, the issue comes down to the appearance of modern, wide ridge caps specified by installers. The inherent design of these new roofing systems require the modern, wide ridge caps. Once installed, the roof cannot be changed without destroying the entire new roof.

Does the appearance of the wide ridge caps create a significant impact on the historic character of the building and historic district? After reviewing the projects and after much discussion, the HPC believes that there is a loss of architectural character. HSF staff also considers the appearance of the wide caps to be very different and out of character compared with the minimal and simple appearance of a skillfully folded ridge seam. When looking at an entire streetscape of house facades and porches, the ridge caps may not have a significant visual impact.

As noted in the appeals, the integrity of the historic districts is being challenged by installers ignoring the zoning code. However, there are as many new roofs installed correctly because the contractors have taken the time to learn and interact with City staff. The HPC is charged with and takes seriously following the City's adopted Guidelines, which are part of the Zoning Code. In taking the lead in assuring the architectural integrity of Staunton's five historic districts, the HPC is in a position of having to draw a line and stop inappropriate installations.

<https://www.nps.gov/tps/standards/treatment-guidelines-2017.pdf>

Page 77- Introduction

In Rehabilitation, historic building materials and character-defining features are protected and maintained as they are in the treatment Preservation. However, greater latitude is given in the Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings to replace extensively deteriorated, damaged, or missing features using either the same material or compatible substitute materials. Of the four treatments, only Rehabilitation allows alterations and the construction of a new addition, if necessary for a continuing or new use for the historic building.

Page 79 - Rehabilitation as a Treatment.

When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular time is not appropriate, Rehabilitation may be considered as a treatment. Prior to undertaking work, a documentation plan for Rehabilitation should be developed.

HSF notes concerning Roofing Appeals

306 New Street Roof – Comparison of Decisions – Not Arbitrary

1. Led astray by seller/installer
2. **Old Guidelines – ambiguous**
3. New Guidelines – not ambiguous – the reason the Guidelines were updated.

306 Reviewed under old 1996 Guidelines:

Roof

One of the most important elements of a structure, the roof serves as the “cover” to protect the building from the elements. Good roof maintenance is absolutely critical for the roofs preservation and for the preservation of the rest of the structure.

1. Retain elements such as chimneys, skylights, and light wells that contribute to the style and character of the building.
2. When replacing a roof, match original materials as closely as possible. Avoid, for example, replacing a standing seam metal would dramatically alter the building’s appearance.
3. Slate is a historic roofing material found in the districts. Before replacing slate with new slate, or a substitute material, make sure that it is the slate that is deteriorating and not the roof flashing or slate hangers. Buckingham slate used on many local structures should last approximately 175 years or longer and repairs may be possible instead of wholesale replacement. Rusted fasteners cause slates to slip and leaks to develop. Re-hang slate with new fasteners. Pennsylvania slate lasts only approximately 75 years before it begins to delaminate; at that time it will need to be replaced. Since slate is so expensive when replacing an entire roof, in cases of extreme financial hardship consider using substitute materials such as artificial slate or possibly standing seam metal.
4. Keep metal surfaces painted (except for copper roofs) and use the appropriate primer for the particular type of metal roof.
5. Place solar collectors and antennae on non-character-defining roofs or roofs of non-historic adjacent buildings.
6. Do not add new elements such as vents, skylights, or additional stories that would be visible on the primary elevations of the building.

(New Guidelines)

HISTORIC DISTRICT DESIGN GUIDELINES

DECEMBER 2018

I: Introduction C.

The Comprehensive Plan & The Design Guidelines

C. The Comprehensive Plan & The Design Guidelines

The existing Comprehensive Plan of the City of Staunton was adopted in 2012, and a new plan is currently being developed in 2018. The existing design guidelines relate only to residential properties and were completed in 1996. This document is an update to those guidelines and includes guidelines for buildings in Staunton's commercial historic districts as well. The update of these guidelines aligns well with the intent of the current comprehensive plan as seen in the first of the plan's four overriding goals.

It states:

"A desire to conserve and/or protect the City's natural resources, historic character, and scenic qualities."

Furthermore, the section on Historic and Scenic Qualities states:

"Staunton's historic character is a hallmark which has been recognized throughout the nation. The movement to preserve and protect the City's historic heritage has been a driving force for over four decades. The continued protection of historic structures is fundamental to the heritage, character, and sustainability of the community. Heritage tourism is a vital component of not only Staunton's but also the region's tourism programs.

Preserving the character of the City through protection of existing structures helps to support the tourism industry. The redevelopment of buildings and the development of new structures in historic districts should be done with sensitivity to the historic character and setting of the district.

Also, important to historic structures is the surrounding landscape elements, which need to reflect the context of the site and the structure in terms of materials and land form. Likewise, development outside historic districts should complement and support the overall character of the City while relating to the surrounding neighborhood setting. The City's major entrance corridors should be developed in a manner

that protects and enhances their scenic beauty and distinct character. Structures, landscaping, signage, and overall site development can and should be designed and developed in a fashion that creates attractive corridors leading to the City's historic downtown. The use of both creative design standards and codes supports economic development while maintaining Staunton's historic and scenic fabric."

Note that the last statement in that section refers directly to the "use of both creative design standards and codes support[ing] economic development while maintaining Staunton's historic and scenic fabric." This statement reflects the City's current funding of this guidelines project and the support of the city staff in this effort.

D. Historic Districts' Goals

1. Preserve historic buildings according to professional standards.
2. Avoid wholesale removal and replacement of historic elements and features of historic buildings.
3. Avoid demolishing buildings that contribute to the historic character of the districts.
4. Build on the existing character of the historic districts.
5. Maintain and strengthen the street "wall" in the downtown and Wharf areas.
6. Respect the boundary between the commercial areas and surrounding neighborhoods.
7. Respect the existing architectural character when designing new buildings in the historic districts.
8. Respect the existing physical street patterns and lot orientation of the historic districts.
9. Ensure that zoning and other City regulations support the preservation goals of the historic districts.

E. Role of Design Guidelines

What Guidelines do:

- Assist in the preservation and rehabilitation of historic buildings in the districts;
- Provide guidance up front before property owners, architects/designers, and contractors make plans and present to the HPC;
- Give detailed guidance to property owners and the HPC;
- Result in appropriate changes to historic buildings and improve the quality of new development in the districts;
- Help resolve specific design concerns that may be present in the districts;
- Assist the building industry by helping it better understand districts' physical character;
- Help protect current property values in the districts;
- Increase public awareness about the community vision for the districts;
- Help provide an objective and fair basis for the HPC's review of projects;
- And help reduce the frequency of appeals by providing clearly stated guidelines to both the property owner and the HPC.

3. Changes requiring a Certificate of Appropriateness

The Historic Zoning Ordinance requires that a Certificate of Appropriateness (COA) be issued by the HPC before a material change in appearance is made to a property designated historic by the overlay zoning. A material change in appearance is defined by the historic preservation ordinance as:

- A change that will affect either the exterior architectural character or environmental features of an historic property or any contributing or noncontributing building, structure, site, object, or landscape feature within an historic district such as:
- Reconstruction or alteration of the size, shape, or façade of an historic building, including relocation of any doors or windows or removal or alteration of any architectural features, details, or elements.
- Demolition or relocation of an historic structure.
- Change in the location of advertising visible from the public right-of-way.
- The erection, alteration, restoration, or removal of any building or other structure within an historic property or district, including walls, fences, steps, and pavements or other appurtenant features.
- New construction within an historic district.

