ROANOKE CITY COUNCIL
REGULAR SESSION

OCTOBER 18, 2004
2:00 P.M.

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend John W. Ott, Pastor, Parkway Wesleyan Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

NOTICE:

Today's Council meeting will be replayed on Channel 3 on Thursday, October 21, 2004, at 7:00 p.m., and Saturday, October 23, 2004, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGEMENTS:

Southeast by Design Program Award.

Proclamation declaring the week of October 17-23, 2004, as Childhood Lead Poisoning Prevention Week. P 10;

Proclamation declaring Sunday, October 31, 2004, as Change Your Clock, Change Your Battery Day. P 11

3. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meetings of Council held on Monday, August 16, 2004, and Tuesday, September 7, 2004. P 12; P 63

RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.

C-2 A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview an applicant for a vacancy on the Roanoke Redevelopment and Housing Authority, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. P 121

RECOMMENDED ACTION: Concur in the request.

C-3 A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss the Citizen of the Year Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended. P 122

RECOMMENDED ACTION: Concur in the request.

C-4 A communication from Council Member Brian J. Wishneff requesting that Council convene in a Closed Meeting to discuss the performance of a Council Appointed Officer, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. P 123

RECOMMENDED ACTION: Concur in the request.

C-5 Qualification of the following persons:

Pam Kestner-Chappelear and Frank W. Feather for terms ending September 30, 2006, and Corinne B. Gott and Randy L. Leftwich for terms ending September 30, 2008, as members of the Human Services Advisory Board; and

Lauren D. Saunders and Owen C. Schultz as members of the Roanoke Public Library Board, for terms ending June 30, 2007.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS: NONE.

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS:

Suggested Signage - Martin Luther King, Jr. Bridge - 5 Minutes | P 124

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of Bulletproof Vest Partnership Grant funds in the amount of $37,878.00; and appropriation of funds. | P 125; B/O 127; R 128

2. Execution of an amendment to the Lease Agreement for office space in the Commonwealth Building. | P 129; O 133

3. Execution of Amendment No. 3 to the Three-Year Bridge Program Agreements with Hayes, Seay, Mattern and Mattern, Inc., and Mattern & Craig, Inc., for parking garage inspection services. | P 134; R 136; R 137

7. REPORTS OF COMMITTEES:

a. Request of the Roanoke City School Board for appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Kenneth S. Mundy, Jr., Executive Director for Fiscal Services, Spokesperson.

P 138; B/O 142

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

a. A resolution expressing appreciation to citizens and employees of the City of Roanoke in connection with the flood event on September 28, 2004.

R 146

10. MOTIONS AND MISCELLANEOUS BUSINESS:

a. Inquiries and/or comments by the Mayor and Members of City Council.

b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

CERTIFICATION OF CLOSED SESSION.

THE COUNCIL MEETING WILL BE DECLARED IN RECESS UNTIL 7:00 P.M., IN THE CITY COUNCIL CHAMBER.

ROANOKE CITY COUNCIL
REGULAR SESSION

OCTOBER 18, 2004
7:00 P.M.

CITY COUNCIL CHAMBER

AGENDA

Call to Order -- Roll Call.

The Invocation will be delivered by Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Harris.

Welcome. Mayor Harris.

NOTICE:

The Council meeting will be televised live on RVTV Channel 3 to be replayed on Thursday, October 21, 2004, at 7:00 p.m., and Saturday, October 23, 2004, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

A. PUBLIC HEARINGS:

1. Request of Diana M. Aesy that four tracts of land located on Hollins Road and Georgia Avenue, N. E., identified as Official Tax Nos. 3061113, 3061114, 3061301, and 3061302, be rezoned from LM, Light Manufacturing District, to CN, Neighborhood Commercial District. Diana M. Aesy, Spokesperson.

   P 149; O 160

2. Request of Pheasant Ridge Real Estate Holdings, L.L.C., to amend proffered conditions presently binding upon a tract of land located on Pheasant Ridge Road, S. W., identified as Official Tax No. 5460124. Hunter D. Smith, Spokesperson.

   P 162; O 178

3. Request of CHS, Inc., that a portion of 22nd Street and Yellow Mountain Road, S. E., adjacent to property identified as Official Tax No. 4060601, be permanently vacated, discontinued and closed. David C. Helscher, Attorney.

   P 180; O 190

4. Request of CHS, Inc., that property located on McClanahan Street and Crystal Spring Avenue, S. W., identified as Official Tax Nos. 1040902 and 1040905, be rezoned from C-1, Office District, to INPUD, Institutional Planned Unit Development District. Robert B. Manetta, Attorney.

   P 193; O 202

5. Consideration of previously received applications for Federal funds made available through the Virginia Department of Transportation for transportation enhancement projects in Fiscal Year 2004-2005.

   P 204; R 210; R 212

B. UNFINISHED BUSINESS:

1. Williamson Road Area Plan as a component of Vision 2001-2020, the City's Comprehensive Plan. (The matter was tabled by Council on August 18, 2004.)

   P 214; O 297

C. OTHER BUSINESS:

1. Amendment of the City Code to implement certain changes to the City's Tax Exemption Program for rehabilitated real property.

   P 299; O 302

D. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

MOTION AND CERTIFICATION WITH RESPECT TO CLOSED MEETING

FORM OF MOTION:

I move, with respect to any Closed Meeting just concluded, that each member of City Council in attendance certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the members of Council in attendance.

PLEASE NOTE:

1. **The forgoing motion shall be made in open session at the conclusion of each Closed Meeting.**

2. **Roll call vote included in Council's minutes is required.**

3. **Any member who believes there was a departure from the requirements of subdivisions (1) and (2) of the motion shall state prior to the vote the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of City Council.**

Office of the Mayor

CITY OF ROANOKE

Proclamation

WHEREAS, *the City of Roanoke is committed to the future of our infants and children; and*

WHEREAS, *childhood lead poisoning is a silent, but very harmful environmental illness, and the number one preventable environmental threat to Virginia's children; and*

WHEREAS, *lead is a potent neurotoxin that can cause delayed development, learning disabilities, cognitive and behavior disorders, hyperactivity and, at very high levels, organ damage and death; and*

WHEREAS, *children who are under the age of six years and who live in pre-1978 housing are considered to be a high risk for lead poisoning; and*

WHEREAS, *the only way to know if a child has lead poisoning is through a blood lead test performed by a qualified medical professional; and*

WHEREAS, *lead poisoning can be prevented by removing lead hazards from a child's environment and by educating the public about lead poisoning prevention; and*

WHEREAS, *efforts to promote lead poisoning prevention and awareness will be observed throughout the Commonwealth of Virginia and the nation during the week of October 17 – 23, 2004.*

NOW, THEREFORE, I, *C. Nelson Harris, Mayor of the City of Roanoke, Virginia, call upon all citizens, families, agencies and businesses to observe this important event by learning more about childhood lead poisoning by identifying local lead hazards and eliminating them, and by ensuring that all children under the age of six who are at risk for lead poisoning receive a blood lead test, and do hereby proclaim the week of October 17 – 23, 2004, throughout this great All-America City, as*

CHILDHOOD LEAD POISONING PREVENTION WEEK.

Given under our hands and the Seal of the City of Roanoke this fifteenth day of October in the year two thousand and four.

ATTEST:

Mary F. Parker

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor

Office of the Mayor

CITY OF ROANOKE

Proclamation

WHEREAS, *an average of nearly three children die each day in home fires; and*

WHEREAS, *80 per cent of fire deaths involving children occur in homes without working smoke alarms; and*

WHEREAS, *by providing early warning and critical extra seconds to escape, smoke alarms double a family's chances of getting out of a home fire alive — but only if they work; and*

WHEREAS, *Roanoke Fire-EMS has joined with the International Association of Fire Chiefs and Energizer Battery to remind citizens to change the batteries in their smoke alarms when they change the time on their clocks back to standard time on October 31, 2004.*

NOW, THEREFORE, I, *C. Nelson Harris, Mayor of the City of Roanoke, Virginia, encourage all citizens to educate their fellow citizens and loved ones on the vital importance of working smoke alarms in protecting families against the devastating effects of home fires and, do hereby proclaim Sunday, October 31, 2004, throughout this great All-America City, as*

"CHANGE YOUR CLOCK, CHANGE YOUR BATTERY" DAY.

Given under our hands and the Seal of the City of Roanoke this eighteenth day of October in the year two thousand and four.

ATTEST:

Mary F. Parker

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor

REGULAR WEEKLY SESSION----ROANOKE CITY COUNCIL

August 16, 2004

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, August 16, 2004, at 2:00 p. m., the regular meeting hour, in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 36762-070604 adopted by Council on Tuesday, July 6, 2004, which established the meeting schedule for the fiscal year commencing July 1, 2004, and ending June 30, 2005.

PRESENT: Council Members Brenda L. McDaniel, Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., and Mayor C. Nelson Harris----------6.

ABSENT: Council Member Sherman P. Lea----------1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Ann H. Shawver, Deputy Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by The Reverend David Walton, Pastor, Belmont Presbyterian Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

PROCLAMATIONS: The Mayor presented a proclamation to Mr. Brian Wilson declaring Friday, August 27, 2004, as Hokie Pride Day.

ACTS OF ACKNOWLEDGEMENT-DOWNTOWN ROANOKE, INCORPORATED: David Diaz, Executive Director, Downtown Roanoke, Inc., and Mike Dittrich, Board Chair, Downtown Roanoke, Inc., advised that the Golden Trowel Award was presented to the City of Roanoke at the Annual Meeting of Downtown Roanoke, Inc., on August 10, 2004, as owner of a warehouse building that was converted into office space through a partnership with Carilion Health System and the Roanoke Valley Development Corporation, as an initiative to locate more businesses in the downtown Roanoke area.

He stated that the Golden Trowel Award has been presented by Downtown Roanoke, Inc., for the past 37 years in recognition of those persons and organizations that have made outstanding improvements to buildings in the downtown area.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to seven requests for Closed Session.

MINUTES: Minutes of the regular meeting of Council held on Monday, June 21, 2004, were before the body.

Mr. Fitzpatrick moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick, and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

COMMITTEES-CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Fitzpatrick moved that Council concur in the request of the Mayor to convene in a Closed Meeting as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

PURCHASE/SALE OF PROPERTY-CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Fitzpatrick moved that Council concur in the request of the City Manager to convene in a Closed Meeting as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

PURCHASE/SALE OF PROPERTY-CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Fitzpatrick moved that Council concur in the request of the City Manager to convene in a Closed Meeting as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

PURCHASE/SALE OF PROPERTY-CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Fitzpatrick moved that Council concur in the request of the City Manager to convene in a Closed Meeting as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

PURCHASE/SALE OF PROPERTY-CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Fitzpatrick moved that Council concur in the request of the City Manager to convene in a Closed Meeting as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

PURCHASE/SALE OF PROPERTY-CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Fitzpatrick moved that Council concur in the request of the City Manager to convene in a Closed Meeting as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

PURCHASE/SALE OF PROPERTY-CITY COUNCIL: A communication from Council Member Brian J. Wishneff requesting that Council convene in a Closed Meeting to discuss acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Fitzpatrick moved that Council concur in the request of Council Member Wishneff to convene in a Closed Meeting as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

COMMITTEES-COMMUNITY PLANNING-TOWING ADVISORY BOARD: A report of the City Clerk advising of the qualification of the following persons, was before Council.

William F. Clark as a member of the Towing Advisory Board, for a term ending June 30, 2007; and

M. Rupert Cutler as a member of the Roanoke Valley Area Metropolitan Planning Organization, to fill the unexpired term of former Council Member William D. Bestpitch, ending June 30, 2005.

Mr. Fitzpatrick moved that the report of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick, and Mayor Harris----------6.

NAYS: NONE----------0.

(Council Member Lea was absent.)

REGULAR AGENDA

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

COMMONWEALTH'S ATTORNEY: Donald S. Caldwell, Commonwealth's Attorney, advised that the Commonwealth Attorney's Office administers a cost collection function which is geared toward collecting delinquent fines and costs owed to the Commonwealth of Virginia and to the City of Roanoke. He stated that a vast majority of persons who come through the court system pay their fines and court costs; however, approximately ten per cent do not which is the ten per cent that the Cost Collection Unit was designed to address. He advised that the program is now in its 11th year of formal cost collection, over $600,000.00 was collected this year in unpaid fines and costs, approximately $75,000.00 will be returned to the City of Roanoke, and the program, which is entirely self-sufficient, pays for itself.

(See Annual Report on file in the City Clerk's Office.)

BUDGET-COMMONWEALTH'S ATTORNEY-GRANTS: A communication from Donald S. Caldwell, Commonwealth's Attorney, advising that Federal funding was made available to the Commonwealth of Virginia to be used for development of several Multi-Jurisdictional Special Drug Prosecutors statewide; the positions were developed to coordinate prosecutorial efforts among independent jurisdictions, reduce fractional and duplicate prosecutions, enhance recovery of criminal assets, utilize Federal, State and local resources to assure maximum prosecutorial effectiveness and to provide specialized prosecutorial resources to the regional drug enforcement effort; the Commonwealth's Attorneys of the Counties of Craig, Franklin, and Roanoke, and the Cities of Roanoke and Salem applied on October 9, 1987, to the Commonwealth's Attorneys' Services Council, the State agency responsible for administration of the grant money to fund the Multi-Jurisdictional Special Drug Prosecutor position; Council accepted the Multi-Jurisdictional Special Drug Prosecutor Grant in April, 1988, and a full-time Special Drug Prosecutor was hired in July, 1988; and annual re-application for funding is required.

It was further advised that on April 15, 1994, funding for the Drug Prosecutor's Office was transferred from the Commonwealth's Attorneys' Services Council to the Compensation Board; the Compensation Board approved funding for the Drug Prosecutor, in the amount of $87,917.00 on June 17, 2004, and funding will continue through June 30, 2005; the local match is $24,920.00, for a total of $112,847.00; and funding for the local share is available in General Fund-Transfer to Grant Fund, Account No. 001-250-9310-9535.

The Commonwealth's Attorney recommended that Council accept funding from the Compensation Board, in the amount of $87,917.00, with the City providing a local match of $24,930.00; authorize the City Manager to execute the necessary documents to obtain funding from the Compensation Board; appropriate $87,917.00 in State grant funds and establish a corresponding revenue estimate in accounts to be established by the Director of Finance in the Grant Fund; and transfer $24,930.00 from the General Fund Transfer to Grant Fund, Account No. 001-250-9310-9535, to the above referenced Grant Fund account.

A communication from the City Manager recommending that Council concur in the request of the Commonwealth's Attorney, and authorize the City Manager to execute the necessary documents to obtain funding from the Compensation Board, was also before the body.

Mr. Dowe offered the following budget ordinance:

(#36804-081604) AN ORDINANCE to appropriate funding for the Regional Drug Prosecutor Grant, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 59.)

Mr. Dowe moved the adoption of Ordinance No. 36804-081604. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

Mr. Fitzpatrick offered the following resolution:

(#36805-081604) A RESOLUTION authorizing the acceptance of funding for the regional drug prosecutor's office from the Compensation Board of the Commonwealth of Virginia and authorizing the acceptance, execution and filing of appropriate documents to obtain such funds.

(For full text of Resolution, see Resolution Book No. 69, Page 60.)

Mr. Fitzpatrick moved the adoption of Resolution No. 36805-081604. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

BUDGET-COMMONWEALTH'S ATTORNEY: A communication from Donald S. Caldwell, Commonwealth's Attorney, advising that in an effort to better fund law enforcement efforts to fight crime, particularly drug crime, in 1986, the Federal government adopted a system of asset forfeiture whereby forfeited assets, under certain conditions, could be returned to local law enforcement agencies, police and prosecutors, for use in their fight against crime; in July, 1991, the Virginia asset forfeiture statute, which generally is patterned after the Federal statute, took effect providing that forfeited criminal assets may be returned to local police and prosecutors for use in the fight against crime; periodically, assets seized as evidence are ordered forfeited by the local courts to the police or the Office of the Commonwealth's Attorney to be used for criminal law enforcement efforts; and in August, 1991, a grant fund account for cash assets forfeited to the Commonwealth's Attorney was established, with an appropriation of $25,000.00.

The City Manager further advised that since August, 1991, the Office of the Commonwealth's Attorney has expanded the $25,000.00 originally appropriated, and periodically receives additional funds from the State's asset sharing program; grant requirements include that funds be placed in an interest bearing account and interest earned to be used in accordance with program guidelines; revenues collected through June 30, 2004, for the grant are $188,255.00; and interest collected through June 30, 2004, is $16,987.00; funding in excess of the revenue estimate totals $20,001.00, and needs to be appropriated; and funds must be appropriated before they can be expended for law enforcement.

The Commonwealth's Attorney recommended that Council adopt a budget ordinance to increase the revenue estimates for Forfeited Criminal Assets, Account No. 035-150-5140-7107, and Federal Criminal Assets Interest, Account No. 035-150-5140-7275, in the amounts of $19,112.00 and $889.00 respectively, and appropriate funding to Forfeited Criminal Assets, Account No. 035-150-5140 in the Grant Fund.

A communication from the City Manager recommending that Council concur in the request of the Commonwealth's Attorney, was also before the body.

Mr. Dowe offered the following budget ordinance:

(#36806-081604) AN ORDINANCE to appropriate funds for Forfeited Criminal Assets, amending and reordering certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 61.)

Mr. Dowe moved the adoption of Ordinance No. 36806-081604. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: See pages 186 and 189.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-STREETS AND ALLEYS-TRAFFIC: The City Manager submitted a communication advising that the City intends to make improvements at the intersection of Dale Avenue and Vernon Street to address traffic concerns; businesses, whose employees stand to benefit from a new traffic signal, have contributed funds toward construction cost of the project; Parts Depot and its landlord have jointly contributed $50,000.00 and Hooker Furniture has contributed $30,000.00, and funds have been recorded as revenues in the Capital Projects Fund; the City is preparing to enter into a contract for signal installation and the above referenced funds will be needed to accomplish the work; and additional funds already in the Capital Projects Fund budget will be added to the amount to fulfill the total project cost of approximately $93,000.00.

The City Manager recommended that Council appropriate $80,000.00 to an account to be established by the Director of Finance in the Capital Projects Fund entitled, "Dale Avenue and Vernon Street Intersection Improvements"; establish revenue estimates for those amounts received from third parties as above described; and transfer $13,000.00 from Traffic Signals, Account No. 088-530-9812-9001, to a new account.

Mr. Fitzpatrick offered the following ordinance:

(#36807-081604) AN ORDINANCE to appropriate funding from third parties for the Dale Avenue and Vernon Street Intersection Improvements Project, amending and reordaining certain sections of the 2004-2005 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 62.)

Mr. Fitzpatrick moved the adoption of Ordinance No. 36807-081604. The motion was seconded by Mr. Dowe.

The City Manager advised that this represents an excellent example of City staff working with private businesses to improve an intersection; the City is pleased to be a partner in the venture, and the majority of funding will come from two private businesses whose employees and vendors will benefit, as well as the general community.

Ordinance No. 36807-081604 was adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

HOUSING/AUTHORITY-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that under an agreement, effective July 1, 2002, the Roanoke Redevelopment and Housing Authority (RRHA) has been one of two lead housing agencies for the *Southeast By Design* project; the RRHA is continuing to conduct homeowner rehabilitation activities under the agreement, which is scheduled to end on December 31, 2004; the 2004-2005 Consolidated Plan Annual Update approved by Council on May 13, 2004, set aside up to $260,000.00 in Community Development Block Grant (CDBG) funds to assist the RRHA and Blue Ridge Housing Development Corporation (BRHDC), the other lead housing agency, with its project-related overhead costs for the period from July 1 through December 31, 2004; Council appropriated the necessary funding on June 21, 2004, pursuant to Ordinance No. 36719-062104; and of the funds set aside, the RRHA has requested $69,236.00 for its estimated overhead costs for the six-month period.

It was further advised that Section 2-124 of the Code of the City of Roanoke (1979) as amended, authorizes the City Manager to directly execute amendments of up to $25,000.00 to Federally assisted subgrant agreements;

in order for the RRHA to access additional funding for overhead costs, approval by Council is needed to amend the current agreement; currently, the RRHA agreement includes a total of $1,471,162.00 in CDBG and HOME investment Partnership Program (HOME) funds for Southeast project activities; and when amended, CDBG and HOME funding will total $1,540,398.00.

