

TO: The Honorable Board of Supervisors

FROM: F. Craig Meadows, County Administrator
L. Carol Edmonds, Assistant County Administrator

DATE: May 23, 2011

SUBJECT: AGENDA REPORT

I. CALL TO ORDER

II. INTO CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (5) Discussion Concerning a Prospective Business or Industry or the Expansion of an Existing Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Locating or Expanding Its Facilities in the Community.

1. Project # 2011-019

(3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Old Elliston Fire Station
2. Request by VDOT to Acquire Property for I-81 Widening

(1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body

1. Parks & Recreation Commission

III. OUT OF CLOSED MEETING

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

IV. CERTIFICATION OF CLOSED MEETING

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

VII. INTO WORK SESSION

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. County's Debt Capacity and Financial Status

VIII. OUT OF WORK SESSION

BE IT RESOLVED, The Board of Supervisors ends the Work Session to return to Regular Session.

IX. PUBLIC HEARINGS

A. SUBJECT: BOARD OF SUPERVISORS

The following public hearings were advertised two times pursuant to law in the Current Section of the Roanoke Times:

1. Special Use Permit – James & Lorilee Tannahill
A request by James C. & Lorilee B. Tannahill for a Special Use Permit on approximately 1 acre parcel in a General Business (GB) zoning district to allow truck, trailer, heavy equipment sales, service, and rental. The property is located at 2397 Tyler Road and is identified as Tax Parcel No. 104-A-13A (Parcel ID: 029000) in the Riner Magisterial District (District D). The property currently lies in an area designated as Urban Expansion in the 2025 Comprehensive Plan and further designated as Business in the Route 177 Corridor Plan. See TAB A.
2. Comprehensive Plan Amendment – Urban Development Areas
Montgomery County requests a Comprehensive Plan amendment to add a policy map designation and supporting language for proposed Urban Development Areas (UDA) to comply with Section 15.2-2223.1 of the Code of Virginia. The proposed UDAs will permit residential densities of four (4) to twelve (12) units per acre and commercial densities of 0.4 FAR. The proposed areas are located in the unincorporated area of the County and contain approximately 250 acres in the Route 177 Corridor area and approximately 200 acres in the Merrimac area. These areas are currently designated as Urban Expansion Areas in the County Comprehensive Plan with an overall maximum allowable residential density of four (4) units per acre. See TAB B.

3. Comprehensive Plan Amendment - 177 Gateway Area Plan
Montgomery County requests a Comprehensive Plan amendment to incorporate the 177 Gateway Area Plan into the existing Route 177 Corridor Land Use Plan. The proposed amendment will revise the proposed future land use map of the corridor area adjacent to Exit 109 and identify this area as an Urban Development Area (UDA) to comply with Section 15.2-2223.1 of the Code of Virginia. See TAB C.

4. An Ordinance Amending Article II, Chapter 10, Sections 10-25, 10-26, 10-32, and 10-32.1
An Ordinance amending Article II, Chapter 10 entitled Zoning of the Code of the County of Montgomery, Virginia; Section 10-32 by incorporating a new zoning district entitled Planned Unit Development Traditional Neighborhood Design (PUD-TND) and Section 10-32.1, by incorporating a new zoning district entitled, Traditional Neighborhood Design Infill (TND-I); by amending Section 10-25, Residential District, R-2, compact development option; and by amending Section 10-26 Residential District R-3, compact development option to incorporate traditional neighborhood design concepts including smaller setbacks, lot sizes and more defined standards for development. See TAB D.

5. Ordinance Amending Chapter 10, Entitled Zoning, Section 10-52(3)
CONTINUE TO JUNE 27, 2011
An ordinance amending Chapter 10, entitled Zoning, Section 10-52 (3) (b) of the Code of the County of Montgomery, Virginia, by deleting the requirement that a person applying to the Board of Supervisors, Planning Commission or Board of Zoning Appeals on a planning or zoning matter shall post a placard notice notifying the public of the place and time of a public hearing regarding the property.

Note: This public hearing was continued from the Board's April 25, 2011 meeting and will be continued to the June 27, 2011 meeting.