4. Exemptions from Design Review

What Guidelines don't do:

- List specific standards for building size requirements, landscaping standards, detailed parking requirements, sign regulations, and other specific elements of a building project. Many of these requirements are found in the zoning ordinance and other local regulations;
- Regulate amount/location of new development. (Zoning defines those aspects.);
- Increase new construction or rehabilitation activities. (That activity is the role of the private market.);
- Improve maintenance of existing properties. (Locally adopted maintenance codes contain those requirements.);
- And regulate interior design. (The HPC does not review interiors, but building codes have a wide variety of requirements for the entire building dependent upon its proposed use.)

Ordinary maintenance or repair of any exterior architectural or environmental feature in or on an historic property or a building, structure, site, or object within an historic district to correct deterioration, decay, or damage or to sustain the existing form and that does not involve a material change in design, material, or outer appearance thereof does not require a COA.

Such actions may include:

- Repainting resulting in the same or in a different color. (Original painting of masonry surfaces is not exempted from review.)
- Replacing broken window panes, missing roof shingles, or missing features with matching in kind materials.
- Addition or deletion of storm windows and doors, window-box gardens, awnings, temporary canopies, window air conditioners, or similar appurtenances.

- Addition or deletion of television or radio antennas, skylights, or solar collectors in locations not visible from a public street.
- Planting of grass, trees, and shrubs but not including landscape treatment that substantially alters the contour of a site or involves landscaping or construction of parking areas, fences, walls, walkways, pools, fountains, and the like that materially affect the appearance of a site and that is visible from a public street.
- Any changes to a structure that are not visible from a public street.

HSF Staff:

The addition of roof vents are not appurtenances. The vents are permanently installed and due to the gaps in the roofing under the vents, the vents cannot be removed.

Chapter 18.85

H-1 HISTORIC PRESERVATION DISTRICT

18.85.020 Definitions.

(9) "Exterior environmental features" means all those aspects of the landscape or the development of a site which affect the historical character of the property including trees, shrubbery, plantings, walks, fences, walls, signs, lights, and other appurtenances and elements.

Historic District Design Guidelines

Glossary

APPURTENANCE: An accessory property element, such as an outbuilding or mechanical unit.

G. Architectural Details & Trim

Decorative elements like window and door surrounds and caps, columns and piers, railings, carved porch and cornice trim, and brackets as well as masonry decorative elements and patterns, and metal roof cresting and finials, are all examples of details that add richness and integrity to the design of historic buildings. Some of these items are more exposed to the effects of weather and deteriorate, or they are removed because of the difficulty of accessing and maintaining them or finding replacements.

Guidelines:

1. Historic architectural detailing should be maintained and preserved rather than removed, simplified, and/or replaced.
2. If the detailing is deteriorated beyond repair, it should be duplicated using historic building materials wherever Possible or using an acceptable substitute which matches the historic in composition, design, color, texture, and other visual qualities.
3. Any missing details should match the historic as closely as possible and be based on physical evidence and/or Historic photos.

Inappropriate Treatments:

4. Do not remove architectural details that are character-defining features of the building.
5. Detailing which was not historically used on a building, or which represents another architectural era, should not be added to the building. This includes brackets, columns, dormers, dentils, shutters, cupolas, etc., that are sometimes added in an attempt to dress up a building or to make it appear older than it actually is.

b. CERTIFICATE OF APPROPRIATENESS

Andrea Coffman

306 N. New Street

Replace Roof

Ms. Andrea Coffman was present to represent this request. She stated that the roof has already been replaced on the house. She noted that she tried to repair the roof but eventually had the roof replaced. She stated that she did know that she was in a historic district and was told by Lowe's that she would need to go with a metal roof. She further noted that she did not know she needed to apply for a Certificate of Appropriateness but that she would have to match the color of the roof to what was existing.

Ms. Brannock stated that this was not the best alternative, although it is replacing metal with metal as opposed to asphalt shingles.

Mr. Michael Brown stated that he agreed with Ms. Brannock but that the applicant had the correct intentions.

HSF Recommendation – HSF understands the homeowner's problem since they have already completed the work. However, based upon the guidelines and established precedent, the roofing material is not appropriate due to the contemporary appearance of the snap lock seams, the wavy corrugated pan, and the applications of ridge caps on all of the hip ridges. The roof does not create the same appearance as a traditional, folded seam, flat pan standing seam metal roof.

Mr. Michael Brown moved that the Certificate of Appropriateness be approved, knowing that a better product with a traditional standing seam could have been used, given the intent of the applicant replacing metal with metal and matching the color which is basically what the guidelines state.

The motion was seconded and carried unanimously.

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	May 13, 2021	Staff Members: Rodney Rhodes Linda Nesselrodt Historic Staunton Foundation Representative: Frank Strassler
Item #	F	
Ordinance #		
Department:	Community Development—Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Appeal of Historic Preservation Commission Denial of a Certificate of Appropriateness for 650 W. Frederick Street (Newtown Historic District)—Roof Replacement	

Introduction: This item is an appeal from a decision of the Staunton Historic Preservation Commission (Commission). Under Section 18.85.050(7)(m) of the City Code, an appeal may be taken to City Council to challenge a decision of the Commission. City Council may, in conformity with the provisions of the Zoning Code concerning the Historic Preservation District, reverse or affirm the Commission's decision in whole or in part, essentially having all the same powers of the Commission. In this instance, property owners, Robert and Leslie Banta appeal to City Council the Commission's March 23, 2021 action to deny an after-the-fact Certificate of Appropriateness (COA) for the replacement of a roof at 650 W. Frederick Street. (Exhibit A, Appeal letter from Robert and Leslie Banta.) Attached to this briefing are exhibits that constitute the administrative record of proceedings before the Commission and other relevant documentation (Attachments A – H).

Background: The subject of this appeal is a single-family structure located at 650 W. Frederick Street, in the Newtown Historic District, and constructed between 1921 and 1929. In November of 2020, the owners applied for an after-the-fact COA for the roof replacement. (Exhibit B, Application for Certificate of Appropriateness.) The owners replaced the embossed metal shingles with a standing seam metal roof with wide ridge caps. The Commission considered the request at its December 22, 2020 meeting. During the discussion,

Commissioners noted that although traditional standing seam metal roofs are historically and architecturally appropriate for Staunton's historic districts and that they have been approved as an acceptable alternative to embossed metal shingles, the wide ridge caps deviate significantly from the Historic Design Guidelines.

Mr. Frank Strassler, an expert in historic preservation with the Historic Staunton Foundation (HSF), as part of the established process, analyzes and submits a written briefing and recommendation on all such applications to the Commission. Concerning the roof, Mr. Strassler noted that the Commission has consistently utilized the following specifications to guide homeowners and roof installers toward a standing seam metal roof that meets the goal of an in-kind replacement of historic roofs:

- Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th century and throughout the 20th century.
- All chimneys are to be retained.
- The new roof will not incorporate ridge vents or caps along the hip ridges.
- The roof will utilize a 1" folded seam, and the seam should appear as a closed, locked and folded seam.
- The ends of the seams at the soffit edge and ridge should be folded flat to the roof as done historically with hand tool folded standing seam metal roofs.

Mr. Strassler recommended to the Commission that it approve the COA, stating:

In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life.

The owners installed a replacement roof that matches other roof installations in the historic district. However, the finished roof does not utilize embossed metal shingles and therefore does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap. The project did require a COA because it is not a replacement in kind. Other properties provided as examples may be roofs installed before the Historic District zoning was adopted or roofs that did not follow the approved guidelines. Property owners are advised to utilize the official adopted guidelines to plan projects and to not rely upon other property owners.

(Exhibit G, Recommendation of Historic Staunton Foundation dated December 16, 2020 for the Staunton Historic Preservation Commission.)

The application was tabled until the January meeting in order for the applicants to work with their roofer to explore options to address the modern ridge caps. (Exhibit C, Minutes of the December 22, 2020 Meeting of the Staunton Historic Preservation Commission.)