The City Manager called attention to a separate report addressing project-related overhead costs for BRHDC for the six-month period; taking BRHDC's estimated overhead request into account, it is expected that a balance of approximately $78,000.00 will remain of the $260,000.00 set aside, which may be required for overhead costs related to RRHA and BRHDC housing activities to be undertaken in Gainsboro, the next neighborhood in which agency efforts will be concentrated; and any balance remaining thereafter will become available for other eligible uses.

The City Manager recommended that she be authorized to execute Amendment No. 2 to the 2002-2003 CDBG/HOME Agreement with the RRHA, to be approved as to form by the City Attorney.

Mr. Fitzpatrick offered the following resolution:

(#36808-081604) A RESOLUTION authorizing the appropriate City officials to execute Amendment No. 2 to the Agreement dated July 1, 2002, with the Roanoke Redevelopment and Housing Authority to conduct activities using Community Development Block Grant and HOME Investment Partnerships Program funds, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 69, Page 63.)

Mr. Fitzpatrick moved the adoption of Resolution No. 36808-081604. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

HOUSING/AUTHORITY-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that pursuant to an agreement effective July 1, 2002, the Blue Ridge Housing Development Corporation (BRHDC) has been one of two lead housing agencies for the *Southeast By Design* project; the BRHDC is continuing to conduct homeowner rehabilitation activities under the agreement, which is scheduled to end on December 31, 2004; the 2004-2005 Consolidated Plan Annual Update approved by Council on May 13, 2004,

set aside up to $260,000.00 in Community Development Block Grant (CDBG) funds to assist BRHDC and the Roanoke Redevelopment and Housing Authority (RRHA), the other lead housing agency, with project-related overhead costs for the period from July 1 through December 31, 2004; Council appropriated the necessary funds on June 21, 2004, pursuant to Ordinance No. 36719-062104; and of funds set aside, the BRHDC has requested $112,722.00 for estimated overhead costs for the six-month period.

It was further advised that Section 2-124 of the Code of the City of Roanoke (1979) as amended, authorizes the City Manager to directly execute amendments of up to $25,000.00 to Federally assisted subgrant agreements; in order for the BRHDC to access additional funding for overhead costs, approval is needed by Council to amend the current agreement; currently, the BRHDC agreement includes a total of $1,300,697.00 in CDBG and HOME investment Partnership Program (HOME) funds for Southeast project activities; and when amended, CDBG and HOME funding will total $1,413,419.00.

The City Manager called attention to a separate report addressing project-related overhead costs for the Roanoke Redevelopment and Housing Authority (RRHA) for the six-month period; taking RRHA's estimated overhead request into account, it is expected that a balance of approximately $78,000.00 will remain of the $260,000.00 set aside, which may be required for overhead costs related to RRHA and BRHDC housing activities to be undertaken in Gainsboro, the next neighborhood in which agency efforts will be concentrated; and any balance remaining will become available for other eligible uses.

The City Manager recommended that she be authorized to execute Amendment No. 2 to the 2002-2003 CDBG/HOME Agreement with the BRHDC, to be approved as to form by the City Attorney.

Mr. Cutler offered the following resolution:

(#36809-081604) A RESOLUTION authorizing the appropriate City officials to enter into Amendment No. 2 to the 2002-2003 Community Development Block Grant Program/HOME Agreement with the Blue Ridge Housing Development Corporation to provide for increased funding for project-related overhead costs for the period from July 1 through December 31, 2004, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 69, Page 64.)

Mr. Cutler moved the adoption of Resolution No. 36809-081604. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

COMMUNITY PLANNING-GRANTS-TOTAL ACTION AGAINST POVERTY: The City Manager submitted a communication advising that Business Seed Capital, Inc. (BSCI), originated in 1994 as the TAP Business Seed Loan Program, and was incorporated as a separate non-profit organization in 2002; since its origin with TAP ten years ago, BSCI has assisted over 1,200 persons with business development training, over 550 persons with one-on-one counseling, over 50 new businesses with loans totaling $534,400.00, and over 220 persons with starting or strengthening a business; on May 13, 2004, Council authorized BSCI's Micro-Loan Program, pursuant to Resolution No. 36695-051204, which approved the City's 2004-2005 Annual Update to the Consolidated Plan for submission to the U. S. Department of Housing and Urban Development; Council accepted 2004-2005 CDBG funds on June 21, 2004, pursuant to Ordinance No. 36719-062104 and Resolution No. 36720-062104, pending receipt of an approval letter from HUD; and the approval letter will be issued when Congress completes its routine release process, which is now underway.

It was further advised that in order that BSCI may conduct its approved 2004-2005 Micro-Loan Program, authorization by Council is needed to execute a subgrant agreement; necessary CDBG funding is available in accounts listed in an attachment to the communication; a total of $100,000.00 will be provided to BSCI to offer micro-loans to entrepreneurs for economic development; and it is anticipated that at least 30 jobs will be created and/or retained, of which at least 51% (16) will be held by or made available to low-to moderate-income persons.

The City Manager recommended that she be authorized to execute the 2004-2005 CDBG Subgrant Agreement with BSCI, to be approved as to form by the City Attorney.

Mr. Dowe offered the following resolution:

(#36810-081604) A RESOLUTION authorizing the City Manager to enter into a 2004-2005 Community Development Block Grant (CDBG) Subgrant Agreement with Business Seed Capital, Inc., upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 69, Page 65.)

Mr. Dowe moved the adoption of Resolution No. 36810-081604. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

HOUSING/AUTHORITY-COMMUNITY PLANNING-GRANTS: The City Manager submitted a communication advising that convenient access to healthcare services is among the needs that residents of the City's southeast neighborhoods rate most highly; as a part of the *Southeast...by Design* (SEBD) project, Blue Ridge Housing Development Corporation (BRHDC) has acquired property for housing purposes; the Southeast Roanoke Healthcare Commission has requested that BRHDC provide one of the vacant, undeveloped parcels that it has acquired with private funds for use as the site of a future healthcare center; BRHDC is agreeable to doing so, provided that it is reimbursed for acquisition, transfer and related costs of approximately $15,000.00; the City is agreeable to the costs being reimbursed from Federal Community Development Block Grant (CDBG) funds already available in Account No. 035-G04-0420-5354 under the City-BRHDC SEBD contract; however, neither the City's current Consolidated Plan nor the contract make provision for such use of CDBG funds; therefore, it is necessary for Council to approve an amendment to the Consolidated Plan as a prerequisite to amending the City-BRHDC contract for this purpose.

It was explained that the change to the Consolidated Plan constitutes a substantial amendment, which requires a 30-day public comment period; the period began on July 15, 2004, and ends at 5:00 p.m. on August 16, 2004; no objections have been received to date; plan amendment will become effective upon expiration of the comment period, should no compelling objections be received; it is expected that BRHDC will maintain possession of the selected parcel until the Commission is legally constituted to hold title to the property, or until another appropriate entity is identified or a mechanism is devised; and the instrument to be used for transfer will provide the necessary assurances to the City that the property will be used for the intended purpose within a reasonable period of time, or shall be returned to the City for a housing or other suitable community purpose.

The City Manager recommended that Council approve amendment of the City's Consolidated Plan to allow the use of CDBG funds to reimburse BRHDC for the cost of a property intended for a Southeast Healthcare Center, and authorize the City Manager to execute and submit the necessary documents, to be approved as to form by the City Attorney, to the United States Department of Housing and Urban Development.

Mr. Dowe offered the following resolution:

(#36811-081604) A RESOLUTION authorizing the appropriate City officials to execute an amendment to the Consolidated Plan for FY 2004-2005, providing for the use of Community Development Block Grant funds to reimburse Blue Ridge Housing Development Corporation for the cost of a vacant, undeveloped parcel intended to be used as the site for a future healthcare center, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 69, Page 66.)

Mr. Dowe moved the adoption of Resolution No. 36811-081604. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

CITY PROPERTY-LEASES-SCHOOLS-CHURCH AVENUE PARKING GARAGE: The City Manager submitted a communication advising that the Roanoke City Public Schools ("Schools") has leased property located at 107 Church Avenue, S. W., from the City of Roanoke for the last 20 years for operation of the C.I.T.Y School Program; and no agreement is currently in place between the City and the Schools; however, both parties desire to enter into a lease agreement setting forth the terms and conditions of the lease.

It was further advised that the proposed agreement permits the Schools to lease space located in the Church Avenue Parking Garage for five years, with one five-year renewal option; according to the proposed agreement, the Schools would be responsible for maintaining and repairing all plumbing, heating, air conditioning, electrical and any other appliance or equipment associated with the property during the lease term and any renewals; and rent will be $1.00 per year, with no parking to be included in the agreement.

The City Manager recommended that she be authorized to execute the appropriate documents, to be approved as to form by the City Attorney, to lease space at 107 Church Avenue, S. W., to the Roanoke City Public Schools for operation of the C.I.T.Y. School program.

Mr. Dowe offered the following ordinance:

(#36812-081604) AN ORDINANCE authorizing the City Manager to enter into an agreement with Roanoke City Public Schools for the lease of space in the Church Avenue Parking Garage, located at 107 Church Avenue,

for the term of five years, with one five year renewal option, for the operation of the CITY School program, upon certain terms and conditions; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 69, Page 67.)

Mr. Dowe moved the adoption of Ordinance No. 36812-081604. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

BUDGET-CITY INFORMATION SYSTEMS-SCHOOLS-WATER RESOURCES: The City Manager submitted a communication advising that the Roanoke City Public School System is participating with the City of Roanoke to upgrade financial and HR/payroll applications in support of Council's objective of improving application integration; the School system previously committed $1.5 million toward the cost of implementing new software programs; and, in addition, the School system is interested in adopting Lotus Notes applications currently used in the City, including E-Mail, Applicant Tracking, Position Control and Employee Self-Service.

It was further advised that the City's Department of Technology (DoT) will implement the above referenced applications to 25 administrative staff in the School system, and the Schools will fund hardware and network upgrades to support the applications; the School system has agreed to a $3,000.00 monthly chargeback from the City to cover on-going computer support costs; and the Western Virginia Water Authority currently uses Lotus Notes and other City applications with support from DoT.

It was explained that the communication seeks authorization for adoption of a new chargeback to Roanoke City Public Schools, and increases the current Water Authority chargeback, to fund a permanent position to provide computer support to the School system and to the Water Authority; a full time support position is needed due to an increase in the number of users and applications which cannot be supported with existing staff; by adopting existing City applications, the Schools will save the cost of developing or purchasing similar applications; the Schools can also leverage the City's organizational support instead of creating support positions, and communications between City and School administrative staff will be greatly enhanced by virtue of using the same e-mail system.

The City Manager recommended that Council authorize addition of an Information Center Technician position in the Department of Technology, to provide on-going system support; authorize the Director of Finance to increase the revenue estimate in the DoT fund in the amount of $7,500.00 from the Water Authority, and establish a revenue estimate in the amount of $31,500.00 for the remainder of the fiscal year from charges to the City Schools for support of computer systems; and appropriate the following funds:

Account	Object	Amount
Regular Employee Salaries	1002	$29,377.00
City Retirement	1105	2,798.00
ICMA Match	1116	650.00
FICA	1120	2,239.00
Hospitalization Insurance	1125	3,300.00
Dental Insurance	1126	221.00
Life Insurance	1130	333.00
Disability Insurance	1131	82.00
Total		$39,000.00

(Revenue and associated expenditure amounts will be adjusted during the annual budgeting process to reflect a full year of activity for each fiscal year thereafter.)

Mr. Cutler offered the following budget ordinance:

(#36813-081604) AN ORDINANCE to appropriate funding for and provide approval of an additional position for computer support of the Water Authority and Schools and establish an internal billing revenue, amending and reordaining certain sections of the 2004-2005 Department of Technology Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 68.)

Mr. Cutler moved the adoption of Ordinance No. 36813-081604. The motion was seconded by Ms. McDaniel and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

CITY ATTORNEY:

CITY CODE-LEGISLATION: The City Attorney submitted a written report advising that recent changes to the Code of Virginia (1950), as amended ("Virginia Code"), by the State legislature have restricted the City's ability to regulate pneumatic guns; whereupon, he transmitted copy of §15.2-915.4 of the Virginia Code, effective July 1, 2004, which provides that such guns are defined in the statute as "any implement, designed as a gun, that will expel a BB or a pellet by action of pneumatic pressure" and includes guns commonly known as, "paintball guns"; prior to amendment to the Virginia Code, the City prohibited the discharge of such guns anywhere within the City limits; however, the State now requires that localities permit the discharge of such guns within certain areas, i.e.: approved shooting ranges and other property where firearms may be discharged.

The City Attorney further advised that in order to bring the City Code into conformance with Virginia Code enabling legislation, it is recommended that Council adopt the appropriate City Code revision.

Mr. Cutler offered the following ordinance:

(#36814-081604) AN ORDINANCE amending §21-81, Discharge of air gun, gravel shooter, etc., to Article III, Weapons, of Chapter 21, Offenses - Miscellaneous, of the Code of the City of Roanoke (1979), as amended, to regulate the discharge of certain guns and devices in the City; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 69, Page 69.)

Mr. Cutler moved the adoption of Ordinance No. 36814-081604. The motion was seconded by Ms. McDaniel.

Mr. Steven Blecher, 2643 Beverly Boulevard, S. W., inquired if paint ball guns are in the same classification as air rifles; whereupon, the City Attorney advised that it is proposed to amend the City Code in order to be consistent with changes in State enabling legislation that became effective on July 1, 2004, by adopting a new definition for "pneumatic guns" which the Commonwealth of Virginia defines as including any implement designed as a gun that will expel a BB or a pellet by action of pneumatic pressure, and the term also includes a paint ball gun.

Mr. Blecher raised other questions in regard to the proposed City Code amendment; whereupon, the Mayor suggested that he confer with the City Attorney following the Council meeting.

Ordinance No. 36814-081604 was adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

DIRECTOR OF FINANCE:

AUDITS/FINANCIAL REPORTS: The Deputy Director of Finance submitted a written report of the Director of Finance advising that fiscal year 2004 has come to a close; whereupon, she presented the fiscal year 2004 unaudited financial report, which financial data is subject to change during the course of the external audit, and audited financial statements will be presented to Council at the first meeting in December.

She advised that revenue estimate from all sources was $206,581,058.00, while actual collections totaled $207,166,265.00; and General Fund revenues exceeded the estimate by .28 per cent, or $585,207.00.

The Deputy Director of Finance stated that Council adopted Ordinance No. 26292 on December 6, 1982, which established a reserve of General Fund balance for CMERP, specifically for maintenance and replacement of capital equipment; and computed per the requirements of Ordinance No. 26292, CMERP for fiscal year 2004 for the City is $1,501,240.00 and $766,981.00 for the schools, for a total of $2,268,221.00, or 1.1 per cent of General Fund appropriations.

General Fund Designated Fiscal year 2004 CMERP

City Allocation	$ 1,501,240.00
School Allocation	766,981.00
Total General Fund CMERP	$ 2,268,221.00

Ms. Shawver explained that the School Board will receive a portion of the General Fund CMERP, per the revenue sharing agreement with the Schools, and also retain the CMERP generated in the School Fund, which is consistent with the method of allocating CMERP between the City and School Funds in prior years; General Fund CMERP allocated to the Schools is $766,981.00; the amount of CMERP generated by the School Fund is $704,354.00, or .6 per cent of School Fund Appropriations; and total CMERP available to the Schools in both the General Fund and the School Fund is $1,471,335.00.

School Fund Designated Fiscal Year 2004 CMERP

School Share of General Fund CMERP	$ 766,981.00
School Fund CMERP	704,354.00
Total School CMERP	$ 1,471,335.00

Council Member Dowe expressed appreciation to the City's leadership, specifically the Department of Finance, for assisting Council in addressing requests from citizens for service without increasing taxes. He encouraged City staff to continue their efforts to identify other areas where City government can operate as efficiently as possible.

Upon question by Council Member Cutler, the Deputy Director of Finance advised that both the City of Roanoke and Roanoke County impose a 12 per cent utility tax on water service, the tax is ongoing and will be transferred to the Western Virginia Water Authority to fund operations for water service, and no State surcharges have been added to local sewer and water bills to date by the General Assembly.

Council Member Wishneff advised that the deficit in the Civic Facilities Fund and the Market Building Fund is higher this year compared to last year and inquired if a plan is in place to address the issue.

With reference to the Civic Center budget, the City Manager advised that the subsidy to the Civic Center for this year was increased in an effort to accommodate certain staffing needs that were reduced over the past several years to the detriment of the maintenance and upkeep of the facility, and there is also a financial impact associated with the loss of the hockey team. With regard to the Market Building Fund, she called attention to vacant space in the City Market Building that has not been rented for an extended period of time and it is hoped when the heating and air conditioning upgrade is completed in the Market Building, that the level of comfort will be improved and the space will be rented. She advised that over an extended period of time the company operating the City Market Building has negotiated with tenants on the common area maintenance fee, which increased significantly over previous years as a result of the City undertaking the expense of numerous repairs that should have been made in the past but were avoided; and even though the City owned the building, the City has now become more visible in its operation which has spurred tenants to make more requests of the City than were made of the previous management firm. She stated that a plan is in place to address future years.

Following further discussion, without objection by Council, the Mayor advised that the report would be received and filed.

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting that Council approve the following appropriations, was before the body.

- $169,550.00 for the Addison Community Learning Center. The funds will be used to address the critical attendance, academic and parental involvement needs of the community in a safe, supervised, and nurturing environment, with 100 per cent to be reimbursed by Federal funds.

- $62,600.00 for the Patrick Henry Youth Court, to provide for the supervision and necessary materials to continue the school-based youth court at Patrick Henry High School, with 100 per cent to be reimbursed by Federal funds.

- $15,000,000.00 for Phase I construction costs of the Patrick Henry High School Project, with funds to be provided by City bond funds.

The Director of Finance submitted a written report recommending that Council concur in the request.

Mr. Cutler offered the following budget ordinance:

(#36815-081604) AN ORDINANCE to appropriate funding for the Addison Community Learning Center, Patrick Henry Youth Court and Patrick Henry High School Project, amending and reordaining certain sections of the 2004-2005 School and School Capital Projects Funds Appropriations and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 71.)

Mr. Cutler moved the adoption of Ordinance No. 36815-081604. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

BONDS/BOND ISSUES-SCHOOLS: A communication from the Roanoke City School Board advising that as a result of official School Board action on August 10, 2004, the School Board adopted a resolution to participate in the 2004 Interest Rate Subsidy Program Bond Issue, the proceeds of which will be used in lieu of the Literary Fund loan approved by the State for the Lincoln Terrace Elementary School project; and the School Board will pay debt service on the VPSA Interest Rate Subsidy Bond Issue, was before the Council.

It was further advised that use of the bond issue provides:

- An interest rate of three per cent-the same as the Literary Fund loan rate.
- The debt will not count against the $20 million Literary Fund loan debt ceiling for the locality.
- The first debt service payment will not be due until the 2005-06 fiscal year.

The School Board requested that Council adopt a resolution indicating that the City of Roanoke wishes to participate in the VPSA bond issue, and if the application is approved by the VPSA Board, Council will be requested to hold a public hearing and act on other procedural matters that may be required for participation in the VPSA bond issue.

Mr. Dowe offered the following resolution:

(#36816-081604) A RESOLUTION authorizing and directing the City Manager to file an application with the Virginia Public School Authority seeking bond financing in an amount estimated not to exceed $1,300,000.00 to finance certain capital improvements to Lincoln Terrace Elementary School, previously approved pursuant to Resolution No. 36138-111802 and No. 36139-111802, adopted by the Council at its November 18, 2002, meeting.

(For full text of Resolution, see Resolution Book No. 69, Page 73.)

Mr. Dowe moved the adoption of Resolution No. 36816-081604. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

CITY EMPLOYEES: Council Member Dowe commended participation by Virginia Tech and the City of Roanoke in the Emerging Leaders Workshop which was recently held at The Hotel Roanoke and Conference Center and was attended by top African-American students from historically black colleges and universities throughout the country. He also commended the City of Roanoke on its recruitment efforts during the workshop.

SCHOOLS: Council Member Wishneff expressed appreciation to the Roanoke City School Board for committing to increase the amount of funds allocated for school safety.