X. PUBLIC ADDRESS

XI. ADDENDUM

XII. CONSENT AGENDA

XIII. NEW BUSINESS

**A. SUBJECT: CONSORTIUM AGREEMENT FOR NRV
SUSTAINABLE COMMUNITIES GRANT**

**R-FY-11-
NEW RIVER VALLEY SUSTAINABLE COMMUNITIES CONSORTIUM
PARTNERSHIP AGREEMENT**

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby authorizes the County to enter into the New River Valley Sustainable Communities Consortium Partnership Agreement.

BE IT FURTHER RESOLVED, By the Board of Supervisors that the Board of Supervisors hereby authorizes James D. Politis, Chair, to execute the New River Valley Sustainable Communities Consortium Partnership Agreement on behalf of the County of Montgomery, Virginia.

ISSUE/PURPOSE: To enter into a New River Valley Sustainable Communities Consortium Partnership Agreement

JUSTIFICATION: The New River Valley was recently awarded a \$1,000,000 Sustainable Communities Planning Grant. This national grant program was offered through a partnership between the Department of Transportation, the office of Housing and Urban Development, and the Environmental Protection Agency. The New River Valley Planning District Commission acted as Lead Applicant on the grant, but has partnered with 14 other members to form the NRV Sustainable Communities Consortium in order to administer the three-year grant. Those partners are: the Metropolitan Planning Organization, Montgomery County, the Town of Blacksburg, the Town of Christiansburg, the City of Radford, Floyd County, Pulaski County, Giles County, Virginia Tech, Community Housing Partners, New River Community Action, the Community Foundation of the New River Valley, the National Committee for the New River, and the New River Valley HOME Consortium.

The overarching goal of the project is to enhance the long-term livability of the region through the creation of a Regional Sustainability Plan that

County of Montgomery does hereby grant assurances to the Virginia Department of Transportation (VDoT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the County of Montgomery and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of Transportation or the Commonwealth of Virginia in the event of suit;

Section 2: That the County Administrator, or his designee, be, and hereby is, authorized to execute on behalf of the County of Montgomery all land use permits and related documents of the Virginia Department of Transportation;

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation;

Section 4: That the County of Montgomery shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT FURTHER RESOLVED, That the County Administrator, or his designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

ISSUE/PURPOSE: Authorization for the County Administrator to secure a Land Use Permit from VDoT to install enhancements to the Exit 118 Park and Ride Commuter Lot.

JUSTIFICATION: With the addition of the Megabus stopping at the Exit 118 P & R and the increase in ridership on the SmartWay bus, more people are using the lot and parking is scarce, if available at all. There have also been complaints from the school regarding people coming into the school to use restrooms and for other reasons. Between 2:30 and 3:30 p.m. there is the added problem of parents parking in the P&R in

unauthorized areas as well as in the entrances and exits to pick up their kids from school.

The SmartWay Advisory Committee has been working to alleviate some of the concerns. MPO staff has been coordinating a regional approach to making some enhancements to the lot, such as:

- The City of Roanoke will be donating a shelter for use at the lot.
- Blacksburg Transit will be donating benches to be installed.
- Montgomery County Economic Development will supply a portable toilet for the lot.
- VDoT has installed trash cans and will re-mark and add spaces to the lot. A bus lane will be marked through the lot so buses can navigate the lot safely. “No parking” signs will be installed in the entrances as well.
- The Town of Christiansburg will paint the curbing to further discourage parking in the entrances.
- Montgomery County will install the shelter and benches.

The Board of Supervisors is requested to authorize the County Administrator to submit a permit to VDoT to implement these enhancements, and to adopt the resolution to be used for the permit in lieu of a bond.

XIV. COUNTY ATTORNEY’S REPORT

XV. COUNTY ADMINISTRATOR’S REPORT

- 1. School’s Request for Funds for Capital Needs resulting from the Blacksburg High School Gymnasium Collapse**

XVI. BOARD MEMBERS' REPORTS

1. Supervisor Creed
2. Supervisor Perkins
3. Supervisor Brown
4. Supervisor Biggs
5. Supervisor Marris
6. Supervisor Muffo
7. Supervisor Politis

XVII. OTHER BUSINESS

XVIII. ADJOURNMENT

FUTURE MEETINGS

Regular Meeting
Monday, June 13, 2011
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting

Adjourned Meeting
Monday, June 27, 2011
6:00 p.m. Closed Meeting
7:15 p.m. Regular Meeting