For the January 26, 2021 meeting, the applicants noted that they had talked to their roofer; however, he voiced concerns with modifying the new roof to address the ridge caps. The applicants wanted the roofer to speak directly to the Commission. The roofer wasn't in

attendance at the meeting so all parties agreed to table the matter until the February meeting. (Exhibit D, Minutes of the January 26, 2021 Meeting of the Staunton Historic Preservation Commission.)

The applicants' roofer failed to attend the February 23, 2021 meeting. It was noted that it would be very difficult to change the cap or be able to cover the gap on the ridges. The applicants also voiced concerns over voiding the warranty on their roof if it was altered. The applicants requested another month to rectify the issue. The Commission agreed to table the matter until the March meeting. (Exhibit E, Minutes of the February 23, 2021 Meeting of Staunton Historic Preservation Commission.)

At its meeting on March 23, 2021, the applicants' roofer, James Holloway, was in attendance to address the Commission. Mr. Holloway explained to the Commissioners why the existing roof with the ridge caps couldn't be altered to more closely resemble a traditional folded seam.

Upon consideration of the information presented, including the Historic Staunton Foundation's recommendation, the Commission acted to deny the requested Certificate of Appropriateness for the replacement roof, noting that the modern roof with ridge caps cannot be corrected to meet the historic guidelines. (Exhibit F, Minutes of the March 23, 2021 Meeting of Staunton Historic Preservation Commission.)

Exhibit H is Historic Staunton Foundation's brief concerning the appeal of the Commission's decision, which contains a recommendation to Council:

HSF recommends Council uphold the decision reached by the Historic Preservation Commission. The Commission reviewed the existing conditions, considered and thoroughly discussed the installation of the new roofs in relation to the adopted Guidelines in reaching their decision. The Commission clearly upheld the Guidelines as they are charged.

HSF staff also explained the previous recommendation to the Commission, recommending approval of the roof. It was noted that homeowners depend upon contractor's expertise to guide their decisions on such projects. In this specific case, the owners had been assured that the roof would meet all requirements. "The owners could now be stuck with incredible expense due to the promises of the contractor. The inherent design of these new roofing systems require the modern, wide caps. Once installed, the roof cannot be changed without destroying the entire new roof."

Administrative Record Exhibits:

- A. Appeal letter from Robert and Leslie Banta
- B. Application for Certificate of Appropriateness dated November 29, 2020
- C. Minutes of the December 22, 2020 Meeting of the Staunton Historic Preservation Commission (See agenda item E for this exhibit, pg 177)
- D. Minutes of the January 26, 2021 Meeting of the Staunton Historic Preservation Commission (See agenda item E for this exhibit, pg 185)
- E. Minutes of the February 23, 2021 Meeting of the Staunton Historic Preservation Commission (See agenda item E for this exhibit, pg 188)
- F. Minutes of the March 23, 2021 Meeting of the Staunton Historic Preservation Commission (See agenda item E for this exhibit, pg 192)
- G. Recommendation of Historic Staunton Foundation dated December 16, 2020, for the

Staunton Historic Preservation Commission

H. Recommendation of Historic Staunton Foundation dated April 30, 2021, for Staunton City Council (See agenda item E for this exhibit, pg 221)

Issue: Whether to reverse or affirm, wholly or partly, the decision of the Staunton Historic Preservation Commission, denying an after-the-fact Certificate of Appropriateness for the roof.

After conducting the appeal, City Council may:

1. reverse the decision of the Commission and approve the Certificate of Appropriateness as requested by the applicants, permitting the roof as installed;
2. affirm the decision of the Commission, denying the Certificate of Appropriateness;
3. modify the decision of the Commission; or
4. remand the matter back to the Commission to consider any new information presented at the City Council meeting.

Alternative Suggested Motions:

I move that Council wholly **affirm the decision** of the Historic Preservation Commission, denying the requested Certificate of Appropriateness, for the reasons on which the Commission based its decision.

I move that Council **reverse the decision** of the Historic Preservation Commission and approve the Certificate of Appropriateness as requested by the applicants, permitting the roof as installed.

City Manager: Steven L. Rosenberg

Robert D. & Leslie G. Banta
650 W. Frederick Street
Staunton, VA 24401

April 16, 2021

Rodney S. Rhodes
Senior Planner / Zoning Administrator
Division of Planning & Zoning
P.O. Box 58
Staunton, VA 24402



RE: Certificate of Appropriateness
650 W. Frederick, PID #3521
Replace Embossed Metal Shingle Roof with Standing Seam Metal Roof

Dear Mr. Rhodes,

Please accept this letter as our appeal of the March 23, 2021 denial of our after-the-fact request to replace the roof on our property at 650 W. Frederick Street.

The denial letter states that the Historic Preservation Commission voted to deny our request based on the facts that we were not present at the meeting and that the roof does not meet the Staunton Historic District Guidelines or the Secretary of the Interior Guidelines.

To the first point, my wife and I were physically present at the first meeting on this issue in December 2020, present by Zoom for the second meeting in January and the third meeting in February, and our roofing contractor was present at the fourth and final meeting in March.

To the main issue, that “the incorporation of ridge vents and caps along the hip ridges is not in keeping with the guidelines,” we submit the following:

- A. That the Historic Preservation Commission has previously approved a roof with ridge vents;
- B. That roofs with ridge vents and caps along the hip ridges have been and currently are being installed on many buildings in the historic district without the Commission’s intervention; and therefore
- C. the effect of such denial creates an arbitrary and capricious application of the guidelines.

Discussion:

A.

Regarding the Historic Preservation Commission’s previous approval of a roof with ridge vents, in the March 23rd meeting, you gave the example of 306 New Street, a house which had snap lock seams, wavy corrugated pan and applications of ridge caps on all of the hip ridges. Our understanding is that this type of roof is even less desirable to the Commission and the Staunton

Historic District Guidelines than our roof due to the snap-lock construction. According to the November 22, 2016 minutes, the Commission unanimously approved that roof after it was noted that the applicant had the correct intentions after the admission that she had not known she needed to apply for a Certificate of Appropriateness.

Based on the Commission's prior approval of 306 New Street, our roof should also be approved.

We had a similar experience to the 306 New Street owner in that we had heard that replacing a metal roof with a metal roof did not require any kind of special approval. We did not appreciate, however, that switching from an embossed metal shingle to a standing seam is not considered a "replacement in kind." Embossed metal shingle roofs are prohibitively expensive, and standing seams are a commonly approved replacement. Unfortunately, we also did not appreciate that a metal standing seam with ridge vents was incorrect. Our previous embossed metal shingle roof had tubes running along the ridge and hips that seemed to serve the same purpose, so when we saw the Fregosis recent new roof at 636 W. Frederick, we hired the same roofing contractor, pointed to their roof and told them that is what we wanted as well. It seemed to us that the ridge vent and caps along the hip ridges were the standing seam equivalent of the tubes that capped the embossed shingles. Frank Strassler's initial report to the Commission noted this, and recommended approval with reservations.

During our four meetings with the Commission, we were instead lead to seek alternatives to fix the ridge vent and hip ridges. The Fregosis consulted with a roofing contractor suggested to us by the Commission. While he had not performed such work before, he suggested a large, multi-angled tube shape that would replace the ridge vents and caps along the hip ridges. Although both the Fregosis and the Bantas thought this would create a much larger profile and have an unsightly effect, we consulted with our contractor, James Holloway of Holloway Roofing, and he felt the same way. He also pointed out this might not even be feasible with the 'z-bar' brackets that support the ridge vents and hip ridges.

B.