TRAFFIC-COMMISSIONER OF THE REVENUE: Vice-Mayor Fitzpatrick requested that the Commissioner of the Revenue be encouraged to use the City's new branding image on 2005 City of Roanoke vehicle decals; whereupon, the Mayor advised that he would communicate the request of Council to the Commissioner of the Revenue.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

COMMITTEES-ARMORY/STADIUM: Ms. Pat Lawson, 1618 Riverside Terrace, S. E., requested that Council appoint Ms. Alice Hincker to the Stadium Study Committee.

CITY MANAGER COMMENTS: NONE.

At 3:10 p.m. the Mayor declared the Council meeting in recess for two briefings by the City Manager and seven Closed Sessions. The meeting immediately reconvened in the Council's Conference Room.

CITY EMPLOYEES: The City Manager introduced a briefing on the Employee Development Program. She advised that the City of Roanoke has invested a considerable amount of time and resources in the development of its employee workforce and it is appropriate to share with Council the myriad of activities that are currently underway to ensure that City employees not only have the benefit of

multi-opportunities to progress in their own career, but that the City organization is ready for whatever the future holds in terms of vacancies and other opportunities, etc. She stated that in the past, concerns have been expressed that the City of Roanoke goes outside of the City organization to fill certain key positions, therefore, to address that concern, the City has embarked on an ambitious and worthwhile program that has seen tremendous progress and could be emulated by other localities.

Kenneth S. Cronin, Director, Human Resources, advised that the goals of employment development are to improve the quality of services provided to citizens, to prepare employees for career opportunities within the City; to "grow our own" and "increase our bench strength"; to support employee development at all levels of the organization; to prepare future leaders; and to review employee development goals at least annually in the performance appraisal process.

He advised that the City's program provides for new employee orientation; general and technology course offerings at the Employee Learning Center; on the job training provided in departments, i.e.: public safety academies, field training officer, introduction to department operations, learning a new filing system and understanding departmental policies and procedures; the Tuition Assistance Program allows pre-payment for courses and covers courses outside of the employee's primary job area; and, in addition to the Employee Development Program, other programs include Foundations for Leadership Excellence, Leading Educating and Developing, Senior Executive Institute, Leadership Development Initiative, and Leadership Roanoke Valley.

Mr. Cronin reviewed the following programs:

- Employee Development program - Initiated in 2001, is open to all employees, offers education and development planning, skill and interest inventories, one-on-one coaching and access to a variety of educational venues; 93 employees participate (52 per cent women and 42 per cent minorities); ten employees have secured new positions, 14 employees have enrolled in degree programs and 33 employees have completed formal development plans.

- Foundation for Leadership Excellence Program - An entry-level, one week introduction to leadership for new and prospective supervisors since 1990; the program is on-site at the Employee Learning Center; emphasis is placed on work planning, delegation and employee motivation; there is a target audience of over 250 supervisors and team leaders; the City's goal is to have all new supervisors participate; and a new partnership with Ferrum College will be initiated in 2004 that provides college credit.

- Leading, Educating and Developing (LEAD) Program-An experimental program designed to renew leadership practices and to create organizational changes, emphasizing democratic principles and systems thinking; the program is delivered through The Weldon-Cooper Center at the University of Virginia; approximately 54 City employees have attended the week-long residential program since 1990; and in 2004, a LEAD Alumni Group was formed to inculcate and expand practices through the organization.

- Leadership Roanoke Valley Program - An interactive ten month program which is intended to help participants better understand issues facing the Roanoke region; creative ideas and approaches help to build leadership skills and show participants how to make a difference in business and the community; monthly programs are created, organized, funded and facilitated by participants under the guidance of curriculum counselors; and programs address economic development, technology, education, Quality of life and community involvement.

- Senior Executive Institute - Helps executives explore the changing environment and enhance their personal and professional skills; aligns service, community, democracy with the roles and responsibility of leadership and four current senior managers have participated.

- Leadership Development Initiative - A new, flagship program, custom designed to increase the leadership and management skills of 124 middle managers; the program is intended for future City leaders based upon a set of 16 leadership competencies, and includes formal skills assessment, formal competency training provided by Radford University and bi-monthly leadership forums; and includes follow-up assessment to determine content actually learned and special project assignments for on-the-job application.

Competencies of the Leadership Development Initiative:

Continuous improvement - improving service and delivery production, quality and innovation.

Embraces change - increasing success and reducing stress in times of change.

Orientation to the future - improving strategic thinking consistent with City/County vision, values and mission.

Financial and Resource Management - learning finance concepts, tools, applications for managers with something other than finance backgrounds.

Communication and interpersonal relations (two competencies)-a licensed program that focuses on conflict management and relationship building.

Team Leadership-focusing on basic team dynamics and how communication styles support team leadership and effectiveness.

Personal Integrity - teaches importance of making fair decisions based on facts and maintaining confidentiality.

Personal and individual learning skills - learn how to coach individuals to achieve personal and professional growth.

Performance management - defining goals, formulate action plans and monitor progress; teaches managers to clearly state expectations and to conduct effective needs assessments.

Employee development/coaching - changing unacceptable performance to desired performance, while maintaining relationships.

Personal accountability - managers learn to accept responsibility for their own actions.

Conflict resolution - giving managers the tools they need to analyze conflicts and resolve productivity.

Critical thinking - evaluating information to arrive at decisions while taking into account impact of action.

Customer orientation - effectively meet expectations for customers.

Technological competency - applying Microsoft Suite software for managerial decision-making and organizational performance.

Policy and procedure development/implementation - identifying need and understanding the practical aspects of policy development and implementation.

Following Mr. Cronin's presentation and in the interest of time, the Mayor suggested that if Members of Council have questions, they should be addressed to the City Manager and/or to Mr. Cronin following the meeting.

CITY EMPLOYEES: The City Manager advised that Council Member Wishneff previously requested a briefing on the City of Roanoke's application of the Family and Medical Leave Act; whereupon, she called upon Kenneth S. Cronin, Director, Human Resources.

Mr. Cronin advised that the Family and Medical Leave Act (FMLA) was adopted by Congress and signed into law in 1993, the purpose of which was to balance the demands of the work place and the needs of families; under the Act, employees are allowed up to 12 weeks as time off due to their own serious health condition or that of certain family members; and birth or adoption of a child qualifies for FMLA.

He further advised that the impact of FMLA upon the City of Roanoke and its employees has been minimal; the City, like many local governments in 1993, already had in place generous leave plans for its employees, therefore, compliance with the FMLA has been relatively easy to achieve; the City of Roanoke has a comprehensive package for employees, including long term disability, as well as pension plan provisions that help to meet the unforeseen need of employees when a disability occurs; health and dental premium portions paid by the City continue during the FMLA time; paid forms of leave run concurrently with FMLA time off; and job protection is provided while on FMLA time off, but ends at the conclusion of FMLA time.

Mr. Cronin stated that a survey was conducted of the following local governments to determine standard practices in the marketplace in regard to the charging method of FMLA time:

Alexandria	Arlington County
Bedford	Blacksburg
Charlottesville	Chesapeake
Chesterfield County	Commonwealth of Virginia
Danville	Fairfax County
Hampton	Harrisonburg
Henrico County	Loudon County
Lynchburg	Martinsville
Newport News	Norfolk

Portsmouth	Richmond
Roanoke	Roanoke County
Salem	Staunton
Virginia Beach	York County

He advised that of the above listed 25 employers surveyed, only three, Arlington County, Danville and Salem, do not charge FMLA and paid forms of leave concurrently.

Council Member Wishneff advised that the spirit of the FMLA in 1993 was to protect the employment status of employees who experienced family situations to ensure that the employee would not lose their job. He inquired as to why any employee would abuse the system inasmuch as they would not be compensated and it would appear that only a few City employees would be affected in any given year. He asked that consideration be given to enacting a system similar to Salem, Danville and Arlington County to provide that once the employee exhausts paid leave, the employee would have the option to use unpaid leave.

During a discussion of the FMLA, it was noted that the matter was brought up during the May 2004 Councilmanic campaign by a specific group of City employees and the issue does not appear to be a matter of concern to City employees overall; there is no reason to change the way in which the City administers the FMLA when the majority of governments in the Commonwealth of Virginia have concluded that paid forms of leave run concurrently with FMLA; and the City of Roanoke has a lenient policy in comparison to the private sector.

The City Manager advised that currently, the City has two leave plans, the old leave plan and the new leave plan; under the old leave plan employees can exhaust any leave which is earned on an annual basis and on July 1 of each year, leave time is replenished. She stated that she would like to meet with Council Members to discuss the City's leave policies in more detail.

The Mayor requested that Council be provided with complete information regarding both leave plans in order to have a frame of reference from which to move forward.

Following discussion, it was the consensus of Council to meet with the City Manager informally to discuss both leave plans and that Council Members will be provided with pertinent information regarding both leave plans.

At 5:10 p.m., the Council met in Closed Session in the Council's Conference Room.

At 7:00 p.m., on Monday, August 16, 2004, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members Brenda L. McDaniel, Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., and Mayor C. Nelson Harris----------6.

ABSENT: Council Member Sherman P. Lea----------1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Ann H. Shawver, Deputy Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Council Member Alfred T. Dowe, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

COMMITTEES-ARMORY/STADIUM: Mr. Cutler moved that Patricia Cronise and Richard Kepley be appointed as additional members of the Stadium Study Committee. The motion was seconded by Mr. Fitzpatrick and adopted.

PRESENTATIONS AND ACKNOWLEDGEMENTS: NONE.

PUBLIC HEARINGS:

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of C. Douglas and Ana P. Corbin to permanently vacate, discontinue and close the southernmost portions of Thyme, Linden and Pink Streets, S. E., at their intersections with Ivy Street, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, July 30, 2004, and Friday, August 6, 2004.

A report of the City Planning Commission advising that the subject portions of right-of-way are unimproved; the petitioners' driveway currently extends across the subject portion of Linden Street between Official Tax Nos. 4041711 and 4041813; the petitioners own adjoining parcels, of land described as Official Tax Nos. 4041711, 4041813, 4041908-1041910 inclusive, and 4041405, which adjoins Pink Street to the northeast, and is not owned by the petitioners, was before Council.

It was explained that the attorney for the petitioners reports that his clients would be required to combine all of their parcels with the vacated portions of right-of-way and they agree not to further subdivide the parcel thereafter.

The City Planning Commission recommended approval of the request, subject to certain conditions as more fully set forth in the report, and further recommended that the petitioners not be charged for the rights-of-way; and, in exchange, the petitioners will record a plat combining all parcels of land and vacated rights-of-way into one single parcel, with the plat to state that the combined property will not be further subdivided.

Mr. Dowe offered the following ordinance:

(#36817-081604) AN ORDINANCE permanently vacating, discontinuing and closing a certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 74.)

Mr. Dowe moved the adoption of Ordinance No. 36817-081604. The motion was seconded by Mr. Fitzpatrick.

Daniel F. Layman, Jr., Attorney, appeared before Council in support of the request of his clients.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 36817-081604 was adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Hollins Road Church of the Brethren, Doris P. Fitzgerald, and John H. and Melba W. Burleson to permanently vacate, discontinue, and close an alley located between the 800 blocks of Palmer Avenue and Liberty Road, N. E., the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, July 30, 2004, and Friday, August 30, 2004.

A report of the City Planning Commission advising that Hollins Road Church of the Brethren initiated the petition in order to pursue construction of an accessory structure on Official Tax No. 3131204; and owners of the two adjoining properties have agreed to be co-petitioners and will provide easements across their respective portions of the vacated alley, was before Council.

The City Planning Commission recommended approval of the request, subject to certain conditions as more fully set forth in the report and further recommended that the petitioners be charged $2,495.00 for the alley.

Mr. Dowe offered the following ordinance:

(#36818-081604) AN ORDINANCE permanently vacating, discontinuing and closing a certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 77.)

Mr. Dowe moved the adoption of Ordinance No. 36818-081604. The motion was seconded by Mr. Fitzpatrick.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing.

Douglas W. Noell, representing Hollins Road Church of the Brethren, advised that for the last 50 years, the Church has used the alley as its main location for ingress and egress, and the Church has paved and maintained the alley without assistance from the City. Therefore, he requested that the alley be donated to the Church in order to control ingress and egress to the property and to construct a shelter for Church related activities. He stated that the City Planning Commission recommended that the Church be charged $2,495.00 for the alley, however, since Hollins Road Church of the Brethren is supported by a small congregation, it is requested that Council reduce the amount by one half.

Upon question, the City Manager explained that for many years the City disposed of alleys and paper streets without payment; and approximately five years ago, Council was requested to change the policy, with a recommendation in each instance to be submitted by the City Planning Commission. She advised that during her tenure as City Manager, she could recall only one occasion when Council chose to place a value on the property that was different from that which was recommended at the City Planning Commission or staff level, and in that specific instance, it was the decision of Council to reduce the dollar amount. She further advised that she was not aware of any instance when the City offered an extended payment provision for a petitioner and the options available to Council include accepting the recommendation of the City Planning Commission as to value, or to consider a lesser value; however, an extended period of time or a payment plan is not an option that the City would generally consider.

There being no further speakers, the Mayor declared the public hearing closed.

Mr. Fitzpatrick moved that paragraph one, page 3, of Ordinance No. 36818-081604 be amended to provide that the petitioner will be charged $2,000.00 instead of $2,495.00 for the alley. The amendment was seconded by Mr. Cutler and adopted.

Ordinance No. 36818-081604, as amended, was adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request of 2123 Crystal Spring Avenue, LLC, that proffered conditions presently binding upon a tract of land located at 2123 Crystal Spring Avenue, S. W., identified as Official Tax No. 1050514, as set forth in Ordinance No. 34734-040300, be repealed and replaced with new proffered conditions, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, July 30, 2004, and Friday, August 6, 2004.

A report of the City Planning Commission advising that Official Tax No. 1050514 was conditionally rezoned CN, Neighborhood Commercial, Conditional from C-1, Office District, in April, 2000; the petition requests an amendment to the proffered conditions in order to locate more than one restaurant on the subject parcel; and proffered conditions to be repealed are:

> The use of the property will be for a restaurant, with no provision for drive thru or delivery service. The petitioner also reserves the right to use the property for general and professional offices, including financial institutions, medical offices or medical clinics.
>
> Parking for the restaurant will be provided using the existing parking located in the rear of the property and additional off premises facilities as arranged by the property owner or tenant as certified by the Zoning Administrator to meet parking requirements of one space for every 200 square feet of net floor area plus one space for every employee. In the event the property is used for general and professional offices, including financial institutions, medical offices or medical clinics, certification must be provided that there is one space for every 300 square feet of net floor area.
>
> The exterior of the existing structure will not be altered except:
>
> (a) in compliance with minimum building code requirement for the change of use of this building
>
> (b) to provide the necessary handicap accessible structures
>
> (c) cosmetic enhancements such as painting, signage, lighting, awnings, shutters, and similar cosmetic changes.

The Planning Commission further advised that the petitioner requests that the following proffered conditions be substituted and adopted:

Uses of the property shall be limited to the following:

(a) Restaurants, with no drive though window;

(b) General and professional offices, including financial institutions;

(c) Medical offices; and

(d) Medical clinics, if a special exception is granted.

Off-street parking shall be provided using the existing parking located in the rear of the property and additional off premises facilities as arranged by the property owner or tenants as certified by the Zoning Administrator to meet the following parking requirements of:

a. For restaurants, one (1) space for every 200 square feet of net floor area plus one (1) space for every employee at the highest shift; and
b. For general and professional offices, medical offices, or medical clinics, one (1) space for every 300 square feet of net floor area.

The exterior of building A (see exhibit B for building designations) shall not be altered except:

a. in compliance with minimum building code requirement for the change of use of this building
b. to provide the necessary handicap accessible structures
c. cosmetic enhancements such as painting, signage, lighting, awnings, shutters, and similar cosmetic changes

Given previously proffered conditions on the property and the limited impacts of the proposed amendments to the proffers, the City Planning Commission recommended approval of the requested amendment of proffers on the subject property.

Mr. Dowe offered the following ordinance:

(#36819-081604) AN ORDINANCE to amend §§36.1-3 and 36.1-4, Code of the City of Roanoke (1979), as amended, and Sheet No. 105, Sectional 1976 Zone Map, City of Roanoke, in order to amend certain conditions presently binding upon certain property previously conditionally zoned CN, Neighborhood Commercial District; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 79.)

Mr. Dowe moved the adoption of Ordinance No. 36819-081604. The motion was seconded by Mr. Fitzpatrick.

Ray Craighead, Craighead and Associates, representing the petitioner, appeared before Council in support of the request.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by the Members of Council, Ordinance No. 36819-081604 was adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

STREETS AND ALLEYS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Roanoke Gas Company that a portion of Kimball Avenue, N. E., right-of-way bounded on the east by Official Tax No. 3015009, on the south by Official Tax No. 3105001, and extending from the northwest corner of Official Tax No. 3105009, be permanently vacated, discontinued and closed, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, July 30, 2004, and Friday, August 6, 2004; and in *The Roanoke Tribune*, on Thursday, August 5, 2004.

A report of the City Planning Commission advising that the petitioner requests closure of an approximately 1,250 square foot portion of Kimball Avenue, N. E., lying between two of its parcels; and due to the unusual configuration of the portion of right-of-way, staff researched previous surveys of the petitioner's property and checked City records to ensure that the property is not needed for public use, was before the Council.

Considering that the proposed vacation will result in providing additional parking area in support of existing development, the City Planning Commission recommended vacation of the right-of-way, subject to certain conditions as more fully set forth in the report, and further recommended a price of $3,125.00.

Mr. Fitzpatrick offered the following ordinance:

(#36820-081604) AN ORDINANCE permanently vacating, discontinuing and closing a certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 81.)

Mr. Fitzpatrick moved the adoption of Ordinance No. 36820-081604. The motion was seconded by Mr. Dowe.

John D'Orazio, Chief Operations Officer, Roanoke Gas Company, appeared before Council in support of the request.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by the Members of Council, Ordinance No. 36820-081604 was adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Cutler, Dowe, Fitzpatrick and Mayor Harris ----------6.

NAYS: None----------0.

(Council Member Lea was absent.)

COMMUNITY PLANNING-ROANOKE VISION, COMPREHENSIVE DEVELOPMENT PLAN: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request for Amendment of Vision 2001-2020, the City's Comprehensive Plan, to include the Williamson Road Area Plan, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, July 30, 2004, and Friday, August 6, 2004; and in *The Roanoke Tribune* on Thursday, August 5, 2004.

A report of the City Planning Commission advising that the Williamson Road Area Plan identifies four high-priority themes:

- Creating a network of unique and identifiable places through special site specific planning.
- Changing commercial land use patterns to respond to commercial development needs.
- Improving the appearance and function of streets.
- Improving the design of residential and commercial buildings and sites.

The Plan proposes policies and actions in support of the following priorities:

- Strategic Initiative areas - special places where site-specific planning will be undertaken to identify improvement opportunities.
- Limiting piecemeal expansions of general commercial zoning and using zoning districts such as CN, Neighborhood Commercial, which provide greater flexibility for expansion on existing land and also expand parking options.
- Streetscapes and transportation improvements for arterial and collector streets.
- Guidelines for residential and commercial development.

The City Planning Commission recommended adoption of the Williamson Road Area Plan as a component of Vision 2001-2020.

Mr. Fitzpatrick offered the following ordinance:

"AN ORDINANCE approving the Williamson Road Area Plan, and amending *Vision 2001-2020*, the City's Comprehensive Plan, to include the Williamson Road Area Plan; and dispensing with the second reading of this ordinance by title".

Mr. Fitzpatrick moved the adoption of the above referenced ordinance. The motion was seconded by Mr. Cutler.

R. Brian Townsend, Agent, City Planning Commission, advised that:

- Work on the Plan began in the Spring of 2003 and City staff sponsored three community planning workshops between May and July, 2003, at Breckinridge Middle School.

- Following release of a draft Plan in February, 2004, staff sponsored two additional workshops in March and April to give residents and businesses an opportunity to review and comment on the Plan.

- The City Planning Commission held a public hearing on the Plan on June 17, 2004, and during the public hearing numerous comments were made by the President of the Williamson Road Area Business Association and others requesting the City Planning Commission to consider a 30 day continuation for further discussion and review of certain issues identified in the Plan; and the Planning Commission granted continuation of the public hearing until its July 2, 2004 meeting.