Our new roof, a standing seam metal roof with "ridge vents and caps along the hip ridges," has been and currently is being installed in Staunton's historic districts. There are hundreds of examples. We noted many of them in our initial application. The most prominent is Trinity Episcopal Church. Across Johnson Street from Trinity is the R.W. Burke house at 103 Church Street, and this very prominent house has the same type roof on its house, porch and its garage. Throughout the Newtown Historic District there are many more examples of this roof. There seem to be no efforts to make the owners of these buildings change their roofs.

When we brought up this precedent of so many historic buildings having roofs with ridge vents and caps along the hip ridges, the Commission was very kind to point out that their job was only to determine if our roof met certain guidelines, and not to establish precedent. They believed that was the purview of the City Council, though Mr. Strassler pointed out in the final meeting that these types of roofs were indeed already well established, and encouraged the Commission to approve our application.

C.

To allow so many prominent examples, but to disallow us, creates an arbitrary and capricious standard of enforcement. Who gets to keep this type of roof, and who has to replace this type of roof? 306 New Street's roof was unanimously approved, notably while two of those Commission members still serve, yet our roof was unanimously denied.

We appreciate historical restoration. In college, I (Robert) was a historic tour guide in Charleston, South Carolina. The work the city of Staunton has done is the very reason we choose to live downtown. Our roof does not look garish or out of place; it is a reasonable style that blends well with other standing seam roofs, and it improves the value of our house and our street. Based on the Commission's prior approval of this type of roof, and the precedence of so many prominent buildings that have them as well, we respectfully ask that the Council overturn the Commissions denial, and approve our roof.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Robert Banta' with a stylized flourish at the end.

Robert and Leslie Banta
650 W. Frederick St.
Staunton, VA 24401



IMPORTANT NOTE: The complete application must be filed with the City of Staunton's Office of Planning & Inspections no later than the first Tuesday of the month to be heard at that month's Historic Preservation Commission Meeting. Applications received after the first Tuesday of the month will be heard at the next month's meeting.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

City of Staunton, Virginia

Historic Preservation Commission

116 W. Beverley Street

Staunton, VA 24401

Phone: (540) 332-3862 Fax: (540) 332-3807

Location of property	650 W. Frederick St.	Historic District	Newtown	
Business Name	N/A	Tax Map No:	374, Lot 12 Block 0	ID 3521
Application Fee \$50 Paid	☒ YES ☐ NO			

Applicant/Property/ Owner Name (PRINT) Robert D. and Leslie G. Banta	Representative Agent(s) Name N/A
Signature Robert Banta Julie B. Banta	Firm
Mailing Address 650 W. Frederick St.	Mailing address
City/State/Zip Staunton, VA 24401	City/State/Zip
Phone/Fax Number: 540. 245-0888	Phone/Fax Number:
Email: robertdeanbanta@gmail.com	Email:

(Check the appropriate boxes—CHECK ALL THAT APPLY)

☒	Exterior Change		Addition		Relocation
	Wall/Fence		Deck/Porch		Demolition
	Driveway/Parking Area		New Structure/Building		Grounds/Landscaping
	Signage		Dumpster Screen		Other _____
	Other _____		Other _____		Other _____

The above named person(s)/firm has permission to represent me regarding this request for architectural review. I understand that I or my representative agent(s) must be present at the Historic Preservation Commission Meeting on the date listed above to present my proposal and that failure to attend may result in the denial of my proposal by the Commission due to insufficient information. No material change in the appearance of my property, that is viewable from any public street, shall be performed before receiving a Certificate of Appropriateness. I further understand that approval by the Historic Preservation Commission for any modifications to homes, buildings, landscaping, or grounds including fences, driveways, and parking areas shall expire 12 months from the date of approval.

Robert Banta Julie B. Banta

29 November 2020

SIGNATURE

DATE

PLEASE READ: Applicants are encouraged to submit complete applications with sufficient information to enable a clear understanding of the proposal by the Historic Preservation Commission members and staff. Incomplete applications that do not clearly communicate the proposed improvements or changes will be denied.

FULL DESCRIPTION OF PROPOSAL:

Please see attached

REQUIRED INFORMATION TO BE SUBMITTED WITH APPLICATION:

(Each item submitted is to be INITIALED by the applicant. If you are not submitting any of the requested information, please indicate not applicable and explain in the space provided why it is not necessary for this project)

N/A Sketch, drawing and/or elevations showing the proposed changes or improvements
not needed

N/A Site plan or plat of property
not needed

RB JB Photographs showing property, work in question, and the area of the proposed project
Please see attached

N/A Other (please list)
not needed

RB JB A list of materials that identifies the type and quality of materials to be used in the Proposed project
26ga Engleht Galvanized SunNet Blue, finished 21" wide
seamless panels mechanically seamed

RB JB Twelve sets of all information and materials for use by the Historic Preservation Commission members and staff in the review of this request (REQUIRED)
*****COA for signs only requires two sets of information. *****

(Applicants may refer to typical submissions kept at the Planning and Inspections Department of the City of Staunton on the third floor of City Hall located at 116 W. Beverley Street for illustrations of how to present the required information)

Certificate of Appropriateness

Full Description of Proposal

650 W. Frederick is an American Foursquare single family house that has a hipped roof with a wide gable and a simple, full-width, porch. We believe it was built in the 1920s or 30s.

The original pressed metal shingle roof was warped, leaking and unsightly. This project replaced the pressed metal shingle roof with a standing seam metal roof in the style of many houses in Newtown. The proposed, and completed, work is as follows:

- Replace pressed metal shingles with metal standing seam
- Remove all existing roofing debris from facets of building and dispose all materials at local landfill
- Ensure all roof decking is in good condition, replace rotted boards with plank style decking
- Install high temp ice shield barrier at all low slope areas and valleys
- Install synthetic underlayment on remaining roof deck surface
- Custom fabricated drip-edge on all eaves
- Custom fabricated rake trim on all rakes
- Vented ridge/hip system similar to many Newtown Historic District houses (eg. 103 Church St.)
- 26ga Englert Galvanized, SunNet Blue, finished 21" wide seamless panels mechanically seamed
- RT 200 snow guards powder coated to match roofing color on the eaves
- Replace all plumbing pipe boots
- Chimney properly counter flashed

Regarding not submitting a COA prior to having the work done

- We apologize for not submitting the COA first. Our previous roof was leaking, see pictures of mold on ceiling in the bathroom that needs to be remediated. Therefore we had to have the roof put on as quickly as possible.

Regarding the change from metal shingle to standing seam

- The cost of replacing our metal shingle roof with the same was prohibitively expensive

Regarding the ridge vent and hip ridges

- Our old roof had a tubular ridge design along the ridge and the hips. We wanted to continue this stylistic element with the standing seam, by including a ridge vent and hip ridges that we have seen on many prominent houses in the Newtown Historic District (particularly 103 Church St.). The ridge vent also serves to 'complete' the standing seam design by providing an outline and contrast to the standing seams, while allowing for much needed airflow in the attic.

Attached pictures

- Mold in bathroom ceiling from water leaking through roof, through insulation and onto sheetrock on bathroom ceiling.
- Our house, 650 W. Frederick, with completed roof
- Newtown Historic District examples of standing seam with ridge vent and hip ridges.















Historic Staunton Foundation

20 South New Street
Staunton Virginia, 24401
www.historicstaunton.org

STAUNTON HISTORIC PRESERVATION COMMISSION

December 16, 2020

HSF Recommendation

Certificate of Appropriateness

650 West Frederick Street

New Roof with Ridge and Hip Caps - Installed

Newtown Historic District

Existing Condition: Built between 1921 and 1929 this is a 2 bay, 2 story frame residence. The house is topped by a hip with pediment roof. The architectural inventory indicates the house included wood German siding and wood double hung sash windows and wood shutters. However, the application of vinyl siding has removed and/or obscured the historic architectural elements. It also appears the windows have been replaced.

A single story hip roofed porch extends across the façade. The porch includes square columns with capital and base and a square pricket balustrade.

The roof was previously covered with embossed metal shingles including rolled ridge caps. A new prefinished standing seam metal roof with wide ridge caps has been installed.

July Proposed Work:

See the application for description, photographs, and drawings.

Replace pressed metal shingles with metal standing seam

- *Remove all existing roofing debris from facets of building and dispose all materials at local landfill*
- *Ensure all roof decking is in good condition, replace rotted boards with plank style decking*
- *Install high temp ice shield barrier at all low slope areas and valleys*
- *Install synthetic underlayment on remaining roof deck surface*
- *Custom fabricated drip-edge on all eaves*
- *Custom fabricated rake trim on all rakes*
- *Vented ridge/hip system similar to many Newtown Historic District houses (eg. 103 Church St.)*
- *26ga Englert Galvanized, SunNet Blue, finished 21" wide seamless panels mechanically seamed*
- *RT 200 snow guards powder coated to match roofing color on the eaves*
- *Replace all plumbing pipe boots*
- *Chimney properly counter flashed*

Regarding not submitting a COA prior to having the work done

- *We apologize for not submitting the COA first. Our previous roof was leaking, see pictures of mold on ceiling in the bathroom that needs to be remediated. Therefore we had to have the roof put on as quickly as possible.*

Regarding the change from metal shingle to standing seam

- *The cost of replacing our metal shingle roof with the same was prohibitively expensive*

Discussion:

See - <https://www.ci.staunton.va.us/home/showdocument?id=1672>

C. The Secretary of the Interior's Standards for Rehabilitation

The guidelines in this publication are based on The Secretary of the Interior's Standards for Rehabilitation (<https://www.nps.gov/tps/standards/rehabilitation/rehab/stand.htm>).

They are as follows:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building, its site, and its environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, other visual qualities, and where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Guidelines for Existing Buildings - Elements J. Roof

J. Roof

One of the most important elements of a structure, the roof serves as the cover to protect the building from the elements. Its visibility, shape and materials make it one of the most important character-defining elements of a historic building. Good roof maintenance is critical for the roof's preservation and for the preservation of the rest of the structure.

Typical local historic roof materials include standing-seam metal and slate. The earliest buildings in Staunton's residential historic districts originally may have had wood shingle roofs, but because of fire risk, they were replaced with standing-seam metal roofs later in the 19th century. Many of the roofs of commercial buildings have sloped metal roofs. If the roof is hidden by a parapet wall, the roof may have been replaced with a built-up roof or a rubber membrane roof.

1. Retain original or historic roof materials, such as slate, standing-seam metal, or metal shingles, particularly when they are highly visible character-defining elements of the building.
2. Preserve original roof shapes and pitches.
3. Retain architectural features including chimneys, roof cresting, finials, dormers, cornices, and exposed rafter tails.
4. Repair of roof materials and elements should be made in kind with materials that duplicate the original materials.
5. Replace roof coverings when necessary by using new material that matches the original roof covering as closely as possible in composition, size, shape, color, and texture.
6. Place solar collectors, satellite dishes, and other antennae on less visible locations of the roof.
7. Place roof-mounted mechanical equipment behind a parapet wall or a screen integral to the building's architectural design, or locate them in setback locations away from the edge of the roof to minimize their visibility. (ADD types of screening by code)
8. Do not change the historic roof material to asphalt shingles or other non-historic materials if the original or a close facsimile is available.

9. Do not add dormers, vents, and skylights to roof if viewable from a primary elevation. They should be placed inconspicuously on rear sections of the building.
10. Do not replace a deteriorated historic roof with a material that does not have the same visual qualities as the original. For example, some current pre-coated metal roofs are designed for new industrial buildings with wide V-shaped snap lock seams. This type of installation does not replicate a historic standing-seam roof that has a thin raised seam at the joints created by mechanically or hand-folding and locking the seam.
11. Do not replace slate roofs if the material is not deteriorating. Leaks in slate roofs usually are due to the deterioration of associated flashing and fasteners or due to wood deterioration surrounding hidden gutters or cornices.
12. Do not paint metal roofs or install new pre-coated metal roofs with bright colors. More appropriate colors would be shades of gray, dark green, or black. See Chapter X. Guidelines for Painting for further guidance.

Recommendation:

HSF recommends approval of the COA with reluctance. In this specific case, based upon the owner's notes of significant leaking and the age of the roof, it is believed the previous roof was at the end of its life.

The owners installed a replacement roof that matches other roof installations in the historic district. However, the finished roof does not utilize embossed metal shingles and therefore does not have the same appearance as the historic roof. The historic embossed shingle roof did include a rolled ridge cap. The project did require a COA because it is not a replacement in kind. Other properties provided as examples may be roofs installed before the Historic District zoning was adopted or roofs that did not follow the approved guidelines. Property owners are advised to utilize the official adopted guidelines to plan projects and to not rely upon other property owners.

I: Introduction G. Design Review Authorities

4. Exemptions from Design Review

Ordinary maintenance or repair of any exterior architectural or environmental feature in or on an historic property or a building, structure, site, or object within an historic district to correct deterioration, decay, or damage or to sustain the existing form and that does not involve a material change in design, material, or outer appearance thereof does not require a COA. Such actions may include:

- *Repainting resulting in the same or in a different color. (Original painting of masonry surfaces is not exempted from review.)*
- *features with matching in kind materials.*
- *Replacing broken window panes, missing roof shingles, or missing*
- *Addition or deletion of storm windows and doors, window-box gardens, awnings, temporary canopies, window air conditioners, or similar appurtenances.*
- *Addition or deletion of television or radio antennas, skylights, or solar collectors in locations not visible from a public street.*
- *Planting of grass, trees, and shrubs but not including landscape treatment that substantially alters the contour of a site or involves landscaping or construction of parking areas, fences, walls, walkways, pools, fountains, and the like that materially affect the appearance of a site and that is visible from a public street.*
- *Any changes to a structure that are not visible from a public street.*

The new standing seam metal roof also includes the addition of wide ventilation caps on all of the hips. Present day contemporary caps tend to be wide and do not reflect the lower profile or intended decorative profile of historic ridge caps. Contemporary ventilation if detailed carefully can be adequately installed on a main ridge with minimal profile. Minimal view might be attained by installing the new feature on a top gable ridge and back away from the most viewable front roof edge. Ridge cap ventilation tends to be most viewable on hip roofs.

Building Science experts note that ventilation is a good feature for most all climates. However, it is a building treatment requiring careful detailing that must include attic air sealing and insulation to be effective. Roofs and attics can also be retrofitted without ventilation; however, this treatment also requires very specific, careful design and execution.

Embossed metal shingles are manufactured and available.

- <https://www.berridge.com/products/shingle-systems/>
- <https://wfnorman.com/products/roofing/>

However, based upon various homeowner quotes obtained from roofers, the material is extremely expensive to obtain and install. Standing seam metal roofs are historically contemporary with embossed metal shingles. Staunton's historic districts include a multitude of homes from the late 19th Century with standing seam metal roofs. However, the adopted guidelines do not lead to a conclusion of recommending replacement of shingle roofs with standing seam metal roofing.

V. Guidelines for Existing Buildings - Elements J. Roof

One of the most important elements of a structure, the roof serves as the cover to protect the building from the elements. Its visibility, shape and materials make it one of the most important character defining elements of a historic building. Good roof maintenance is critical for the roof's preservation and for the preservation of the rest of the structure.

Typical local historic roof materials include standing seam metal and slate. The earliest buildings in Staunton's residential historic districts originally may have had wood shingle roofs, but because of fire risk, they were replaced with standing-seam metal roofs later in the 19th century.