- At its work session, the City Planning Commission discussed concerns raised by the Williamson Road Area Business Association and, in response, the Commission was of the opinion that completion of the neighborhood planning process and the resulting recommendations as they pertain primarily to future land use in an adopted plan were an imperative prerequisite to future zoning decisions that will be associated with adoption of a new zoning ordinance which is anticipated for adoption in late 2004.

- The City Planning Commission further determined that the land use plan should be structured as a guide to future zoning decisions, and should provide a general policy framework around which zoning determinations could be made based on specific circumstances and context existing in the neighborhood.

- Concerns about revisions to the zoning ordinance text currently underway are more appropriately communicated to the appropriate forums that have been identified to address the content of the specifically proposed districts or proposals for introduction of certain site development standards and land uses through the zoning ordinance steering committee and the City Planning Commission

- In consideration of the July 2, 2004, work session discussions, the Planning Commission directed staff to review how the future land use plan relates to future zoning decisions.

- Revisions to the draft Plan were developed by staff prior to the City Planning Commission's public hearing on July 15 at which time the Williamson Road Area Business Association expressed continued opposition to the Plan's future land use designation of small and medium scale commercial businesses along the Williamson Road corridor; the Roanoke Business Group also spoke in opposition to the land use designations along the corridor and noted six concerns in regard to neighborhood commercial zoning.

- The Planning Commission noted that language on pages 37 and 38 of the Plan was revised to explicitly clarify the relationship between proposed land use designations and future zoning districts so as to allow for consideration and designation of multiple zoning districts within certain commercial land use designations, depending on the context, scale and existing land uses found along the corridor.

- The Planning Commission also noted that land use designations contained in the Neighborhood Plan are not absolutely tied to any specific zoning district category or content of the zoning ordinance draft that is currently under review.

- The Plan content also contains four general themes including creating a network or unique and identifiable places through special site specific planning, changing commercial land use patterns to respond to commercial development needs, improving the appearance and function of streets in the neighborhood, and improving the design of residential and commercial buildings and sites.

- Based on consideration of the two public hearings in June and July, revisions were made to the draft and the City Planning Commission recommended approval of the Plan by a 7 - 0 vote.

- The area along the Williamson Road corridor from Hershberger Road to Liberty Road which is small and medium scale commercial, that differ from other areas of the neighborhood such as Valley View Mall, Crossroads Mall, and Towne Square better fit the existing land use pattern along that part of the corridor, with smaller buildings, smaller lots and less intensive uses than found elsewhere in the neighborhood.

- Language was added under the small and medium scale commercial uses to address the relationship of the designation to future zoning.

- The area between Hershberger Road and Liberty Road along Williamson Road is a commercial area; however, it exhibits a development pattern that is different from its companion areas elsewhere in the neighborhood that are more intensely developed.

- Regional commercial areas should be primarily designated with large site commercial zoning, but may contain limited areas with general commercial districts in an effort to tie the land use plan and its context to a future zoning decision that would ultimately be made by the City Planning Commission and the Council.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing.

William G. Via, President, Williamson Road Area Business Association (WRABA), advised that the Board of Directors requests that Council not adopt the Williamson Road Neighborhood Plan in its present format; the Board agrees with many aspects of the Plan; however, it disagrees with the new designation that zones a major portion of Williamson Road as CN; and the Board is of the opinion that the proposed zoning changes will negatively impact growth and expansion of businesses along Williamson Road and property values will suffer.

On behalf of the Board of Directors, Mr. Via offered cooperation in drafting a new zoning ordinance and advised that the Board would like to work with the City Planning Commission and City staff to address their concerns with regard to the proposed zoning and appropriate implementation tools; and WRABA would prefer that the Neighborhood Plan and the Zoning Ordinance be adopted together.

Wendy Jones, 2714 Tillett Road, S. W., Member of the Board of Directors, Williamson Road Area Business Association, advised that WRABA wishes to work with the City on the Williamson Road Neighborhood Plan. She called attention to certain excellent points in the Neighborhood Plan, however, there are certain other points that need further clarification and/or review before the Plan is acted on by Council. She requested that Council delay adoption of the Williamson Road Neighborhood Plan pending further clarification.

Mr. Rick Williams, 3725 Sunrise Avenue, N. W., addressed Council as a resident of the Williamson Road area, and spoke in support of the Neighborhood Plan and encouraged its adoption by Council. He stated that the Plan identifies issues of concern to the neighborhood, addresses a balance of interests, creates a network of unique and specific identifiable places along Williamson Road, includes substantial greenway initiatives and traffic calming, and provides guidelines for the formalization of the function of streets like Oakland Boulevard as framework streets by adding sidewalks and street trees, etc. He further stated that the issue of small and medium scale commercial along Williamson Road will not be detrimental to either businesses or adjoining neighborhoods and small and medium scale commercial can be mapped in terms of zoning use as either neighborhood commercial, commercial office, or C-2, General Commercial, depending upon the scale of existing uses and the impact on nearby residential

areas. He advised that one of Williamson Road's biggest needs is pedestrian accessibility and the promotion of a kind of neighborhood scale business model; and some persons in the Williamson Road area believe that this is a business model that will encourage greater business density and a more diverse business mix on Williamson Road, while at the same time sustain and nurture both businesses and nearby neighborhoods in the corridor. He stated that in the past, residents of Williamson Road have had "no seat at the table"; businesses propose to locate on Williamson Road, but there is no opportunity for residents to discuss potential impacts, and the proposed Neighborhood Plan provides much greater flexibility to do so, therefore, it is supported by many Williamson Road residents.

Ben A. Birch, III, 923 Curtis Avenue, N. W., representing the Airlee Court Neighborhood Watch Association, advised that the Association requests that Council not adopt the Williamson Road Neighborhood Plan in its present format. He stated that after discussing the Plan as presently drafted, members of the organization support a large portion of the Plan, but due to restrictions on businesses in the large proposed CN areas, it is believed that this will damage commercial growth in the area, and ultimately damage Williamson Road neighborhoods and the City. He advised that the Airlee Court Neighborhood Watch Association wants the business community to be healthy because ultimately it depends on those businesses for jobs and taxes that support City services.

Bill Tanger, Director, Roanoke Business Group, addressed the time line for adoption of the Neighborhood Plan and advised that there is no need for the Plan to be adopted before the new zoning ordinance is adopted. He advised that there are approximately 30 neighborhood plans in the City of Roanoke which periodically come up for adoption and/or revision, none of the plans are tied directly to the zoning ordinance, and at the time the Plans were adopted, they became a part of the zoning process that existed at the time. He stated that City staff made certain revisions to the definitions of CN, CC and other commercial zones at the request of the Williamson Road business community which was a small step forward; however, what should have been done with the future land use map is the area that now has been redefined as possibly allowing general commercial or office commercial, as well as CN, should be changed so as to remain in its most flexible category of general commercial, with the option of also making some of the area CN or CC, etc. He added that the purpose of the future land use map is a general picture of what the City and residents of the neighborhood would like to see in the future; and the neighborhood business community would like to see the most flexible way to redevelop and to grow the business area, thereby helping the neighborhood in both residential and business. He stated that the Williamson Road business community would like to work with the City to further clarify the Plan.

(See communication from Mr. Tanger on file in the City Clerk's Office.)

Mr. Douglas Hart, 3801 Highwood Road, N. W., spoke in support of the Neighborhood Plan because it provides diversity and interest centers in the Williamson Road area and will create a more diverse community of businesses and interaction with the neighborhood.

The City Attorney was requested to comment on the effect of the Neighborhood Plan, if adopted by Council; whereupon, he advised that if adopted by Council, the Plan will become an element of the City's Comprehensive Plan; for many years, the City has been working to develop Plans for each of the various City neighborhoods; and once the Plan becomes a part of the Comprehensive Plan, the Plan has legal standing and becomes a guide for the subsequent adoption of the zoning and subdivision ordinances and the zoning map. He stated that zoning actions and the zoning ordinance are supposed to be consistent with the Comprehensive Plan; and the problem, which is often litigated in zoning, is that when one looks at a comprehensive plan, different elements can be selected to make an argument for or against a particular zoning action or zoning ordinance. He advised that Council has the option to amend the Comprehensive Plan, or to amend the zoning ordinance or the zoning map in conformance with the Comprehensive Plan.

Vice-Mayor Fitzpatrick offered a substitute motion that Council table action on the Williamson Road Neighborhood Plan until the meeting of Council on Monday, October 18, 2004, at 7:00 p.m., in order that City staff may address specific concerns raised by previous speakers. The motion was seconded by Council Member Wishneff.

Council Member Dowe inquired about the growth pattern of Williamson Road businesses over the past five years; whereupon, Mr. Townsend advised that C-2 zoning has been in effect for approximately 17 years and has not led to any major development along the Williamson Road corridor, and, in fact, staff and the City Planning Commission believe that it has had adverse impacts by allowing a wrong mix of uses to pervade the corridor, and is the reason that the Neighborhood Plan, as a policy document, did not define that part of Williamson Road between Liberty Road and Hershberger Road in great detail; the City Planning Commission has confirmed that three zoning districts would be considered appropriate within the guidelines or the policy set by adoption of the plan; i.e.: neighborhood commercial, corridor commercial or general commercial, and commercial office; and all three of the designations are currently under review by the zoning ordinance steering committee for content, zoning regulations, and permitted uses, which will be followed by a decision of the City Planning Commission on how to map those specific zoning districts within the confines or perimeters identified by the land use plan. He stated that his concern with regard to delaying action on the plan is that without some policy direction, the steering committee, staff and the City Planning Commission have no guide upon which to evaluate zoning regulations as they evolve over the next two months; and the steering committee is moving forward in its review of the

proposed ordinance and intends to submit a draft of the ordinance to the City Planning Commission by September, 2004. He added that when it is time to review the zoning map that would accompany the zoning changes, without an adopted land use plan, there are no guides upon which to make a recommendation on the zoning regulations to the City Planning Commission or to the City Council. He advised that the Planning Commission was of the opinion that the flexibility identified in the land use plan in the area between Hershberger and Liberty Roads is flexible enough to provide both staff, the City Planning Commission and ultimately the City Council, the perimeters on which they could make a reasoned zoning decision once they have the content of the ordinance and the proposed map before them and without any policy adoption prior to that time, it would be difficult to develop a plan and its implementation parallel. He added that State law encourages that comprehensive plans be prepared first, followed by all other activity, and zoning decisions are the number one tool for implementation of any comprehensive plan, other than operating budgets and capital budgets; and zoning is the way in which development and use of land is regulated. Therefore, he advised that delaying the policy decision will, in effect, hinder development of implementation from a land use regulatory point of view.

Following further discussion and questions by Council Members, the substitute motion offered by Mr. Fitzpatrick, seconded by Mr. Wishneff, to table action on the matter until the regular meeting of Council on Monday, October 18, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, in order that City staff may address concerns raised by speakers, was adopted.

At 8:05 p.m., Council Member Cutler left the meeting.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke that a tract of land located at the intersection of Orange Avenue and Blue Hills Drive, N. E., designated as Official Tax No. 7160113, be rezoned from LM, Light Manufacturing District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, July 30, 2004, and Friday, August 6, 2004.

A report of the City Planning Commission advising that the petitioner is requesting the rezoning of Official Tax No. 7160113 from LM, Lighting Manufacturing District, to C-2, General Commercial, Conditional, for the purpose of permitting development of commercial uses at the entrance to the Roanoke Centre for Industry and Technology (RCIT); and the petitioner proffers the following conditions:

Principal permitted uses on the property shall be limited to the following:

a. Restaurants;
b. Hotels, motels, inns;
c. Business service establishments;
d. Indoor recreational uses limited to a fitness center;
e. General and professional offices including financial institutions; and
f. Day care centers with unlimited capacity subject to requirements of Section 36.1-510 et seq.

There shall be no curb cuts on Orange Avenue/Route 460. Freestanding signage shall be limited to one (1) per principal permitted use development on the property.

Given the petitioner's consistency with *Vision 2001-2020*, the City Planning Commission recommended approval of the request for rezoning, subject to conditions proffered by the applicant; and the Planning Commission requested that Council, in order to ensure that future development of the property adheres to the principles and policies of *Vision 2001 - 2020*, the City's Comprehensive Plan, require that a detailed site development plan, including building perspectives and elevations, be submitted to the Planning Commission for review and approval before the property, in whole or in part, is conveyed to a potential buyer.

Mr. Dowe offered the following ordinance:

(#36821-081604) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 716, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 69, Page 83.)

Mr. Dowe moved the adoption of Ordinance No. 36821-081604. The motion was seconded by Mr. Fitzpatrick.

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing.

Ms. Linda Grome, 4050 Trail Drive, Roanoke County, advised that the City of Roanoke annexed the rear portion of her property and then constructed an industrial park in the early 1980's; when construction began on the industrial park, homes in the area sustained damage due to a geological rock bed that runs from the industrial park to the foundation of her home, and the geological rock bed is located in the area proposed to be rezoned. She requested Council not approve the rezoning without conducting the appropriate water runoff tests and geological surveys and that the matter be referred back to the City Planning Commission for further study and review.

Ms. Nancy Cawley Williams, 9149 Hardy Road, Vinton, Virginia, former owner of the property located at 4050 Trail Drive from 1962-2001, advised that the house sustained damage as a result of construction of the Gardner-Denver facility and following litigation she was awarded a settlement by the Roanoke County Circuit Court. She stated that her purpose in appearing before Council was to reiterate that the house was damaged and the current property owners should be extended a certain level of protection by the City.

Mr. Chris Craft, 1501 East Gate Avenue, N. E., advised that in view of the concerns expressed by previous speakers, the matter should be referred back to the City Planning Commission for geological testing.

In response to Ms. Grome's concern, Vice-Mayor Fitzpatrick advised that the proposed rezoning provides for a much less dense development than the industrial portions and before a building permit is issued to utilize any of the property, City staff will ensure protection and/or geological testing. He pointed out that the interests of Ms. Grome can be protected through the process of permitting through the City Planning Department, as opposed to the actual rezoning.

Ms. Grome advised that once the rezoning is approved by Council, City Council will have no further involvement; whereupon, Vice-Mayor Fitzpatrick responded that once the property is up zoned to office and institutional as opposed to heavy industrial, the kind of development that can take place is changed, and there is less chance of touching the rock strata with the kind of development that will be permitted under the proposed zoning classification. He stated that City Planning staff is aware of the concerns and will ensure, before permitting sites under the new rezoning classification, that appropriate steps are taken with regard to core drilling and/or geological testing.

The Mayor advised that the rezoning acts in favor of the concerns expressed by Ms. Grome because property will be rezoned from light manufacturing to commercial district, and plans for development of the property will be presented to Council which will give Council a subsequent opportunity to ensure that Ms. Grome's concerns are addressed.

Mr. Townsend advised that in addition to recommending approval of the request for rezoning, the City Planning Commission requests that Council refer any detailed site plan/development plan, including building prospectus and elevations, to the City Planning Commission for review and approval prior to the property, in whole or in part, being conveyed to a potential buyer.

There being no further speakers, the Mayor declared the public hearing closed.

There being no further questions or comments by Council Members, Ordinance No. 36821-081604 was adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Dowe, Fitzpatrick and Mayor Harris ----------5.

NAYS: None----------0.

(Council Members Lea and Cutler were absent.)

BOUNDARY LINE ADJUSTMENTS: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to adoption of an agreement between the City of Roanoke and the County of Roanoke authorizing relocation of portions of boundary lines located along Berkley Road, Underhill Avenue, and at the intersection of Draper Road and Old Rocky Mount Road, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Monday, August 2, 2004, and Friday, August 6, 2004.

A communication from the City Manager advising that in May 2003, Roanoke County approached the City of Roanoke with a proposed boundary adjustment for Vineyard Park; subsequently the City suggested an adjustment to bring all of the Water Pollution Control Plant into the City; Rockydale Quarries also requested a minor adjustment; the proposed boundary adjustments consist of: moving 53.038 acres of Vineyard Park from the City to the County, moving 9.024 acres owned by Rockydale Quarries from the County to the City, and moving 33.094 acres owned by the Western Virginia Water Authority Water Pollution Control Plant, 5.131 acres owned by A.P.J., LLC., and 0.753 acre owned by James R. Chisolm from the County to the City; and adjustments will consolidate holdings in a single jurisdiction and will not have a significant impact on real estate revenue to the City of Roanoke.

Following the public hearing, the City Manager recommended that the Mayor and the City Clerk be authorized to execute an agreement between the County of Roanoke and the City of Roanoke agreeing to the proposed boundary line changes; that the City Attorney be authorized to file the necessary petition with the Circuit Court seeking an order approving the boundary line changes, and to take any additional action that may be necessary to effect the changes.

Mr. Fitzpatrick offered the following ordinance:

(#36822-081604) AN ORDINANCE authorizing the Mayor to execute an agreement between the County of Roanoke and the City of Roanoke relating to certain boundary line adjustments between those governmental entities; directing that certain other actions relating to such boundary line be taken as provided by law; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 85.)

Mr. Fitzpatrick moved the adoption of Ordinance No. 36822-081604. The motion was seconded by Mr. Dowe.

The Mayor inquired if there were persons present who would like to speak in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by the Members of Council, Ordinance No. 36822-081604 was adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Dowe, Fitzpatrick and Mayor Harris ----------5.

NAYS: None----------0.

(Council Members Lea and Cutler were absent.)

REFUSE COLLECTION: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard in the City Council Chamber, on the City's proposed Solid Waste Management Plan, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, August 6, 2004; and in *The Roanoke Tribune* on Thursday, August 5, 2004

The Mayor inquired if there were persons present who would like to speak in connection with the public hearing. There being none, he declared the public hearing closed.

The City Manager advised that at the Council's work session on August 2, 2004, Council was provided with a staff briefing on the City's proposed Solid Waste Management Plan; whereupon, she commended the document to Council.

The City Attorney advised that no specific action is required by the Council.

No comments or questions were raised by the Members of Council.

SPECIAL PERMITS: Pursuant to instructions by the Council, the City Clerk having advertised a public hearing for Monday, August 16, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a request for encroachment of an awning at a height of ten feet above the sidewalk and extending 42 inches into the public right-of-way at 16 Campbell Avenue, S. W., the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Friday, August 6, 2004.

A communication from the City Manager advising that ACS Design, on behalf of Sutton Construction Co. of Roanoke, Inc., owner of property located at 16 Campbell Avenue, S. W., has requested permission to install an awning on the building at 16 Campbell Avenue, which would encroach into the public right-of-way; the proposed awning would encroach approximately 42 inches into the right-of-way of Campbell Avenue, with ten feet of clearance above the sidewalk; the right-of-way of Campbell Avenue at this location is approximately 60 feet in width; and liability insurance and indemnification of the City of Roanoke by the property owner shall be provided.

Following the public hearing, the City Manager recommended that Council adopt an ordinance, to be executed by the property owner, which will be binding on the property owner and his heirs and assigns, with a copy of the executed ordinance to be recorded in the Clerk's Office of the Circuit Court for the City of Roanoke, granting a revocable license to allow installation of an awning at 16 Campbell Avenue, S. W., encroaching into the right-of-way of Campbell Avenue.

Mr. Fitzpatrick offered the following ordinance:

(#36823-081604) AN ORDINANCE granting a revocable license to permit the encroachment of an overhead awning at a height above the sidewalk of ten (10) feet, with the overhead awning extending forty-two (42) inches, in the public right-of-way of 16 Campbell Avenue, S. W., from property bearing Official Tax No. 1011707, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 86.)

The Mayor inquired if there were persons present who would like to be heard in connection with the public hearing. There being none, he declared the public hearing closed.

There being no questions or comments by Council Members, Ordinance No. 36823-081604 was adopted by the following vote:

AYES: Council Members McDaniel, Wishneff, Dowe, Fitzpatrick and Mayor Harris ----------5.

NAYS: None----------0.

(Council Members Lea and Cutler were absent.)

HEARING OF CITIZEN UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

POLICE DEPARTMENT-SCHOOLS: Mr. Bill McClure, 542 Walnut Avenue, S. W., complained about the lack of citizen input into the City's proposed geographic policing policy. He stated that the proposed reorganization plan contains certain positive features that could make the Police Department more effective, but the manner in which the plan was presented has caused concern for many of Roanoke's taxpayers.

COMMITTEES-ARMORY/STADIUM: Mr. Chris Craft, 1501 East Gate Avenue, N. E., expressed concern that no member of the Stadium Study Committee is under the age of 40; therefore, he requested that Council appoint one person to the committee who is 35 years of age or younger.

POLICE DEPARTMENT-SCHOOLS: Mr. E. Duane Howard, 508 Walnut Avenue, S. W., addressed Council in regard to an alleged incident that occurred in his neighborhood when his vehicle was vandalized by a bullet on the driver's side. When discussing the matter with the Chief of Police, he stated that he was told that the incident could have occurred during his travels throughout the Roanoke Valley, as opposed to having occurred in his neighborhood over night.

He expressed concern in regard to the response by the Chief of Police because it would be difficult for any person to park their vehicle in front of their residence and not notice that it was bullet damaged. He stated that he lives in a neighborhood where there have been murders, fires, prostitution, homelessness, burglaries, assaults, arsons, rapes, slum landlords, no building code enforcement, vehicles and houses vandalized, yet Old Southwest has a neighborhood association that is more concerned about the kind of siding that a property owner can install on their house than all of the above listed problems. He expressed a general lack of confidence in the Chief of Police.

Mr. Howard also expressed concern in regard to the School Resource Officer program and advised that he reiterates the remarks of Ms. Alice Hincker.

POLICE DEPARTMENT-CITY EMPLOYEES-SCHOOLS: Ms. Helen E. Davis, 35 Patton Avenue, N. E., advised that the heart of any city is its employees who are responsible for the day to day operation. She expressed concern with regard to retaliation against Roanoke City employees who speak out and requested that the City Manager be held accountable and that City Council support City employees.

POLICE DEPARTMENT-SCHOOLS: Ms. Alice P. Hincker, 4024 South Lake Drive, S. W., requested that the School Resource Officer program retain its special unit status with Sergeant Manuel Bocanegra as Supervisor and coordinator of the program.

POLICE DEPARTMENT-SCHOOLS: Mr. Paul Holt, III, 1305 Burks Street, N. W., advised that he is familiar with 66 local jurisdictions, he has seen community policing at its best and at its worst, and the City of Roanoke currently has a good Police Department that is divided into different precincts. He stated that in other localities, School Resource Officers engage in specialized training which does not occur in the City of Roanoke because the City does not accept funds from the Federal and/or State governments for DARE officers or School Resource Officers. He expressed concern with regard to the effectiveness of the proposed geographic policing policy, and advised that the City Manager and the Chief of Police should be held accountable to Council for their actions and the Council Members should be held accountable to the citizens of Roanoke for their actions.

COMPLAINTS-DRUGS/SUBSTANCE ABUSE: Ms. Theresa Gill-Walker, 2807 Ordway Drive, N. W., spoke with regard to the proposed methadone clinic to be located on Hershberger Road, N. W. She advised that she has seen, first hand, the negativity that a methadone clinic which is improperly operated can have on a community in a short period of time. She called attention to a safety issue regarding children who attend schools in the area, devaluation of property, a decrease in the school population because parents will choose to send their children to school at other school sites and/or in other Roanoke Valley localities, and loss of income to businesses in the area because customers will shop elsewhere for fear of being harassed, accosted, etc.

COMPLAINTS-HOUSING/AUTHORITY: Mr. Robert Gravely, 729 Loudon Avenue, N. W., advised that there appears to be a lack of concern for Roanoke's citizens inasmuch as the City has no agenda for its people, for the City's work force and for the education of its children. He expressed concern with regard to the overall deterioration of the inner city and lack of affordable housing.

There being no further business, at 9:05 p.m., the Mayor declared the meeting adjourned.

APPROVED

ATTEST:

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor

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REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

September 7, 2004

9:00 a.m.

The Council of the City of Roanoke met in regular session on Tuesday, September 7, 2004, at 9:00 a.m., the regular meeting hour, in the Emergency Operations Center Conference Room, Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Vice-Mayor Beverly T. Fitzpatrick, Jr., presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 36193-010603 adopted by Council on January 6, 2003, which changed the time of commencement of the regular meeting of Council to be held on the first Monday in each month from 12:15 p.m. to 9:00 a.m., and pursuant to Resolution No. 36762-070604 adopted by Council on Tuesday, July 6, 2004, which established the meeting schedule for the fiscal year commencing July 1, 2004 and ending June 30, 2005.

PRESENT: Council Members Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr. (arrived late), Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel, and Mayor C. Nelson Harris (arrived late.)----------7.

ABSENT: None----------0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

COMMITTEES-CITY COUNCIL: A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview applicants for vacancies on the Roanoke Redevelopment and Housing Authority, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Cutler moved that Council concur in the request to convene in Closed Meeting as above described. The motion was seconded by Mr. Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Lea, McDaniel and Vice-Mayor Fitzpatrick----------5.

NAYS: None----------0.

(Mayor Harris and Council Member Dowe were not present when the vote was recorded.)

CITY COUNCIL: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to §2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Cutler moved that Council concur in the request to convene in Closed Meeting as above described. The motion was seconded by Ms. McDaniel and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Lea, McDaniel and Vice-Mayor Fitzpatrick----------5.

NAYS: None----------0.

(Mayor Harris and Council Member Dowe were not present when the vote was recorded.)

At 9:10 a.m., the Vice-Mayor declared the meeting in recess for one interview for a vacancy on the Roanoke Redevelopment and Housing Authority, to be held in the Council's Conference Room, Room 451, Noel C. Taylor Municipal Building. (Council Member Dowe entered the meeting during the Closed Session.)

At 9:40 a.m., the Council meeting reconvened in Room 159, with all Members of the Council in attendance, except Mayor Harris.

ITEMS LISTED ON THE 2:00 P.M., COUNCIL DOCKET REQUIRING DISCUSSION/CLARIFICATION, AND ADDITIONS/DELETIONS TO 2:00 P.M., AGENDA: NONE.

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL:

COUNCIL-SCHOOLS: The following items were suggested for discussion at the joint meeting of Council and the Roanoke City School Board on Monday, November 1, 2004, at 9:00 a. m.:

- Status report on new School leadership.
- After school programs, specifically programs in the middle schools.
- School safety.
- School uniforms.

COUNCIL-HOUSING/AUTHORITY: The following items were identified for discussion at the joint meeting of Council and the Roanoke Redevelopment and Housing Authority on Thursday, October 7, 2004, at 12:00 noon:

- Memorandum of Understanding between City Council and the Redevelopment and Housing Authority.
- Overview of the Henry Street Program/TAP, The Dumas, The Roanoke Higher Education Center, and the Culinary Institute.

Council Member Cutler suggested a review of the job descriptions of the City's Director of Housing and Neighborhood Services and the Executive Director of the Roanoke Redevelopment and Housing Authority; whereupon, the City Manager advised that an executive search firm has been retained by the City to identify candidates for the position of Director of Housing and Neighborhood Services; and any discussion that the Council and the Housing Authority might have with regard to the roles of the two positions would not impact the City's selection of a person to fill the vacancy, but would address day-to-day integration of activities. The City Manager concurred that in selecting a person to fill the position of Director of Housing and Neighborhood Services, there should be level of understanding concerning the relationship of the two positions.

Council Member Cutler inquired if there is a relationship between the City and the Housing Authority regarding the Cradle to Cradle housing program; whereupon, the City Manager advised that the housing design competition will involve construction of homes on some City owned and some Redevelopment and Housing Authority owned properties, which is a separate issue and will be accomplished using resources of both the City and the Housing Authority, all proposed sites for the housing design competition are not intended to be strictly low to moderate income sites, and it is hoped to include some market rate sites. She added that some private individuals have offered to make properties available for the project, and the Cradle to Cradle project is a separate activity that has not involved the Housing Authority to any great extent.

Question was raised as to the status of the Cradle to Cradle project; whereupon, the City Manager advised that Council was provided with written information some time ago seeking guidance and/or support of the City's proposed financial contribution, and not hearing from any Member of Council to the contrary, action was taken to use Community Development Block Grant funds for the initial phase of the project; actual housing design competition will be judged in the City of Roanoke in mid-January 2005, and an allocation will be made for construction of the homes during the second phase of the project. She further advised that during the summer of 2005, following completion of the spring semester, arrangements will be made with various colleges and universities in the area to house many of the young people who will participate in the building effort.

The City Manager advised that City staff/RRHA staff recently met with officials of the State Office of the Department of Housing and Urban Development (HUD) and the Virginia Housing Authority, and a meeting is scheduled in the near future with the Virginia Department of Housing and Community Development to articulate issues of importance to the community in regard to housing challenges and diversity and the need for assistance and support in addressing those issues; there has been an indication that certain additional resources will be directed toward helping the City to solve some of the existing problems; and preliminary discussions have taken place regarding a pilot mixed income project in the City of Roanoke. She stated that it is anticipated that the City's strategic housing plan itself will identify certain specific strategies that the Council will be requested to adopt and identify specific areas in the City where direct action is needed in order to cause housing changes to occur within those communities.

Question was raised as to the best way to involve Roanoke County and other surrounding jurisdictions with regard to providing low and moderate income housing; whereupon, the City Manager advised that there needs to be a community conversation, and if the City of Roanoke attempts to convene a conversation among the jurisdictions on the issue, such could be viewed as the City trying to get other jurisdictions to share its problems. She stated that she has attempted, without success, to identify an entity that would be willing to initiate the discussion. The City Manager called attention to a conversation with the Governor of Virginia and others in which she suggested that there must be more incentives at the State level in order to address not only the housing issue, but transportation and funding of arts and cultural organizations, etc.; as a highly developed urban community, Roanoke is the magnet for those persons who are in the greatest need of services; and the City of Roanoke should be proud of the fact that it provides services to those in need, but it should not be the City's responsibility to provide services for the entire Roanoke Valley region. She added that the City of Roanoke's continued involvement in the Virginia First Cities Coalition is key to ensuring that certain discussions take place at the State level and she encouraged the Members of Council, in their roles with the Roanoke Valley Allegheny Regional Commission and the Roanoke Valley Leadership Summit, to initiate individual conversations with their peers.

There was discussion in regard to items to be discussed at the 12:00 p.m., meeting with Congressman Goodlatte; whereupon, the City Manager suggested that the Roanoke River Flood Reduction project and efforts by the City, with Congressman Goodlatte's assistance, to retain the Social Security Administration office within the City of Roanoke should be discussed. She added that the First Street Bridge and the availability of Federal funds for the project should also be discussed to ensure that Congressman Goodlatte is comfortable with any decision made by the Council regarding whether or not the bridge will be pedestrian or vehicular.

The Mayor entered the meeting.

BRIEFINGS:

First Street Bridge

BRIDGES: The City Manager introduced a briefing on the First Street Bridge project. She advised that preservationist architects were contacted to look at the possibility of retaining some of the original elements of the bridge, which involves various options and costs; whereupon, she called upon Philip C. Schirmer, City Engineer, for a detailed briefing.

Mr. Schirmer advised that:

Council approved concept plans for a replacement bridge carrying vehicles and pedestrians in February 2003, and plans are "bid ready."

A citizens committee was formed to study the Dr. Martin Luther King, Jr., Memorial in December, 2003.

Recommendations of the committee were presented to Council in June 2004.

Concern was expressed for historic preservation of the Bridge.

A Federal funding opportunity has become known.

A number of issues need to be reviewed; i.e.: intended use of the bridge.

Whether or not the bridge will support pedestrians or vehicles is a critical issue to be decided because loading for pedestrian use is heavier than vehicular use, therefore, if the bridge is to be used for festival events where large numbers of people will assemble, it will be necessary to design the bridge for that purpose.

Other design issues to be considered are approach grades which are the areas that lead up to the bridge; what are the desired features to be incorporated into the bridge; i.e.: separate pedestrians from traffic, improved lighting, features to be connected to the bridge, to the rail walk, to the Gainsboro Parking Garage, etc.; and since the bridge will be located over an operating rail track, it will be necessary to design and construct a bridge that will not interfere with rail operations.

The City Engineer reviewed the following alternate designs:

Alternate A - Restore the bridge for restricted pedestrian use

- Total bridge restoration with the removal of the existing cantilever walkway.
- Utilize as many of the existing bridge members as possible; member rehabilitation as compared to replacement.
- No vehicular traffic.
- Separate construction of handicap access and permanent stairs to the Gainsboro Parking Garage.
- Separate retrofitting for ornamental lights.
- Total estimated project cost: $2.1 million (includes bridge restoration, handicap access and permanent stairs to the Gainsboro Parking Garage, railroad flagging, and relocation of the railroad signal)*

Alternate B - Restore the existing bridge for unrestricted pedestrian use

- Major bridge rehabilitation to unrestricted pedestrian usage.
- Reduced use of the existing bridge members; member replacement (in keeping with the historical appearance) as compared to rehabilitation.
- No vehicular traffic.
- Separate construction of handicap access and permanent stairs to the Gainsboro Parking Garage.
- Separate retrofitting for ornamental lights.
- Total estimated project cost: $2.2 million (includes major bridge rehabilitation, handicap access and permanent stairs to the Gainsboro Parking Garage, railroad flagging, and relocation of the railroad signal)*

Alternate C - Replace the bridge and approaches for one lane of traffic and unrestricted pedestrian use

- New bridge structure with a truss span that has the appearance of the old truss.
- One-lane vehicular traffic.
- Defined sidewalk for pedestrians.
- Bridge will be capable of additional memorials to Dr. King.
- Includes handicap access and permanent stairs to the Gainsboro Parking Garage.
- Total estimated project cost: $2.4 million (This is as designed and bid ready)*

Alternate D - Restore Truss Span and Replace Approaches for One Lane of Traffic and Unrestricted Pedestrian Use

- New bridge structure with a major rehabilitated truss span.
- One-lane vehicular traffic.
- Defined sidewalk for pedestrians.
- Bridge will be capable of additional memorials to Dr. King.
- Includes handicap access and permanent stairs to the Gainsboro Parking Garage.
- Total estimated project cost: $2.9 million

Project Funding:

City of Roanoke Capital Funds

Total Appropriations	$ 2,252,357.00
Expended to Date	$ 267,830.00
Available Balance	$ 1,984,527.00

Federal Funding:

$497,050.00 which is limited to use for a bridge carrying vehicular traffic

Requires substantial environmental and cultural reserve review and approval by State and Federal agencies.

Estimated to be completed in an 8 - 12 month time line.

All approvals are required prior to beginning construction.

(As currently designed & bid)

	Alt. A	Alt. B	Alt. C.	Alt. D
Historical Preservation	Yes	Yes	No	Partial
Qualifies for Federal Money	No	No	Yes	Yes
Pedestrian Restrictions	Yes	No	No	No
One-Lane Vehicular Traffic	No	No	Yes	Yes
Dr. Martin Luther King, Jr. Memorial Implementation	Limited	Limited	Full	Full
Total Project Cost*	$2.1 million	$2.2 million	$2.4 million	$2.9 million

*Prices do not include Dr. Martin Luther King, Jr. memorial features and design costs

Available funding: $2.0 million in City funds, $500,000.00 in Federal funds

Martin Luther King, Jr. Memorial Approximate Cost of Features:

Statue	100,000.00 - $ 150,000.00
Medallions at Bridge Entrance (4)	10,000.00
Audio-Visual Stations (4)	20,000.00
Observation Platforms	25,000.00 - 30,000.00
Benches (4)	2,800.00
Trash Receptacles (4)	2,400.00
Park Lighting	75,000.00 - 90,000.00
Park Landscaping	30,000.00 - 35,000.00
Subtotal	265,000.00- 340,200.00
Stair- Elevator Tower	200,000.00 - 225,000.00
Total	$465,000.00 - 565,200.00

The City Engineer advised that none of the estimates include any of the features of the Martin Luther King Memorial, which would be added over and above.

In summary, he stated that Alternate A provides some aspect for preservation, restoration of the bridge, does not qualify for Federal money because it is not recommended to reopen to vehicular traffic, pedestrian restrictions for assembly and festival-type uses on the bridge, could accommodate vehicular traffic, limited opportunity for memorial implementation for Dr. King, medallions would be installed at the bridge entrance, at an estimated cost of $2.1 million. He stated that Alternate B would improve the bridge to allow unrestricted pedestrian assembly, accommodate vehicular traffic and is estimated at approximately $2.2 million; Alternate C provides for a new structure, qualifies for Federal money, no restrictions on pedestrian use, would accommodate vehicles in one direction and is currently designed to be southbound, would accommodate any of the memorials that would be selected for Dr King, at an estimated project cost of $2.4 million; and Alternate D is the

hybrid and is, in essence, the same as Alternate C, except that some of the trusses will be replaced and the bridge would be a renovated structure.

During a discussion of the above referenced alternates, the observation was made by a Member of Council that it is a policy decision of Council on as to whether the bridge will be one lane of vehicular traffic, or a no vehicular traffic bridge. Question was raised as to whether the Roanoke Redevelopment and Housing Authority, the Roanoke Higher Education Center, Downtown Roanoke, Inc., and Total Action Against Poverty have been invited to provide input.

The City Manager explained that the Outlook Roanoke Plan, which is the Plan for downtown Roanoke that was adopted by Council, included a recommendation that the First Street Bridge be vehicular and was supported by Downtown Roanoke, Inc. She advised that when the Gainsboro Parking Garage was constructed in 2000, the facility was constructed in such a way that it was assumed when the First Street Bridge was renovated or replaced, it would be pedestrian only, otherwise, the parking garage would not have been sited in its current fashion. She stated that the original plan that was adopted in 1999 assumed that it would be a pedestrian bridge; bridge design in approximately mid-year 2000 called for a pedestrian bridge, but because the Outlook Roanoke Plan was underway at the time, the then sitting Council suggested that no decision be made regarding the bridge until after the Outlook Roanoke Plan was completed; and, following completion, the Outlook Roanoke Plan called for the First Street Bridge to be vehicular. She stated that membership of the current Martin Luther King Committee includes not only the original MLK Committee that was developed several years ago, but when the Committee was reconstituted, stakeholders of all of the various organizations and entities that are located in that section of the Gainsboro community were included. She added that the original recommendation of the Committee was that the bridge should be pedestrian in keeping with the original thinking and planning; however, when the Committee learned that Federal funds which Congressman Goodlatte was successful in securing on behalf of the City could not be used if the bridge remained pedestrian only, the Committee then agreed to support a vehicular bridge, with the understanding that there would be occasions for special events or activities when the bridge could be closed and bollards could be used at either end to eliminate the possibility of vehicular traffic.

Components of the Martin Luther King Memorial were discussed, such as inlaid medallions at each end of the bridge, audio-visual stations located along the bridge in the walkway, observation platforms that extend to the edge of the overlook, benches, trash receptacles, park lighting and park landscaping, and the stair-elevator tower.

Question was raised with regard to the proposed bronze statue of Dr. King; whereupon, Rolanda B. Russell, Assistant City Manager for Community Development, advised that Pernella Chubb-Wilson, representing the Southern Christian Leadership Conference, has shared information with the King family, and following approval of the recommendations by Council, the Dr. Martin Luther King, Jr. Committee will go through the process of obtaining official approval from the King family and initiate a request for proposal for the statue.

There was discussion with regard to how a visitor to the City of Roanoke would know that the facility is a memorial to Dr. King; whereupon, Ms. Russell advised that medallions will be placed on both sides of the bridge and the name of the bridge will be stamped on the pavement.

Question was raised as to whether improvements to the bridge will also offer an opportunity to tell of the involvement by some of Roanoke's citizens in the civil rights movement; whereupon, Ms. Russell advised that the Committee preferred to restrict the improvements to Dr. King; however, there was discussion about an opportunity at some time in the future to talk about the role of civil rights leaders in the Henry Street area, upon completion of the Dr. Martin Luther King Jr. project.

Mr. Wishneff moved that Council approve Alternate B, providing for full Dr. Martin Luther King, Jr. Memorial implementation, with the understanding that the structure will qualify for Federal money, one lane of vehicular traffic, and deletion of the elevator and stairs on the south side of the bridge. The motion was seconded by Mr. Cutler.

The Mayor advised that the area already has vehicular access with or without the First Street Bridge; vehicular traffic has not been allowed on the First Street Bridge for the past four years and there has been no negative impact; the driving issue on the First Street Bridge is how to allow the bridge and those amenities that have been presented today to be the best memorial that the City can create for Dr. Martin Luther King, Jr., and perhaps other civil rights personalities locally, and in order to accomplish the most in terms of a memorial park, it would be wise to dismiss the element of vehicular traffic. He stated that it is not wise and prudent to allow decisions that will affect the City of Roanoke to be solely driven by any Federal monies that may be attached to receipt of the

funds and Council should be concerned with what is going to work best for the City of Roanoke as a community, while taking into consideration the goals and objectives for other components of the area.