- 5. Replace roof coverings when necessary by using new material that matches the original roof covering as closely as possible in composition, size, shape, color, and texture.*
- 8. Do not change the historic roof material to asphalt shingles or other non-historic materials if the original or a close facsimile is available.*
- 10. Do not replace a deteriorated historic roof with a material that does not have the same visual qualities as the original. For example, some current pre-coated metal roofs are designed for new industrial buildings with wide V-shaped snap lock seams. This type of installation does not replicate a historic standing-seam roof that has a thin raised seam at the joints created by mechanically or hand-folding and locking the seam.*

The HPC has recognized that the life span of Staunton's original embossed metal shingle roofs is at an end. In addition, that the historical record in Staunton indicates that standing seam metal roofs are historically contemporary with embossed metal shingles. The Commission has approved projects that replace failed embossed metal shingles with new standing seam metal roofing.

Previously the Commission asked a homeowner to review replacement of installed wide ridge caps with a new product that resembles a historic rolled ridge. Note that the older roof included a round profile ridge cap. This request is based upon meeting the guideline to match "*the original roof covering as closely as possible in composition, size, shape, color, and texture.*"

Note the guidelines do not specifically state that ventilation caps may not be utilized.

Rolled ridge caps or similar examples are available.

- <http://www.bbsheetmetal.com/product/flashing/roof-systems/ridge-caps-or-hip-caps/>
- <https://www.riversidesheetmetal.net/flashing-metal/ridge-cap/>
- <https://www.homedepot.com/p/Gibraltar-Building-Products-11-7-8-in-x-10-ft-Galvanized-Steel-Roll-Type-Ridge-Cap-15652/100319980>

The commission has consistently utilized the following specification to guide homeowners and roof installers toward a standing seam metal roof that meets the goal of an in-kind replacement of historic roofs.

Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th Century and throughout the 20th Century.

All chimneys are to be retained.

The new roof will not incorporate ridge vents or caps along the hip ridges.

The roof will utilize a 1" folded seam and the seam should appear as a closed, locked, and folded seam.

The ends of the seams at the soffit edge and ridge should be folded flat to the roof as done historically with hand tool folded standing seam metal roofs.

Sample motion:

I move for approval of the Certificate of Appropriateness for the previously completed, replacement of the embossed metal shingle roof with a folded seam standing seam metal roof. For this specific project, the installation of vented ridge caps is approved with the stipulation that the treatment was done due to a misunderstanding of the definition for replacement in kind.

The new ridge vents are flat with a higher and wider profile, while the previous roof included a lower profile rolled ridge cap.

This motion is based upon the local guidelines stating, “One of the most important elements of a structure, the roof serves as the “cover” to protect the building from the elements. Good roof maintenance is absolutely critical for the roofs preservation and for the preservation of the rest of the structure.”

In addition, that the Secretary of Interior Guidelines state: “If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.”

Staunton has a documented, historic tradition of standing seam metal roofs utilized on homes dating to the late 19th Century and throughout the 20th Century.

In this specific project:

- All chimneys were retained.
- The new roof incorporates ridge vents or caps along the hip ridges replacing a rolled ridge cap.
- The roof utilizes a 1” folded seam and the seam appear closed, locked, and folded.

LOCATION/OWNERSHIP

Name of Structure _____

Street Address 650 West Frederick Street

Present Owner(s) _____

Mailing Address _____

Present Use Residence

LEGAL DESCRIPTION

Account No. 52800-00

Assessor's Map No. 374

Block & Lot 0-12

Present Zoning R-4

Accessible to Public No

Additional Surveys _____

Original Use Residence

Date of Construction 1921-1929

Source of Date Sanborn maps

Date of Major Known Remodeling _____

Source of Date _____

Architect or Builder Unknown

PHYSICAL DESCRIPTION

No. of Bays 2 No. of Stories 2

Roof Type Hip with pediment

Porch Type 1 story across front

Building Materials: Clapboards ☒ Brick ☐ Stone ☐

Stucco ☐ Shingles ☐ Board & Batten ☐

Other: (German siding)

Notable Architectural Features:

Date 3/81 Surveyed By EAB

Significant Interior Details:

Photograph Roll No. 3709 Neg. No. 7

Unknown

Significant Outbuildings or Landscape Features:

None

Architectural Style ☐ or

Characteristics ☒ :

Greek Revival ☐

Gothic Revival ☐

Stick Style ☐

Italianate ☐

Queen Anne ☐

Chateausque ☐

Romanesque Revival ☐

Shingle Style ☐

Colonial Revival ☐

Beaux Arts ☐

Vernacular ☒

Other _____



EVALUATION**Building Condition:**

Excellent ☐ (3)
Good ☒ (2)
Fair ☐ (1)
Deteriorated ☐ (0)

Alteration of Original Design:

None or Minor ☒ (3)
Moderate ☐ (2)
Considerable ☐ (1)

Importance to Neighborhood:

Great ☐ (3)
Moderate ☒ (2)
Minor ☐ (1)

Incidence in Area:

Rare ☐ (2)
Frequent ☒ (1)

Architectural Value:

Outstanding ☐ (6)
Notable ☐ (4)
Worthy of Mention ☒ (2)

Associative Value:

National ☐ (3)
Regional ☐ (2)
Local ☐ (1)
Unknown ☒ (0)

TOTAL PRESERVATION VALUE: 10Category: A ☐ (15-20) B ☐ (11-14) C ☒ (6-10) D ☐ (0-5)**OLD MAP REFERENCES:**

YEAR	PAGE	USE
------	------	-----

1857		
1870		
1877		
1884		
1886		
1891		
1894		
1899		
1904		
1909		
1914		
1921		
1929	21	#650 Dwelling
Other:		

OLD PHOTO REFERENCES:**BIBLIOGRAPHIC REFERENCES:**

ADDITIONAL MAP INFORMATION:
1960's pasteover shows "School
for Small Children - Private."

MAJOR ALTERATIONS:**DEED RESEARCH AND ADDITIONAL INFORMATION:**

650 West Frederick



Roof Ventilation Update

by William B. Rose

The construction industry's leading researcher explains why what we think is true often isn't, and how some of our best hunches, based on observation of field performance, have paid off with problem-free attic assemblies

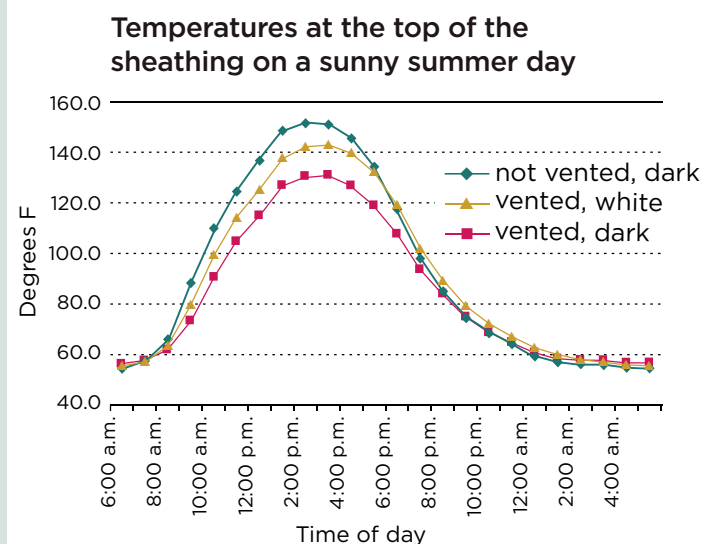
I've gotten many calls over the years about attics and attic ventilation; almost invariably the caller is confused, having heard different things from different people. In this article, I'll discuss the performance of attic assemblies and try to shed light on why there are so many points of view about roof ventilation.

Research Findings

The temperature of a northern-climate roof we monitored throughout the 1990s is shown below (Figure 1).