Council member Wishneff withdrew his motion and Council Member Cutler withdrew his second to the motion.

Mr. Fitzpatrick moved that Council approve Alternate B with unlimited pedestrian use. The motion was seconded by Dr. Cutler and unanimously adopted.

In view of the previous discussion by Council, the City Manager advised that City staff will submit a recommendation for consideration by Council that will provide greater name identification for the First Street Bridge than the proposed medallions would provide.

Real Estate Tax Abatement Program:

TAXES: Susan S. Lower, Director of Real Estate Valuation, advised that goals of the City's Tax Abatement Program are to encourage renovation of real property, to revitalize aging and deteriorating structures, to improve quality, condition, and appearance of neighborhoods, to encourage home ownership and to reduce the number of multi-family units.

She stated that the rehabilitation program was established in 1981 and revised in 2000 to establish a marketing program, to eliminate conversion of single family to multi-family units, to target historical, conservation and rehab districts and to establish a timeline for rehab completion. She advised that for the fiscal year 2003-2004, there were 242 applicants under the program, 61 commercial parcels, 109 single family parcels and 72 multi-family parcels. By residential neighborhoods, she stated that in 2003-2004, there were 111 rehab properties in Old Southwest, 18 in Gilmer/Melrose/Rugby, 16 in Belmont, and 12 in Hurt Park; and 34 commercial neighborhoods participated in downtown Roanoke, 13 in Old Southwest, three in Gilmer Harrison, three in Grandin Road, and three in Hurt Park.

Ms. Lower reviewed components of the program that are working such as the marketing program, targeting neighborhoods, elimination of conversion of single family to multi-family, 40 to 60 per cent of value, and a time line for completion; and components that are not working, such as the need to educate more neighborhoods, cap assessed values, multi-use buildings, single family restrictions have limitations and buildings >$5,000.00.

The following is a summary of current guidelines versus proposed guidelines:

Currently the structure must be no less than 25 years old. Under the proposed guidelines, the structure most be no less than 25 years old and for single family structures, it must have an assessed value prior to substantial rehabilitation or renovation, of no more than $200,000.00.

Currently, the assessed value must be increased no less than 40 per cent. No change is recommended.

Currently, total square footage must not be increased by more than 15 per cent. Under the proposed guidelines, no restrictions are proposed on increasing square footage.

Currently, the structure must be designed for residential use after completion of improvement. No change is proposed.

Currently, residential use shall include single-family dwellings, duplexes, multifamily dwellings, apartments, and townhouses; any property, the use of which is partially residential and partially commercial or industrial shall be treated as residential in its entirety for purposes of this division. Under the proposed guidelines, residential use shall include single-family dwellings, duplexes, multifamily dwelling units, and townhouses; for any property, the use of which is partially residential and partially commercial or industrial, the residential portion must meet the eligibility requirements for residential real property, and the commercial portion must meet the eligibility requirements for commercial or industrial real property; the Department of Real Estate Valuation will determine how to allocate the current assessed value of the property between the residential and the commercial portions prior to the start of the rehabilitation or renovation effort.

Currently, the structure must be improved without increasing the current number of dwelling units. No change is proposed.

Currently, the exemption shall not apply when any existing structure is demolished or razed and a replacement structure is constructed. Under the proposed guidelines, the exemption shall not apply when any existing structure is demolished or razed and a replacement structure is constructed, unless the assessed value of the existing structure is below $5,000.00; the replacement structure must be a single family home, and must have an assessed value no less than 120 per cent of the median value of dwelling units in the neighborhood; the exemption shall not apply when any structure demolished is a registered Virginia landmark, or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district.

Currently, the structure must be no less than 25 years old. No change is proposed.

Currently, the assessed value must be increased no less than 60 per cent. No change is proposed.

Currently, total square footage must not be increased by more than 15 per cent. Under the proposed guidelines, there are no restrictions on increasing square footage.

Currently, the structure must be designed for commercial or industrial use after completion of improvement. The proposed guidelines provide that the structure be designed for commercial or industrial use after completion of improvement; if an exemption is granted under this Division of the City Code, no other exemption, including those under Divisions 5A and 5B regarding real property located in an enterprise zone, will be granted even if the use changes.

Currently, the exemption shall not apply when any existing structure is demolished or razed and a replacement structure is constructed. No change is proposed.

Currently, the difference in the appraised value of the structure immediately before rehab and immediately after rehab. The proposed guidelines provide for the difference in the appraised value of the structure immediately before rehabilitation, renovation or replacement and immediately after rehabilitation, renovation, or replacement.

Currently, this amount only, on a fixed basis, shall be the exemption, notwithstanding subsequent assessment or reassessment and no change is proposed.

Council Member Wishneff inquired if there is an incentive to encourage citizens to convert from rental to home ownership; whereupon, Ms. Lower responded that the Tax Abatement Program targets those persons whose homes have a value of under $100,000.00, or 71.3 per cent of the City's housing stock; and a homeowner could purchase a house for $24,000.00 and apply for rehab, with the goal of having a house valued at $60,000.00, or more.

The City Manager called attention to other programs that address encouraging home ownership in which funds are made available for down payments and closing costs, etc. She advised that there is an incentive for any type of reduction from multifamily downward by 50 per cent, but insofar as a residential unit being converted into a homeownership unit, the Real Estate Tax Abatement Program would not be the appropriate vehicle; and there may be other options that could be presented to Council for discussion in conjunction with the City's Strategic Housing Plan in October.

There was discussion in regard to why there is a cap for real estate tax abatement; whereupon, it was noted that the Tax Abatement Program is intended for low market value houses in order to provide incentives to increase the value, and the program should not be applied toward a, for example, $400,000.00 residence simply because the property owner wants to increase the value of the property.

The City Manager advised that the program is targeted toward those structures and populations in the City that are most in need of the Real Estate Tax Abatement Program. She stated that one of the major problems in the Roanoke community, which contributes to rental property as opposed to home ownership, is, due to the age of many homes in the City of Roanoke, they do not come with the amenities that people are looking for when they purchase a home in today's market.

Council Member Wishneff called attention to his difficulty in understanding the down side of encouraging a property owner to convert a $400,000.00 house to an $800,000.00 house under the Real Estate Tax Abatement Program, and requested factual information by City staff to address his inquiry.

Following further discussion, question was raised as to whether a public hearing has been held on the proposed Real Estate Tax Abatement Program; whereupon, the City Manager advised that a public hearing is not a legal requirement.

Following further discussion, the Mayor advised that once the Real Estate Tax Abatement Program has been formalized by City staff in terms of any action that the Council will be requested to take, the appropriate information could be transmitted through the Roanoke Neighborhood Advocates organization to neighborhood associations throughout the City advising that the matter will be considered by Council at an evening session, and if there is wide spread opposition or concerns expressed by citizens, Council will review the concerns/opposition and refer the matter back to City staff for further refinement. In addition to disseminating information though the Roanoke Neighborhood Advocates, Mr. Wishneff also suggested that organizations such as the Blue Ridge Housing Development Corporation, Total Action Against Poverty and other housing related organizations receive the same information.

COUNCIL-LEGISLATION: The Mayor expressed appreciation to Congressman Bob Goodlatte for meeting with the Council and for his assistance over the years with regard to Federal issues that have a direct impact on the City of Roanoke and its citizens. He also expressed appreciation to Peter Larkin, Congressman Goodlatte's legislative aid, who was also in attendance, for his able assistance. The Mayor presented Congressman Goodlatte with a poster in recognition of the City of Roanoke's inclusion as one of the most liveable communities by Partners for Liveable Communities, a lapel pin and silver-plated star paper weight with the City's new branding logo inscribed thereon.

Congressman Goodlatte advised of continuing efforts with regard to Interstate 73, which has been delayed primarily because the focus has been on Interstate 81 truck traffic. He called attention to efforts to provide a better connection to the closest localities in major trade markets; i.e.: Winston-Salem, Greensboro, and Charlotte, North Carolina, that would be beneficial to the Roanoke Valley and involves a long term project. He stated that decisions regarding Interstate 81 are being closely monitored, he has expressed strong support for taking action to widen the highway, and has expressed concerns regarding other ideas that have been proposed. He added that he is not against the idea of imposing highway tolls, but tolls that are being examined for the

current proposal are extraordinarily high, therefore, he has urged that the project be scaled back; and separate lanes for cars and trucks, on and off ramps, cloverleafs, fly-aways, etc., would be environmentally damaging and add billions of dollars to the highway project. He advised that the State, notwithstanding the public/private partnership law, should commit funding over a long period of time, even though the State's fiscal circumstances do not allow for major commitments; the goal is to make the interstate highway both competitive and attractive for economic development and the House and the Senate have passed transportation bills.

He stated that funding has been secured for the First Street Bridge, although funding restrictions require a vehicular bridge, and if the bridge is pedestrian only, Federal funds may not be available. He stated that he will continue to look into the matter and hopes to be of assistance to the City. He called attention to continuing efforts to attract people to the area who can help to highlight the technology base that is currently being built in the Roanoke Valley and he commended the New Century Technology Council on its efforts to educate people about the Roanoke area. He stated that $3 million in grants, direct appropriations and tax credits have been secured for the O. Winston Link Museum and the Roanoke Valley Convention and Visitors Bureau, $250,000.00 has been secured for the Commonwealth Coach and Trolley Museum, and he is working to ensure that the funds will remain in place as the bill works its way through Congress; and $500,000.00 has been secured for the Virginian Railway Museum which will not address all of the needs, but will be a start. He added that he has been in contact with the House Transportation Infrastructure Committee to request funds for the Heartland Corridor Project, which has been advocated by Norfolk Southern Railway and will be beneficial to the Roanoke Valley, that involves an east to west intermodal project, working the rail lines to ensure that tunnels have a high enough capacity to handle the higher double deck and higher height of intermodal transport, and also involves certain intermodal facilities, one of which could be located in the Roanoke Valley and would be the first step toward getting some of the trucks off of the highways. He stated that the new air traffic control tower at Roanoke Regional Airport is proposed to be dedicated at the end of the year, this year a $9.7 million grant was secured to repave and make safety improvements to the east-west runway, and it has been announced that the United States Department of Transportation has awarded $1 million to the Greater Roanoke Transit Company. He called attention to efforts to work with the General Service Administration to keep the Social Security Administration Offices in the downtown Roanoke area, counter offers have been considered and a final decision should be made in September - October from among locations in both downtown and outside of downtown Roanoke. He advised that the United States Army Corps of Engineers has entered into a contract on the Roanoke River Flood Control Project, which has been at

least 30 years in the making, will be an enhancement of the Roanoke River, includes the greenway as a center piece of the City, and is anticipated to be a four to five year project for Phase I, at a cost of $14 million of a total $60 million+ project.

The Mayor advised that keeping the Social Security Administration Offices in downtown Roanoke is of prime concern to the City and the efforts of Congressman Goodlatte on the City's behalf are appreciated. He stated that the City has been as flexible as possible in working with officials at the local level.

With regard to the First Street Bridge, the Mayor advised that Council received an in-depth briefing at its 9:00 a.m. work session and following discussion, Council voted to proceed with a pedestrian option for the bridge, although it is understood that Council's action does not meet the vehicular requirement which is tied to Federal funding. Therefore, he stated that the City would appreciate the ongoing efforts of Congressman Goodlatte in support of the First Street Bridge project.

The City Manager advised that the Senior Vice President of Marketing for Norfolk Southern Corporation will speak at the Regional Leadership Summit to be held on Friday, September 24, 2004, to brief the region on the Heartland Corridor; whereupon, she invited Congressman Goodlatte and Mr. Larkin to attend the meeting if their schedule permits. She further advised that keeping the Social Security Administration Offices in downtown Roanoke is a key issue for the City; and approximately $900,000.00 has been committed to the City of Roanoke to date for various Homeland Security issues for which the City of Roanoke is most appreciative. She noted that at its 2:00 p.m. meeting, Council will officially recognize those City employees who were called to active duty in the United States military who have now returned from various levels of participation, including service in Iraq, and invited Congressman Goodlatte to attend the meeting.

Council Member Cutler advised that if Norfolk Southern is anxious to solicit public support, i.e.: to have some of the costs of enlarging the tunnels in West Virginia, etc., paid for by the public and become a partnership, the same logic might also apply to a straight running double track from the Shenandoah Valley line to parallel Interstate 81, and cooperate with those persons who would like to see rail passenger service return to western Virginia. He stated that it appears

that Norfolk Southern and private railroad companies, in general, have historically been reluctant to become involved with the public sector due to possibly more regulation or the sharing of certain decision making. He inquired about Federal funding for the Dumas Center; whereupon, Congressman Goodlatte advised that a $7 million project is anticipated that could involve construction of an auditorium and expansion of the Dumas facility and it is hoped that an announcement will be made in the near future.

Council Members Dowe and Lea expressed appreciation to Congressman Goodlatte for his assistance on behalf of the City of Roanoke to identify Federal funding sources to help the City achieve many of its goals and objectives.

Vice-Mayor Fitzpatrick expressed appreciation to Congressman Goodlatte for his assistance over the years. He advised that the history and heritage of the Roanoke Valley has been transportation-oriented and will continue to be, but the question is how to work collectively to develop that heritage, whether it be intermodal or the Heartland in a part of the national corridor. He called attention to discussions regarding higher education, which is basically the region's largest business, because this area has more college students than any other area in the Commonwealth of Virginia, but following graduation, these young people leave the Roanoke Valley and go elsewhere to find jobs, therefore, there must be a connection between Roanoke's transportation heritage and its young people. He advised that the City of Roanoke owes Congressman Goodlatte a debt of gratitude and asked that he feel free to call on the City whenever the City officials/staff may be of assistance.

The City Manager commended Congressman Goodlatte on his relationship with the City because he personally talks with City representatives when he needs answers or when City representatives need to speak with him on issues that impact the City of Roanoke, which makes the relationship between the Congressman and the City quite unique.

Council Member Cutler advised that the investment that has been made in the O. Winston Link Museum and the Roanoke Valley Convention and Visitors Center is outstanding and the facility has become one of the jewels of downtown Roanoke. He expressed appreciation to Congressman Goodlatte for his efforts on the City's behalf.

BONDS/BOND-ISSUES: The Director of Finance submitted a briefing on the City of Roanoke's fall 2004 Bond Issue. He advised that:

Council authorized the following debt issuance:

Police Building Phase II	$ 6,670,000.00
Fire/EMS Facilities	4,435,000.00
Downtown West Parking Garages	2,000,000.00
Patrick Henry High School	46,775,000.00
Riverside Center for Research and Technology	5,500,000.00
Civic Center Phase II Expansion	14,300,000.00
Total	$79,680,000.00

Patrick Henry High School:

Financing assumptions include $7.5 million
Literary Fund Loan and potential VPSA Bonds
Literary Fund Loans/VPSA Interest Rate Subsidies not currently available

Riverside Center for Research and Technology:

Project is private activity related per IRS guidelines
Application pending with Virginia Small Business Financing Authority for allocation of qualified redevelopment bond to avoid issuance of taxable bonds

Factors to be considered:

Maximum cash flow needed through fall 2005 totals $46 million
Literary Fund loans for partial financing of Patrick Henry High School not currently available
Negative arbitrage is significant (difference between interest paid on bonds and interest earned on bond proceeds)
Interest rate risk for one year

The Director of Finance recommended:

Issue $46,000,000.00 of the $79,680,000.00 authorized debt in the fall of 2004 versus issuing the total amount.

Approximately $26,000,000.00 of bond issuance can be extended for one to one and one-half years.

Projected interest savings for fiscal year 2006 would be $700,000.00-$750,000.00 (projected using current rates)

Provides flexibility for future Literary Fund Loan or VPSA Interest Rate Subsidy Program

GRANTS: The City Manager introduced a briefing on the City's HUD Policy and Planning for fiscal years 2005-2010.

Frank Baretta, Budget Team Leader, Department of Management and Budget, presented a briefing on HUD Policy and Planning for 2005-2010, with emphasis on refining the City's distribution of CDBG funding.

Mr. Baretta called attention to a recent communication which was sent to the Mayor and Members of Council regarding the new five year Consolidated Plan that is currently being addressed by staff which included priorities and objectives to be considered for the 2005-2010 period. He explained that the City submits a five year plan to HUD and annual update in order to receive CDBG, HOME and ESG grants and of the three, CDBG is by far the largest, providing about $2.2 million in new funds yearly, HOME provides approximately $750,000.00 and ESG provides about $80,000.00.

He advised that the City is in the last year of its current five-year plan; the next plan will begin on July 1, 2005; to start the new plan on time, its priorities and objectives must form the basis of the budgeting cycle that begins two months from now; and draft priorities and objectives were developed through a work group that started with staff and was expanded to include several City residents.

He stated that closely aligned with the City's Consolidated Plan is a policy on HUD funds, which Council adopted in September 2001; among the policy's provisions, CDBG funds are targeted in certain ways; the policy presently directs 15 per cent to economic development (including repayments on a HUD Section 108 loan), 65 per cent to housing, ten per cent to human services, five per cent to neighborhood development and five per cent to planning and administration; and meanwhile, by regulation, HOME funds are all for low/moderate housing and ESG is all for homeless services.

He further stated that the City's HUD funds policy provides flexibility with its CDBG funds; budgeting aims to achieve the target levels, but the City can move funds among the categories, if needed and available and there is a need for more of the CDBG to go to economic and neighborhood development.

He reviewed a slide indicating the City's actual distribution for CDBG last year and funds budgeted to date this year, which reflects the relative high value that the City places on using its CDBG for housing, however, still less CDBG was used for housing than the policy targets.

Mr. Baretta advised that many factors can influence the City's actual distribution of CDBG funds compared to targets; for example, nearly $400,000.00 in CDBG was shifted to the neighborhood category for the traffic calming efforts in the Southeast By Design project, which was of major importance to residents; another example is that the amount of CDBG funds available each year can vary, so the percentage devoted to the City's annual Section 108 loan payment can vary as overall CDBG funds vary; another example is the unpredictability of applications to be received, while having to avoid leaving funds unprogrammed since HUD has rules against building up unspent funds; and such factors contribute to shifts compared to the City's original targets.

He stated that housing remains by far the City's top priority, with CDBG contributing beyond assistance to low/moderate persons; draft priorities and objectives include $1.2 million in CDBG incentives for those above the low/moderate income level to renovate deteriorated housing; the City will also seek greater leveraging of its HUD fund from private and other public sources, while supporting infrastructure, commercial and other neighborhood improvements and keep its sights on the other four "focus neighborhoods" and ways that the City can provide assistance, while the bulk of the HUD funds serve the Gainsboro and Gilmer areas; and it is expected that the CDBG distribution under the City's HUD policy will need to be adjusted.

Mr. Baretta reviewed a slide showing the City's current thinking for adjusting the CDBG distribution for the 2005-2010 period; economic development would need to rise to 22.5 per cent; it would then be necessary to create a small category of 0.5 per cent for CDBG Homeless Services which would fund the comprehensive study and annual updates shown in the priorities and objectives received; CDBG Housing funds would remain at the current 57 per cent level actually funded for 2004-2005; with HOME funds, approximately two-thirds of all the City's HUD funds will go for housing; Human Services will stay at its current ten per cent; neighborhood development will rise to ten per cent, primarily as a result of the City's experience in needing funds for infrastructure

needs; it is believed that the Planning/Administration category should be deleted which represent more of a cost classification and should be seen as part of the other categories; and moreover, flexibility is needed to deal with such costs according to the needs of the project within the limits allowed by regulations.

He advised that priorities and objectives that the City is considering for the next five years cover a range of community needs, such as providing incentives to non-low/moderate persons to tackle blighting housing; at the same time, the City must continue to raise the value of low/moderate housing and assist those with special needs; CDBG will also continue to contribute toward the many human services needs of individuals and families; and the City wishes to foster involvement of neighborhood groups, preserve historic places and enhance infrastructure, while assisting businesses.