Here is a summary of the study: The roof gets cold at night and is hot during the day. It gets hotter on a sunny day than on a cloudy day. Attic assemblies with openings to the outdoors ("vented" attics) stay a bit cooler during the daytime than unvented assemblies. They also stay slightly warmer at night.

Many factors influence the temperature on the roof. A prioritized list might include hour of day, outdoor air temperature, cloud cover, color of the roof, roof orientation, where the measurement is taken (sheathing or



Source: Data from the Attic Performance Project, University of Illinois

Figure 1. Sheathing temperatures are affected somewhat by roof ventilation, but many other factors play a bigger role.

Roof Ventilation Update

shingles, top or bottom), latitude, wind speed, rain or snow on the roof, heat conduction across attic insulation, roof framing type (truss or cathedral), and attic ventilation to the outdoors. As you can see, ventilation falls pretty far down the list.

To better understand how wind affects roof ventilation, Canadian researchers T.W. Forest and I.S. Walker measured the air exchange rate in attic assemblies using tracer gases. The graph below (**Figure 2**) gives us a feel for what they found. That is, air-change rates in the attic tended to increase with wind speed, but the amount of air change at a given wind speed was unpredictable. In fact, even with specific information about climate, construction type, and wind speed and direction, the resulting air-change rates may vary by a factor of 10 or more. Whether air flows out through a roof opening or in through that opening, and whether this airflow induces flow from indoors into the attic or helps dilute and remove moist air from the attic, can never be pinned down very well, except to say that wind is a more powerful factor than buoyancy (the “stack effect”).

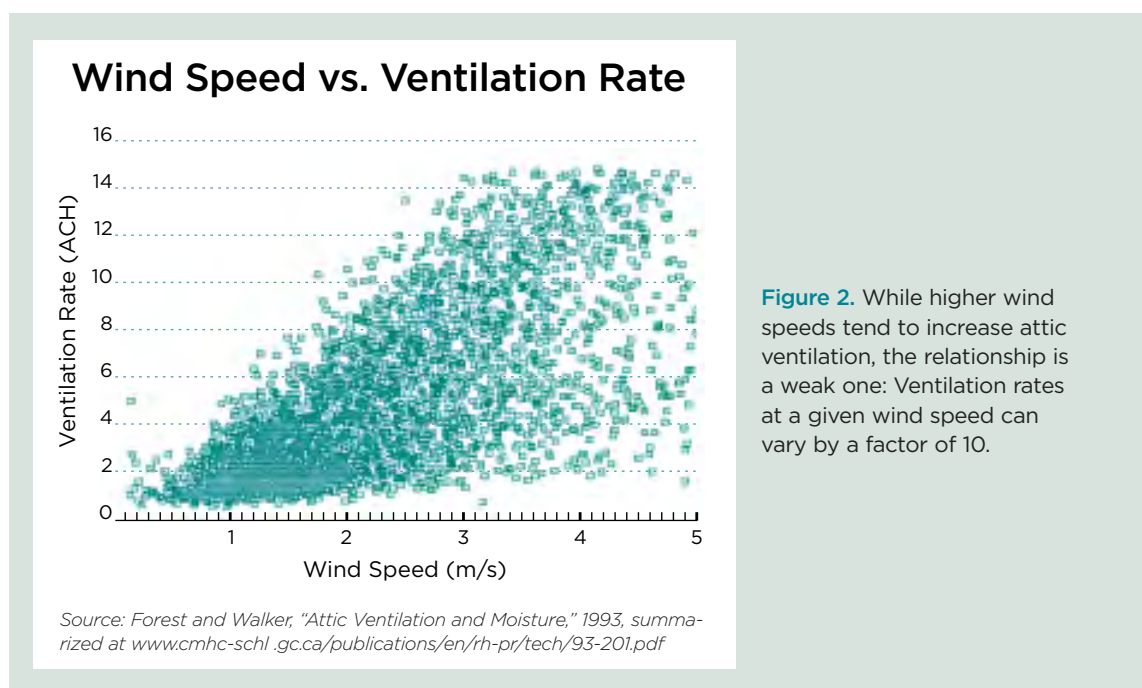
For the most part, roof assemblies behave like any wood structure — they are wetter when cold and drier when warm. Roof assemblies tend to be hot, thanks to the sun, so they tend to be dry. Of course, if the roof leaks, that becomes the biggest source of wetness.

High moisture levels indoors or in basements or crawl-spaces can also increase moisture levels in the roof. Roof members can become particularly wet or covered with frost near holes in the ceiling or leaks in attic ductwork, where humid air enters the attic. It was the formation of local frost “walnuts” like those shown on the next page (**Figure 3, next page**) that led researchers in the late 1930s to recommend attic ventilation. (If only they had offered to seal up the ceiling instead!)

Many attic assemblies are built with vents to the outdoors on the presumption that outdoor air will enter the attic and dilute moisture coming from indoors or from the foundation. The further presumption is that indoor air is wet and outdoor air is dry. Both of these assumptions are often false. If there are openings in the ceiling, then air movement in the attic can induce airflow from below, or dilute air from below, or do nothing, in ways that are just plain unpredictable no matter how much research is done. Attic air movement can also induce flow into the living space below, which is a nasty problem when the air conditioning is running.

Observations in the Field

Suppose that the picture of attic ventilation provided by physics, described above, doesn’t quite cut it. Too many qualifications; nothing pinned down. Then we



Roof Ventilation Update

can go to our own observations and experiences, subjective and incomplete as they may be. Here's my main finding: Attic assemblies built over the last 15 years or so are pretty good. They may be a crapshoot in building-physics terms, but the crapshoot is *heavily* biased toward good performance.

Let's look at attic assemblies by component:

Truss construction seems to do quite well. There are disasters that occur during construction. Truss up-lift continues to be a problem requiring cosmetic fixes. The industry has, for the most part, discontinued the use of fire-retardant treatment of truss members, thereby avoiding what was a serious concern for several years. The truss heels in many cases still fail to provide the height necessary for good insulation. Attics have become a forest of truss webs, and thus are less usable for attic storage space. But the overall picture is good (at least by my observations).

Gypsum wallboard ceilings have shown improvement. The message seems to have gotten out that ceilings must be airtight — there is no justification, summer or winter, for allowing indoor air or foundation air to pass into attic cavities. The common culprits, such as framed soffits over kitchen cabinets, open oversized plumbing or mechanical chases, and leaky can lights, are going away in most construction where the word has gotten out. Weatherization of existing buildings has kept the focus on closing off any ceiling bypasses. In my experience, most truss-framed attics do fine without special vapor-barrier membranes in the ceiling, but in cold locations, cathedral ceilings may need vapor protection just as walls do.

Insulation. Regarding insulation, most areas of the country have healthy amounts in the attic — R-30 in general and R-38 in northern areas. Cellulose provides good insulation and helps block airflow. Fiberglass, in sufficient density and with good installation, also provides good thermal insulation. Foam insulation is being used more commonly, and has become the material of choice for residential air-sealing.

Structural insulated panels (SIPs) work fine, as long as the airflow problem at joints is addressed. Foam insulation has been sprayed on the underside of board and wood-panel sheathing with great success. Insulated panels (often polyisocyanurate) make for good roof-deck assemblies, as we know from commercial low-slope construction, where the foam insulation is often sandwiched between the structural roof deck and the roofing membrane. (All foam needs fire protection, of course.) Open-cell foams such as Icynene may need more vapor protection than closed-cell foams, which have greater resistance to vapor flow.

Vapor barriers still cause squabbling, but most builders know that moisture flow from below comes mostly through holes in the ceiling. Cathedral ceilings require special care in insulation placement and vapor protection. But the new code provisions should encourage insulated sheathing materials or insulated “sandwich” assemblies that resist moisture transport and heat flow as a package. With these roof assemblies (I call them “insulated vapor retarders” or “fat vapor retarders”), the inside surface stays close to indoor conditions, the outside surface stays close to outdoor conditions, and nothing bad happens in the middle. Our laboratory has had such an assembly in place for more than 15 years, with one inch of foil-faced polyisocyanurate insulation directly beneath the OSB



Figure 3. Moist interior air leaking through a hole in the ceiling can produce moldy sheathing or frost on a roof truss. This photo by the author shows results from the Attic Performance Project.

Roof Ventilation Update

decking; the sheathing gets hot during the day, but the OSB above the foam insulation is the driest sheathing of all. Remember: Hot means dry.

Ductwork in unconditioned attic assemblies is not ideal. It's best to place all ductwork in conditioned spaces.

OSB has become the universal sheathing material, by economic and environmental necessity. But we still know too little about the moisture performance of this material, such as under what conditions it will begin to fail. In my laboratory, we have seen the material swell by 50 percent or more under extreme conditions. Will it begin to show signs of sagging between trusses, or will workers be putting their feet through it at the time of reroofing? I don't know, but the absence of signs of product failure in the field — at least to my drive-by observations — is reassuring. Nevertheless, I look forward to the day when the marketplace provides a product with more clearly established performance characteristics. I'll be a strong supporter.

Shingles. I'm reviewing the condition of the shingles installed on our research laboratory in 1989; after 18 years, signs of aging are appearing. We hope to conduct laboratory tests to pin down and better quantify the shingle performance and the factors that influence it. The aging we see shows some temperature effect: The white shingles are in better shape than the dark, and a few of the most aged-looking shingles are found on the hottest bay, the one with foam directly on the underside of the sheathing. Without the numbers to go by, we must rely on observation, and our observations suggest that performance depends on other factors besides the presence or absence of ventilation and whether the assembly is truss-framed or cathedral ceiling.

Of course, natural weathering tests that began 18 years ago say little about shingles that are made today. I sense that the shingle industry is currently producing dimension shingles that seem to lie quite flat, resist wind uplift, and hang on to their UV-protecting granules. I don't know how to reroof over dimension shingles, and it does seem unfriendly to the landfill to have that much more mass in the shingle. Nevertheless, my drive-by observations show a lot of good-performing shingles going on roofs over the last couple of decades, and that is very reassuring.

Roof vents. Many years ago, we measured the "net free area" of about a dozen ridge-vent materials. (We used an

apparatus that measures the pressure drop across a vent device with great accuracy.) We found that ridge vents with large openings (minimum opening dimension around 1/4 inch) had an equivalent net free area very close to their rated capacity. Vent devices with small openings — or with filter fabrics, or scrims — performed much worse, as much as 75 percent less than their rated area. (If you want to know how restrictive a vent device is,

Attic assemblies built over the last 15 years or so are pretty good. They may be a crapshoot in building-physics terms, but the crapshoot is *heavily* biased toward good performance.

use your imagination — if it looks like air would have a hard time moving through, it probably does.)

This discrepancy would be a big deal, I suppose, for someone who felt that vent regulations were critical to attic performance. I don't, so for me, having vent devices with less airflow than advertised is not a cause for concern.

Building Codes

You — and your building code inspectors — may be unaware that the 2006 version of the IRC for one- and two-family dwellings permits attic construction with no ventilation of the attic cavity. This new provision, R806.4, is largely due to the efforts of Joseph Lstiburek, Armin Rudd, and their colleagues. In brief, unvented conditioned attic assemblies are permitted when an air-impermeable insulation such as rigid foam is applied in direct contact to the underside/interior of the structural roof deck, with sufficient thickness — given the climate — to prevent condensation on the underside (see "Insulating Unvented Attics With Spray Foam," 3/07).

This new provision is a direct challenge to the rule of thumb that has been in place for 50 years, which says that you have to vent a steep-roof attic so the ratio of net free vent area to the projected roof area is 1-to-300 (or 1-to-150 when using "cross ventilation" rather than soffit and ridge vents). This ratio arose from observa-

Roof Ventilation Update

tions of frost on protruding nail points in Wisconsin homes by researchers at the Forest Products Laboratory in 1937, and frost on aluminum plates in research “doghouses” at the University of Minnesota in 1938, under “outdoor” conditions of -13°F .

The Federal Housing Authority turned these findings into the famous 1-300 ratio in 1942, to be applied as a minimum building requirement for the small homes in its financing program. The requirements were picked up by model codes and others following World War II, and the rest, as they say, is history. Shingle manufacturers did not begin piggybacking their warranties on venting regulations until reports of shingle problems began piling up following the change in asphalt sources in the early 1980s.

To Vent or Not

Every designer and builder should be able to produce good attic and roof assemblies, both with and without ventilation — or anything in between — with just part of a conventional ventilation system. For example, from our studies, roof assemblies that have holes but not necessarily straight airflow paths (one gable end vent, or soffit-only) should also be candidates for good performance. And although unvented roof assemblies can perform well, there are still good reasons to vent: The truss-framed, steep-roof attic with an insulated ceiling has been the workhorse of single-family construction, and ventilation works well with this construction, at least in the northern United States.

In some cases, there are also good reasons *not* to vent: in wildfire areas, in complex cathedral ceiling assemblies, in existing and historic buildings that have never had ventilation, in shed roofs beneath clerestory windows, with foam insulation (foam and ventilation do not go together — think fire), and in complex roof assemblies that combine steep and low-slope construction. I’ve also heard persuasive arguments against venting in hurricane-prone regions, but I’m not an expert in that area. In short, since critical performance doesn’t hinge on ventilation, then either vent, no-vent, or an in-between “kinda”-vent can be taken as the starting point. Whether the choice works or not depends mostly on other factors.

So you should vent where venting is appropriate and not vent where it is not appropriate. As it turns out, the worst-performing, most mold-ridden attics I have

seen were vented — with a flooded crawlspace and a direct path for air movement from the crawlspace to the attic. You can mess up a vented attic by allowing such airflow. You can mess up an unvented attic as well, usually by not providing vapor protection appropriate to the climate and indoor moisture levels. Tight ceilings would be a great first step toward moisture control, summer and winter.

Conclusions

The father of a colleague of mine says that when the word “ventilation” comes out, people stop using their heads. Vented assemblies often perform well, but not always. Sometimes roofs appear to be vented but actually aren’t. Still, we can take comfort in the observation, based on years of experience, that our attic assemblies are pretty darn good, and — in my opinion — they’re getting better. We need to constantly be on the lookout for new conditions and new problems, as they crop up.

Those of you working in the trenches should continue to build in a way that complies with code and that you know works for your climate. For more information about ice damming, summer cooling load, shingle service life, and moisture issues, visit www.fpl.fs.fed.us/documnts/pdf1999/tenwo99a.pdf (Ten-Wolde and Rose, “Issues Related to Venting of Attics and Cathedral Ceilings”). For all four of these concerns, ventilation makes a contribution that is generally more positive than negative, but it hardly ever makes the difference between success and failure.

For the most part, the focus of codes, researchers, designers, and builders on roof ventilation is misplaced. Instead, the focus should be on *building an airtight ceiling*, which is far more important than roof ventilation in all climates and all seasons. The major causes of moisture problems in attics and roofs are holes in the ceiling and paths for unwanted airflow from basements and crawlspaces. People should focus first on preventing air and moisture from leaking into the attic. Once this is accomplished, roof ventilation becomes pretty much a nonissue.

William B. Rose is a research architect with the Building Research Council at the University of Illinois at Urbana-Champaign, and the author of *Water in Buildings: An Architect’s Guide to Moisture and Mold*. This article was adapted from The JLC Guide to Moisture Control.