Looking at tasks ahead, Mr. Baretta advised that the City wishes to broaden public input beyond what has been received through the work group; information will be sent to approximately 400 individuals and agencies with regard to draft priorities and objectives, supplemented by an advertisement in the newspaper and information provided directly to the Roanoke Neighborhood Advocates, and information on the City's website, with the ability for viewers to respond by e-mail; on September 23, 2004, an open-house-style public meeting will be held for interested persons to discuss and comment on the draft; and in November, the budget cycle will begin and in May, 2005 Council will be requested to approve the new five-year plan and associated revisions to the HUD policy.

At 1:50 p.m., the Mayor declared the Council meeting in recess to be reconvened at 2:00 p.m., in the Council Chamber.

At 2:00 p.m., on Tuesday, September 7, 2004, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor C. Nelson Harris presiding.

PRESENT: Council Members Brian J. Wishneff, M. Rupert Cutler, Alfred T. Dowe, Jr., Beverly T. Fitzpatrick, Jr., Sherman P. Lea, Brenda L. McDaniel and Mayor C. Nelson Harris----------7.

ABSENT: None----------0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by Vice-Mayor Beverly T. Fitzpatrick, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGMENTS:

DECEASED PERSONS: Council Member Dowe offered the following resolution expressing sympathy upon the passing of Mrs. Christine Price Lea, mother of Council Member Sherman P. Lea, on Tuesday, August 17, 2004:

(#36824-090704) A RESOLUTION memorializing the late Christine Price Lea, mother of Council Member Sherman P. Lea.

(For full text of Resolution, see Resolution Book No. 69, Page 89.)

Mr. Dowe moved the adoption of Resolution No. 36824-090704. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, McDaniel, and Mayor Harris----------6.

NAYS: None----------0.

(Council Member Lea abstained from voting.)

The Mayor presented a ceremonial copy of the above referenced measure to Council Member Lea, on behalf of the Lea family.

ACTS OF ACKNOWLEDGEMENT-CITY EMPLOYEES: Mr. Fitzpatrick offered the following resolution recognizing and commending City employees returning from active duty as Army National Guard, Air Force Air National Guard, and Army, Navy, Air Force and Marine Corps Reservists, who served their country during "Operation Iraqi Freedom":

(#36825-090704) A RESOLUTION paying tribute to City employees who have returned from active duty as Army National Guard, Air Force National Guard, and Army, Navy, Air Force and Marine Corps reservists who served their country during "Operation Iraqi Freedom."

(For full text of Resolution, see Resolution Book No. 69, Page 90.)

Mr. Fitzpatrick moved the adoption of Resolution No. 36825-090704. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

Louie A. Cross, representing reservists employed by the City of Roanoke, expressed appreciation to Council and to the City Manager for previous action taken by the Council to provide full pay and benefits to City employees called to active duty in the Armed Forces.

The Mayor presented a ceremonial copy of the above referenced resolution to the following reservists: Scott E. Bradford (Navy Reserve), Robert P. Campbell (National Guard), Louie A. Cross (Army Reserve), Jeremy Todd Evans (Air Force Reserve), Richard Alden Frantz, III (Army Reserve), Douglas Lynn Hurd (National Guard), Jeffrey P. Jenkins (Army Reserve), Robert A. Johnson (Army Reserve), Darrick A. Jones (Army Reserve), Paul Eric Laprad (Army Reserve), Brian K. McDaniel (Marine Corps Reserve), Maurice Nicholson (National Guard), Joseph E. Orange (Army Reserve), and Daryl W. Songer (Air Force Air National Guard).

PROCLAMATIONS-LIBRARIES: The Mayor presented a proclamation declaring Thursday, September 16, 2004, as Friends of the Library Day.

PROCLAMATIONS-CITY COUNCIL: The Vice-Mayor presented a proclamation declaring September 7, 2004, as C. Nelson Harris Day in recognition of the Mayor's 40th birthday on August 21, 2004.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion is desired, the item will be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the special meeting of Council held on Tuesday, July 6, 2004; the organizational meeting and the regular meeting of Council held on Tuesday, July 6, 2004, recessed until Friday, July 16, 2004, and recessed until Monday, July 19, 2004; and the regular meetings of Council held on Monday, July 19, 2004, and Monday, August 2, 2004, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Cutler moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

AUDITS/FINANCIAL REPORTS-COMMITTEES: Minutes of the Audit Committee meeting, which was held on Monday, August 16, 2004, were before the body.

Topics of discussion:

Internal Audit Reports:

Cash & Inventory Counts
Civic Center Maintenance
Code Enforcement
Data Mining

New Business:

Municipal Auditing Annual Report - June 20, 2004
Audit Committee Annual Report - June 30, 2004
Municipal Auditing 2005 Annual Plan

Engagement Letter-Roanoke City Public Schools

Mr. Cutler moved that the Minutes be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

BUSES-COMMITTEES: Minutes of the Greater Roanoke Transit Company Audit Committee meeting which was held on Monday, August 16, 2004, were before the body.

Topics of discussion: Internal Audit Reports, Inventory Count.

Mr. Cutler moved that the Minutes be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

BUDGET-CITY COUNCIL: A communication from the City Manager requesting that Council schedule a public hearing for Monday, September 20, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider an adjustment to the City of Roanoke fiscal year 2004-2005 budget, was before the body.

The City Manager advised that each year, the year-end General Fund balance and retained earnings for Internal Service Fund and Enterprise Funds are appropriated for the funding of Capital Maintenance and Equipment Replacement (CMERP) and other necessary items; and a Council report recommending appropriation of additional funds is scheduled to be presented to Council on Monday, September 20, 2004.

It was further advised that pursuant to Section 15.2-2507, Code of Virginia (1950), as amended, a locality may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year as shown in the current adopted budget, however, any such amendment which exceeds one per cent of total expenditures shown in the adopted budget, or the sum of $500,000.00, whichever is lesser, must be accomplished by publishing a notice of a meeting and a public hearing.

Mr. Cutler moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

COMMITTEES-PERSONNEL DEPARTMENT: A communication from Kenneth S. Cronin, Secretary, Personnel and Employment Practices Commission, advising of the resignation of Tamara S. Asher as a member of the Personnel and Employment Practices Commission, was before Council.

Mr. Cutler moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

COMMITTEES-FLOOD REDUCTION/CONTROL: A communication from Herbert C. Berding, Jr., tendering his resignation as a member of the Flood Plain Committee, was before Council.

Mr. Cutler moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

PARKS AND RECREATION-COMMITTEES-YOUTH-LIBRARIES-FIFTH PLANNING DISTRICT COMMISSION: The following reports of qualification were before Council:

> C. Nelson Harris, Brenda L. McDaniel and William D. Bestpitch as members of the Roanoke Valley Allegheny Regional Commission, for terms ending June 30, 2006;
>
> Sharon Hicks as a member of the Youth Services Citizen Board, for a tem ending May 31, 2007;
> Herbert D. McBride as a member of the Roanoke Public Library Board, for a term ending June 30, 2007; and
>
> Christene A. Montgomery and Sharon L. Stinnette to fill unexpired terms of office on the Parks and Recreation Advisory Board, ending March 31, 2005.

Mr. Cutler moved that the reports of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

REGULAR AGENDA

PUBLIC HEARINGS:

SCHOOLS-BONDS/BOND ISSUES: Pursuant to action taken by the Council, the City Clerk having advertised a public hearing for Tuesday, September 7, 2004, at 2:00 p.m., or as soon thereafter as the matter may be heard, on a request of the Roanoke City School Board that Council adopt a resolution, or resolutions, approving issuance by the City of Roanoke of its general obligation bond, or bonds, in an amount estimated not to exceed $1,300,000.00, for the purpose of financing certain capital improvements for Lincoln Terrace Elementary School, the matter was before the body.

Legal advertisement of the public hearing was published in *The Roanoke Times* on Thursday, August 19, 2004, and Thursday, August 26, 2004.

A communication from George J. A. Clemo, Attorney, advising that on August 16, 2004, at the request of the Roanoke City School Board, Council adopted Resolution No. 36816-081604, authorizing the filing of an application with the Virginia Public School Authority (VPSA) for bond financing of $1,300,000.00 for capital improvements at Lincoln Terrace Elementary School, and authorizing publication of a notice of public hearing as required by the Public Finance Act before the bonds may be issued; and the VPSA application was filed on August 25, 2004.

Mr. Clemo further advised that no action is required by the Council, other than the holding of a public hearing; and following receipt of the final debt service schedule for the bonds by the VPSA, a final bond resolution will be submitted to Council for consideration at a future Council meeting.

The Mayor inquired if there were persons present who would like to be heard in connection with the matter. There being none, he declared the public hearing closed.

No action was required to be taken by the Council.

PETITIONS AND COMMUNICATIONS:

BUDGET-COMMONWEALTH'S ATTORNEY-GRANTS: A communication from the Commonwealth's Attorney advising that the Victim/Witness Assistance Program was awarded a 12 month, $107,201.00 grant (No. 05-K8554VW04) for July 2004 through June 2005 by the Department of Criminal Justice Services (DCJS), which will allow the Victim/Witness Assistance Program to continue to provide comprehensive information and direct services to crime victims and witnesses, in accordance with the Virginia Crime Victim and Witness Rights Act; and the Victim/Witness Program continues to operate with a full-time coordinator for the Circuit Court, one full-time assistant for the Juvenile and Domestic Relations Court and one full-time assistant for the General District Court.

It was further advised that the Victim/Witness Program is coordinated by the Office of the Commonwealth's Attorney, at a cost to the City of $25,671.00 as a local cash match, for a total grant budget of $132,872.00; and the local cash match is equal to that of fiscal year 2003-2004 and is included in the General Fund fiscal year 2004-2005 adopted budget in the Transfers to Grant Fund Account.

The Commonwealth's Attorney recommended that Council accept Victim/Witness Grant No. 05-K8554VW04, in the amount of $107,201.00, with the City of Roanoke providing $25,671.00 as a local cash match from monies provided in the Transfers to Grant Fund Account in the fiscal year 2004-2005 budget, for a total grant of $132,872.00; authorize the City Manager to execute all appropriate documents to be approved as to form by the City Attorney; that Council appropriate funds totaling $132,872.00 and increase corresponding revenue estimates in accounts established by the Director of Finance in the Grant Fund; and transfer $25,671.00 from the General Fund Transfers to Grant Fund Account No. 001-250-9310-9535 to a Grant Fund account to be established by the Director of Finance.

A communication from the City Manager concurring in the recommendation of the Commonwealth's Attorney was also before Council.

Mr. Fitzpatrick offered the following budget ordinance:

(#36826-090704) AN ORDINANCE to appropriate funding for the Victim Witness Program Grant, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 91.)

Mr. Fitzpatrick moved the adoption of Ordinance No. 36826-090704. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

Mr. Fitzpatrick offered the following resolution:

(#36827-090704) A RESOLUTION authorizing the acceptance of a grant made to the City of Roanoke by the Commonwealth of Virginia Department of Criminal Justice Services for a Victim/Witness Assistance Program and authorizing the execution and filing by the City Manager of the conditions of the grant and other grant documents in a form approved by the City Attorney.

(For full text of Resolution, see Resolution Book No. 69, Page 92.)

Mr. Fitzpatrick moved the adoption of Resolution No. 36827-090704. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

REPORTS OF OFFICERS:

CITY MANAGER:

ITEMS RECOMMENDED FOR ACTION:

BUDGET-GRANTS-EMERGENCY MEDICAL SERVICES: The City Manager submitted a communication advising that the Virginia Department of Health, Office of Emergency Medical Services, administers a Rescue Squad Assistance Fund (RSAF) grant program which is awarded twice annually; and Roanoke Fire-EMS applied in March 2004 for the grant in order to purchase Ford Type III Ambulance and Training equipment, which will help the department to meet Commonwealth of Virginia Accreditation requirements.

It was further advised that in July 2004, the State Office of Emergency Medical Services awarded Roanoke Fire-EMS a grant of $40,982.00 for the above referenced project, requiring a $53,155.00 local match; sufficient matching funds for the grant are budgeted in two accounts; and action by Council is needed to formally accept and appropriate the funds and to authorize the Director of Finance to establish revenue estimates and appropriate accounts to purchase the equipment and supplies in accordance with provisions of the grant.

The City Manager recommended that Council authorize acceptance of the grant and appropriate State grant funds of $40,982.00, with a corresponding revenue estimate, in accounts to be established by the Director of Finance in the Grant Fund; transfer the local match of $53,155.00 from the Fleet Management Fund and the Local Match Funding for Grants Fund to the Grant Fund account; and authorize the City Manager to execute the required grant agreements to be approved as to form by the City Attorney.

Mr. Dowe offered the following budget ordinance:

(#36828-090704) AN ORDINANCE to appropriate funding for the Rescue Squad Assistance Fund Grant, amending and reordaining certain sections of the 2004-2005 Fleet and Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 93.)

Mr. Dowe moved the adoption of Ordinance No. 36828-090704. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

Mr. Dowe offered the following resolution:

(#36829-090704) A RESOLUTION authorizing the acceptance of the Rescue Squad Assistance Fund ("RSAF") Grant made to the City of Roanoke by the Virginia Department of Health, Office of Emergency Medical Services, and authorizing the execution and filing by the City Manager of the conditions of the grant and other grant documents approved as to form by the City Attorney.

(For full text of Resolution, see Resolution Book No. 69, Page 94.)

Mr. Dowe moved the adoption of Resolution No. 36829-090704. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

JUVENILE CORRECTION FACILITIES-BUDGET-GRANTS-YOUTH: The City Manager submitted a communication advising that the City of Roanoke has received notification that an application for funds under the Juvenile Accountability Block Grant (JABG) One Time Special Funding Initiative has been reviewed and approved by the Virginia Department of Criminal Justice Services (DCJS); funding will be used to provide equipment and supplies to a volunteer task force, which has been established under the Director of Social/Human Services to consider the City of Roanoke's Comprehensive Strategy for Juvenile Offenders; and the goal of the Task Force is to study the City of Roanoke's current system for juvenile offenders and to make recommendations for a more comprehensive and appropriate response to juvenile offender needs.

The City Manager further advised that the approved amount of the One Time Special Funding Initiative ($8,333.00) is available on a reimbursement basis only; and funds must be expended or obligated during the award period between September 1 and December 31, 2004.

The City Manager recommended that Council adopt a resolution accepting the $8,333.00 in JABG Special One Time Funding Initiative from the Virginia Department of Criminal Justice Services, Application No. 04-JB0T-28, for the City of Roanoke's Comprehensive Strategy for Juvenile Offenders; authorize the City Manager to execute the required grant acceptance, and any other forms required by the Department of Criminal Justice Services; appropriate $8,333.00 in accounts to be established by the Director of Finance in the Grant Fund, and adopt a revenue estimate of the same amount.

Mr. Cutler offered the following budget ordinance:

(#36830-090704) AN ORDINANCE to appropriate funding for the Juvenile Accountability Block Grant One Time Special Funding Initiative, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 95.)

Mr. Cutler moved the adoption of Ordinance No. 36830-090704. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

Mr. Cutler offered the following resolution:

(#36831-090704) A RESOLUTION authorizing acceptance of Juvenile Accountability Block Grant One Time Special Funding Initiative funds from the Virginia Department of Criminal Justice Services on behalf of the City, authorizing execution of any and all necessary documents to comply with the terms and conditions of the grant and applicable laws, regulations, and requirements pertaining thereto.

(For full text of Resolution, see Resolution Book No. 69, Page 96.)

Mr. Cutler moved the adoption of Resolution No. 36831-090704. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

POLICE DEPARTMENT-BUDGET-GRANTS: The City Manager submitted a communication advising that Congress has appropriated funds for continuation of the Local Law Enforcement Block Grant (LLEBG) for the period of October 1, 2004, through September 30, 2006, to be administered by the Bureau of Justice the Assistance and the U. S. Department of Justice; the purpose of the program is to provide funds to units of local government to underwrite projects designed to reduce crime and to improve public safety; the City of Roanoke has been awarded $51,017.00; grant conditions require a local match amount of $5,669.00, for a program total of $56,686,00; and the award is significantly less than awards in previous years due to budget cuts to the program, however, the award renews Roanoke's LLEBG grant program for the eighth consecutive year.

It was further advised that grant funds must be used for: (1) payment of overtime to presently employed law enforcement officers for the purpose of increasing the number of hours worked by such personnel, and (2) procuring equipment, training and other materials directly related to basic law enforcement functions, police bicycle patrol, directed at specific/problem areas or neighborhoods, will be continued through the program; grant funds become available only after a public hearing has been held by Council and an LLEBG program advisory committee meeting has been conducted by the Police Department; and the public hearing and LLEBG advisory committee meeting must be conducted prior to October 13, 2004.

It was further advised that the LLEBG program requires that all grant funds ($51,017.00) be placed in an interest bearing account; based on interest earned during the past year of LLEBG funding, interest earnings of $750.00 are anticipated for the grant; and the local cash match of $5,669.00 is available in the Police Department's State Asset Forfeiture account.

The City Manager recommended that Council accept the Local Law Enforcement Block Grant (LLEBG) of $51,017.00 from the Bureau of Justice Assistance, with the Police Department providing $5,669.00 as a local cash match from State Asset Forfeiture Account No. 035-640-3302-2149, and $750.00 in anticipated interest earnings; authorize the City Manager to execute the grant agreement and any related documents, subject to approval as to form by the City Attorney; and appropriate $57,436.00 and establish corresponding revenue estimates in accounts to be established by the Director of Finance in the Grant Fund, as follows:

Overtime	$53,354.00
FICA	4,082.00
Total	$57,436.00

Ms. McDaniel offered the following budget ordinance:

(#36832-090704) AN ORDINANCE to appropriate funds for the Local Law Enforcement Block Grant, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 97.)

Ms. McDaniel moved the adoption of Ordinance No. 36832-090704. The motion was seconded by Mr. Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

Ms. McDaniel offered the following resolution:

(#36833-090704) A RESOLUTION authorizing the acceptance of the Local Law Enforcement Block Grant offer made by the Bureau of Justice Assistance and authorizing the execution of any required documentation on behalf of the City, in a form approved by City Attorney.

(For full text of Resolution, see Resolution Book No. 69, Page 98.)

Ms. McDaniel moved the adoption of Resolution No. 36833-090704. The motion was seconded by Mr. Wishneff and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

BUDGET-GRANTS-FDETC: The City Manager submitted a communication advising that the City of Roanoke is the grant recipient for Workforce Investment Act (WIA) funding, thus, Council must appropriate funds for all grants and other monies received in order for the Western Virginia Workforce Development Board to administer WIA programs; and the Western Virginia Workforce Development Board administers the Federally funded Workforce Investment Act (WIA) for Area 3, which encompasses the Counties of Alleghany, Botetourt, Craig, Franklin and Roanoke, and the Cities of Covington, Roanoke, and Salem.

It was further advised that WIA funding is intended for four primary client populations:

- Dislocated workers who have been laid off from employment through no fault of their own;
- Economically disadvantaged individuals as determined by household income guidelines defined by the U. S. Department of Labor;
- Youth who are economically disadvantaged, or have other barriers to becoming successfully employed adults; and
- Businesses in need of employment and job training services.

It was explained that the Western Virginia Workforce Development Board has received a Notice of Obligation from the Virginia Employment Commission allocating $77,857.00 for the Adult Program, which serves economically disadvantaged persons; $113,884.00 for the Dislocated Worker Program, which serves persons laid off from employment through no fault of their own; $192,069.00 for the Youth Program, which serves economically disadvantaged youth in Program Year 2004 (July 1, 2004 - June 30, 2006); and the Western Virginia Workforce Development Board has received an NOO (Nature of Obligation) from the Virginia Employment Commission adjusting the allocation for Program Year 2003 (July 1, 2003 - June 30, 2005) which decreases the Adult Program allocation by $2,374.00 and increases the Dislocated Worker Program by $70.00.

The City Manager recommended that Council appropriate Western Virginia Workforce Development Board Workforce Investment Act funding of $383,810.00 and establish corresponding revenue estimates in accounts to be established in the Grant Fund by the Director of Finance; and decrease Program Year 2003 Adult Program appropriations and revenue accounts by $2,374.00 and increase Program Year 2003 Dislocated Worker Program appropriations and revenue accounts by $70.00.

Mr. Cutler offered the following budget ordinance:

(#36834-090704) AN ORDINANCE to appropriate funding for the fiscal year 2005 Workforce Investment Act Grant and to de-appropriate funding for the fiscal year 2004 Grant, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 99.)

Mr. Cutler moved the adoption of Ordinance No. 36834-090704. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

BUDGET-HUMAN DEVELOPMENT: The City Manager submitted a communication advising that the Virginia Institute for Social Service Training Activities (VISSTA) program provides valuable training classes for local Department of Social Services staff, including social workers, eligibility workers, supervisors and administrative staff, as well as training for local Department of Social Services approved or State licensed child care providers; training events enhance the knowledge and skills of staff and child care providers, such that vulnerable children, adults and families are effectively assisted in obtaining an appropriate level of safety and self-sufficiency; the Virginia Department of Social Services grants funds to Virginia Commonwealth University (VCU) for operation of five VISSTA Area Training Centers throughout the Commonwealth; and the City of Roanoke Department of Social Services has received an annual sub-award for local supervision and operation of the Piedmont Area Training Center since 1998.

It was further advised that the current budget for the program is $344,000.00, with the actual sub-award amount being $401,691.00, which includes funding for an additional training assistant position that is needed due to the Virginia Department of Social Services Policy Training being added to VISSTA's responsibilities, and is issued on a cost reimbursable basis.

The City Manager recommended that she be authorized to accept the $401,691.00 sub-award from Virginia Commonwealth University, and to execute the Sub-award Agreement and any other required documents, all documents to be subject to approval by the City Attorney; and that the Director of Finance be authorized to increase the revenue estimate for VISSTA Account No. 001-110-1234-0671, in the amount of $57,691.00, and appropriate funds to the following accounts:

001-630-5318-2020	(VISSTA Telephone)	$2,000.00
001-630-5318-2075	(VISSTA Printing)	2,000.00
001-630-5318-2160	(VISSTA Postage)	1,500.00
001-630-5318-2066	(VISSTA Program Activities)	18,932.00
001-630-5318-1002	(Regular Employee Salaries)	25,363.00
001-630-5318-1120	(FICA)	1,940.00
001-630-5318-1105	(City Retirement)	2,283.00
001-630-5318-1125	(Hospitalization Insurance)	3,300.00
001-630-5318-1130	(Life Insurance)	289.00
001-630-5318-1131	(Disability Insurance)	84.00
		$57,691.00

Mr. Fitzpatrick offered the following budget ordinance:

(#36835-090704) AN ORDINANCE to appropriate funding for the Virginia Institute for Social Service Training Activities (VISSTA), amending and reordaining certain sections of the 2004-2005 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 101.)

Mr. Fitzpatrick moved the adoption of Ordinance No. 36835-090704. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

Mr. Fitzpatrick offered the following resolution:

(#36836-090704) A RESOLUTION authorizing the City Manager to execute a subaward agreement with Virginia Commonwealth University for local supervision and operation of the Virginia Institute for Social Service Training Activities ("VISSTA") Piedmont Area Training Center, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 69, Page 102.)

Mr. Fitzpatrick moved the adoption of Resolution No. 36836-090704. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

REFUSE COLLECTION: The City Manager submitted a communication advising that on August 1, 2001, the Virginia Waste Management Board of Regulations issued document SNR.DEQ014 which required every municipality or region to prepare an updated Solid Waste Management Plan to be presented to the Department of Environmental Quality on or about July 1, 2004; the Virginia Department of Environmental Quality facilitates solid waste management planning throughout the State, which planning efforts are useful in tracking and managing solid waste, promoting recycling and preventing long term problems such as soil and water contamination; and Council adopted Roanoke's first and only Solid Waste Management Plan in 1991, pursuant to Resolution No. 30619; and to a large degree, the goals of the Plan have been met.

It was further advised that the Code of Virginia authorizes the Solid Waste Management Board to promulgate regulations relating to the management of solid waste requiring that all Plans be submitted to DEQ for approval; City staff has led development of a draft Solid Waste Management Plan for the City of Roanoke; the final draft of the Plan, for which the Vision Comprehensive Plan has provided guidance, accounts for a number of changes that Roanoke's Solid Waste Management division has instituted in recent years; the Plan also acknowledges Roanoke's excellent recycling rate which exceeds the state-mandated 25 per cent threshold; and on August 16, 2004, Council held a public hearing at which time public comment on the Plan was solicited and no comments were made by the public at that time.

The City Manager recommended that Council adopt the City of Roanoke's Solid Waste Management Plan and authorize submittal of the Plan to the Virginia Department of Environmental Quality for approval.

Mr. Cutler offered the following resolution:

(#36837-090704) A RESOLUTION regarding the adoption of a Solid Waste Management Plan for the City of Roanoke.

(For full text of Resolution, see Resolution Book No. 69, Page 102.)

Mr. Cutler moved the adoption of Resolution No. 36837-090704. The motion was seconded by Mr. Dowe.

Council Member Cutler inquired about the recycling of green and brown glass which is currently taken to Cycle Systems on an individual basis, and requested that City staff review viable options to recycling.

The City Manager advised that under the new contract with Cycle Systems, the City reached the zero-floor price for recycling in August, 2004, thus avoiding the payment of recycling fees for the month of August; and required tonnage for the zero-floor price is 225 tons, the City of Roanoke recycled 233 tons in August and saved $10,447.00 in disposal fees.

Dr. Cutler spoke in favor of merging recycling efforts with Roanoke County; whereupon, the City Manager called attention to discussions with the County Administrator regarding the possibility of collecting trash on the same day on those streets that have both City and County residents, and Roanoke County has expressed an interest in the proposal.

Vice-Mayor Fitzpatrick suggested that an article be published in the Roanoke Citizen magazine advising citizens as to the amount of money that was saved by the City on recycling in August, in an effort to help citizens to understand how recycling saves the City money. He spoke in support of regional recycling.

Resolution No. 36837-090704 was adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

BRIDGES-STATE HIGHWAYS-TRAFFIC: In view of certain action taken by the Council at its 9:00 a.m. work session, the City Manager withdrew a communication which was previously placed on the agenda recommending that Council adopt a resolution endorsing the improvement of the First Street Bridge, agreeing to pay the 20 per cent match to Federal funds ($497,000.00) and agreeing to reimburse the Virginia Department of Transportation for the total amount of costs expended by VDOT if the City subsequently elects to cancel the project.

Council Member Wishneff advised that at the 9:00 a.m. work session, Council unanimously adopted a motion to renovate the existing First Street Bridge as a pedestrian only bridge, to continue ongoing efforts with Congressman Goodlatte to obtain Federal funds for a pedestrian only bridge, and to move forward with a memorial project to honor Dr. Martin Luther King, Jr.

HOUSING/AUTHORITY-GRANTS: The City Manager submitted a communication advising that historically, the Roanoke Redevelopment and Housing Authority (RRHA) has administered a variety of housing programs for the

City of Roanoke using Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds; on May 13, 2004, Council authorized the RRHA's 2004-2005 housing activities by Resolution No. 36695-051304, which approved the City's 2004-2005 Annual Update to the Consolidated Plan for submission to the U. S. Department of Housing and Urban Development (HUD); Council accepted the 2004-2005 CDBG and HOME funds on June 21, 2004, pursuant to Ordinance No. 36719-062104 and Resolution No. 36720-062104, pending approval from HUD; and grant agreements with HUD have since been signed.

It was further advised that in order for the RRHA to conduct housing activities approved in the Consolidated Plan, authorization by Council to execute an agreement with the RRHA is needed; necessary CDBG and HOME funding is available in certain accounts; under the proposed agreement, a total of $721,930.00 is being provided to the RRHA for owner and tenant-occupied housing rehabilitation activities that will primarily serve the Gainsboro area which, along with the Gilmer area, are the next neighborhoods to receive targeted CDBG and HOME funding; the Agreement provides that limited repair services for the elderly and emergency assistance may be provided to both neighborhoods; the Agreement contains a mutual indemnification clause in which both parties agree to indemnify the other for damages and expenses incurred as a result of the other party's conduct; and the effect of the clause is that, in certain circumstances, the City would waive its defense of sovereign immunity.

The City Manager recommended that she be authorized to execute the 2004-2005 CDBG/HOME Agreement with the Roanoke Redevelopment and Housing Authority, to be approved as to form by the City Attorney.

Mr. Dowe offered the following resolution:

(#36838-090704) A RESOLUTION authorizing the appropriate City officials to execute the 2004-2005 Community Development Block Grant and HOME Investment Partnership Program Agreement with the Roanoke Redevelopment and Housing Authority to conduct the housing activities approved in the Consolidated Plan, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 69, Page 104.)

Mr. Dowe moved the adoption of Resolution No. 36838-090704. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

BRIDGES-NORFOLK SOUTHERN COPORATION: The City Manager submitted a communication advising that the proposed reconstruction of the First Street Bridge over the railroad tracks will require the relocation of Norfolk Southern Railway Company's (Railway) signal system; negotiations with the Railway have been completed and the City is ready to execute an agreement; estimated cost of relocation and force account work totals $147,190.00, and funding is available in First Street Bridge, Account No. 008-052-9574.

The City Manager recommended that she be authorized to execute the agreement with Norfolk Southern Railway Company, to be approved as to form by the City Attorney, as executed by the Railway.

Mr. Dowe offered the following ordinance:

(#36839-090704) AN ORDINANCE authorizing the City Manager to enter into an agreement between the City of Roanoke and Norfolk Southern Railway Company ("Railway") to provide for relocation of a portion of the Railway's signal system attached to the First Street Bridge, upon certain terms and conditions, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 69, Page 105.)

Mr. Dowe moved the adoption of Ordinance No. 36839-090704. The motion was seconded by Ms. McDaniel and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

CITY CODE-HUMAN DEVELOPMENT COMMITTEE: The City Manager submitted a communication advising that Section 17-14, Code of the City of Roanoke (1979), as amended, requires that a Human Resources Advisory Board be established to interest itself in matters pertaining to the public local Social Services Department and to monitor the formulation and implementation of public assistance and social services programs; the Human Resources Advisory Board is also required by State statute; and Section 2-301 of the City Code establishes the Human Services Committee which is designed to make recommendations to Council regarding the distribution of City Human Services funds to local charitable organizations.

It was further advised that the Human Resources Advisory Board meeting has not been well attended by members in recent years; the purpose of the Advisory Board has been unclear, and activities of the Department of Social Services are so tightly regulated that responsibilities of the Advisory Board are very limited; the Human Services Committee is active from January through April each year to make recommendations for distribution of City Human Services funds; combining the two committees into one nine member Board, to be named the Human Services Advisory Board, would be more effective and would fulfill the purpose and duties of both the Human Resources Advisory Board and the Human Services Committee; such action would also meet the requirements of the Code of Virginia; and membership of the Human Services Advisory Board would consist of the current active members of the Human Resources Advisory Board and the Human Services Committee.

The City Manager recommended that Section 2-301, Code of the City of Roanoke (1979), as amended, be amended, to eliminate the Human Services Committee and amend Section 17-14 of the City Code to rename the Human Resources Advisory Board, the Human Services Advisory Board, and to add the duties of the Human Services Committee to the duties of the Human Services Advisory Board; and appoint members of the Human Services Committee to the Human Services Advisory Board, as follows: for terms of two years - Pam Kestner-Chappelear and Frank Feather, for a term of three years - H. Clark Curtis; and for a term of four years - Randy Leftwich and Corinne Gott as a new member.

Mr. Fitzpatrick offered the following ordinance:

(#36840-090704) AN ORDINANCE amending §2-297, Established; repealing §2-301, Human Services Committee, of Article XIV, Boards, Authorities, Commissions and Committees, and amending §17-20, Functions, powers and duties, of Article II, Advisory Board of Human Resources, of Chapter 2, Administration, of the Code of the City of Roanoke (1979), as amended, abolishing the Human Services Committee; consolidating the functions, powers and duties of the former Committee with those of the Advisory Board; changing the name of the Advisory Board; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 106.)

Mr. Fitzpatrick moved the adoption of Ordinance No. 36840-090704. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

DIRECTOR OF FINANCE:

AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of July 2004.

(For full text, see report on file in the City Clerk's Office.)

Without objection by Council, the Mayor advised that the Financial Report would be received and filed.

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting appropriation of $1,139,814.00 from the 2004-2005 Capital Maintenance and Equipment Replacement Fund to fund textbook adoptions, administrative technology equipment, surveillance equipment, furniture replacement, a modular building, facility improvements, and repair of a roof, was before Council.

A report of the Director of Finance recommending that Council concur in the request, was before the body.

Mr. Cutler offered the following budget ordinance:

(#36841-090704) AN ORDINANCE to appropriate funding for equipment from the Capital Maintenance and Equipment Replacement Program (CMERP), amending and reordaining certain sections of the 2004-2005 General and School Funds Appropriations and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 69, Page 109.)

Mr. Cutler moved the adoption of Ordinance No. 36841-090704. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

VIRGINIA MUNICIPAL LEAGUE: Council Member Dowe offered the following resolution designation M. Rupert Cutler as Voting Delegate, Sherman P. Lea as Alternate Voting Delegate, and George C. Snead, Jr., as Staff Assistant at the 2004 Annual Conference of the Virginia Municipal League:

(#36842-090704) A RESOLUTION designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Session and meetings of the Urban Section of the Virginia Municipal League and designating a Staff Assistant for any meetings of the Urban Section.

(For full text of Resolution, see Resolution Book No. 69, Page 110.)

Mr. Dowe moved the adoption of Resolution No. 36842-090704. The motion was seconded by Mr. Fitzpatrick and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

NATIONAL LEAGUE OF CITIES: Vice-Mayor Fitzpatrick offered the following resolution designating Sherman P. Lea as Voting Delegate and Brian J. Wishneff as Alternate Voting Delegate for the 2004 Annual Business Meeting of the National League of Cities:

(#36843-090704) A RESOLUTION designating a Voting Delegate and Alternate Voting Delegate for the Annual Business Meeting of the National League of Cities.

(For full text of Resolution, see Resolution Book No. 69, Page 111.)

Mr. Fitzpatrick moved the adoption of Resolution No. 36843-090704. The motion was seconded by Ms. McDaniel and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

PARKS AND RECREATION-CITY COUNCIL: Council Member Cutler commended the City's Department of Parks and Recreation in connection with a recent tabloid that was included in *The Roanoke Times,* which called specific attention to the City's Urban Forestry Program, entitled "Roanoke in Bloom" and an article on Roanoke Valley watersheds.

CITY COUNCIL-CITY EMPLOYEES: Council Member Dowe recognized former Council Members William Bestpitch, William Carder and Linda Wyatt who served on City Council during the time that Council voted to award full pay and benefits to City employees called to active military duty.

CITY COUNCIL-CITY EMPLOYEES-CITY GOVERNMENT: Vice-Mayor Fitzpatrick commended all City employees who are responsible for maintaining entrances to the City. He called attention to the need to erect signs at entrances to the City indicating that the City of Roanoke is a five time All America City and displaying the City's new branding theme.

SPORTS ACTIVITIES: Council Member Lea extended an invitation to Roanoke's citizens to attend the Fifth Western Virginia Education Classic Football Game to be held on Saturday, September 11, 2004, at Victory Stadium, at which time public safety personnel will be recognized, as well as a local citizen who lost his life during the attack on the Pentagon on September 11, 2001. He expressed appreciation to City staff for their assistance in connection with the upcoming event.

DIRECTOR OF FINANCE-CITY CLERK-CITY ATTORNEY-MUNICIPAL AUDITOR: The Mayor advised that the two year terms of office of William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; Troy A. Harmon, Municipal Auditor; and Mary F. Parker, City Clerk, will expire on September 30, 2004.

Mr. Cutler moved that William M. Hackworth be reappointed as City Attorney; Jesse A. Hall be reappointed as Director of Finance; Troy A. Harmon be reappointed as Municipal Auditor; and Mary F. Parker be reappointed as City Clerk for terms of two years, each, commencing October 1, 2004 and ending September 30, 2006. The motion was seconded by Mr. Dowe and unanimously adopted.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard and matters requiring referral to the City Manager will be referred immediately for response, recommendation or report to Council.

COMPLAINTS-HOUSING/AUTHORITY-SUBDIVISIONS: Mr. Robert R. Justice, 3659 Peakwood Drive, S. W., spoke with regard to the proposed upscale housing development to be located off Peakwood Drive to be constructed by Len Boone & Associates, and advised that he would like to address the process and not the merits of the project on behalf of himself and his family. He called attention to an announcement on the Roanoke City web site indicating that his next door neighbor intended to sell her house to a real estate developer so that the house could be demolished in order to provide road access to an approximately 50 acre tract of undeveloped land behind his property, which was the first time he had heard about the proposed development. He advised that a neighborhood committee was appointed to review available options and a neighborhood meeting was called to explain the proposed housing development which was attended by a City official who did a creditable job in clarifying details of the City's perspective on the issue. He stated that his purpose in appearing before Council was to point out that this was the first time that there had been any discussion about the project with citizens from the affected neighborhood, although it appears that City officials, including Council, knew about the project since at least May, 2004, and those property owners who will be the most impacted by decisions were left out of the loop. He further stated that regardless of whether or not the process is legal, the neighborhood should not have been the last to find out about the proposed development. He advised that the manner in which the project was handled by the City should be of concern to every property owner in Roanoke, because if this kind of treatment can happen to property owners in his neighborhood, it can also happen to property owners in other sections of the City. He stated that in addition to being a place of comfort and refuge, a person's home is a large capital investment and represents a large portion of their estate, therefore, private developers and City government should not have a license to potentially diminish or destroy this investment. In closing, he stated that he did not wish to cast any doubts on the integrity of any of the parties involved in the project because they acted both legally and with the best intentions of the people involved for the good of the City of Roanoke; however, sometimes good intentions developed in private and cloaked by legality, are not always right for everyone and can sometimes lead to great distress. He strongly recommended that Council review the matter so that past mistakes will not be repeated.

BRIDGES: Mr. E. Duane Howard, 508 Walnut Avenue, S. W., addressed Council in connection with the manner in which business is conducted in the City of Roanoke. He quoted the following excerpt from a sermon delivered by Dr. Martin Luther King, Jr. in 1968 entitled, "The Drum Major Instinct": "Yes, if you want to say that I was a drum major, say that I was a drum major for justice; say that I was a drum major for peace; say that I was a drum major for righteousness, and all of the other shallow things will not matter. I won't have any money to leave behind, I won't have the fine and luxurious things in life to leave behind, but I just want to leave a committed life behind, and that is all I want to say. If I can help someone as I pass along, if I can cheer somebody with a word or a song, if I can show somebody he is traveling wrong, then my living will not be in vain." Mr. Howard inquired if the above words sound as though they came from a man who would want the City of Roanoke to argue and to be divided over how to honor him? He stated that there has been no meaningful public hearing on the proposed First Street Bridge project, and expressed concern with regard to the lack of attendance at meetings by members of the Martin Luther King, Jr. Committee and recommendations were adopted by the Committee without representation by a quorum of its membership. He called attention to opposition by a majority of Roanoke's citizens who have not been allowed to provide input, yet the City proposes to spend over $2 million of taxpayers' money on the First Street Bridge.

PAY PLAN-CITY EMPLOYEES-HUMAN DEVELOPMENT: Mr. Robert E. Gravely, 729 Loudon Avenue, N. W., advised that the focus of Council should be on the rights of the citizens of Roanoke. He also spoke in regard to an inequitable pay scale among City employees, educating welfare recipients which will lead to a life of self-sufficiency, and caring for Roanoke's elderly population.

BRIDGES: Ms. Helen E. Davis, 35 Patton Avenue, N. E., advised that naming the First Street Bridge in memory of Dr. Martin Luther King, Jr. is not the proper place for a memorial to Dr. King, however, there appears to be a majority ruling by Council to do so. She stated that some persons spoke in favor of also honoring local citizens who played a role in the civil rights movement along with Dr. King; however, she urged that the City exercise caution because to do so could open the door to numerous requests. She stated that the name of Oliver White Hill was mentioned during the Council's 9:00 a.m. briefing; the Gainsboro Southwest Community Organization, the Gainsboro Neighborhood Alliance, and

the Historic Gainsboro Preservation District previously requested Community Development Block Grant funds to be allocated for the Oliver White Hill house located on Gilmer Avenue, the request was denied and City staff indicated that funds may be available at a later date. She suggested that the Hill house be restored and named the Oliver White Hill Civil Rights Museum. She stated that the Martin Luther King, Jr. Committee does not speak for all of the citizens of Roanoke and Council has not solicited the remarks of citizens through a public hearing process. She urged that citizens be allowed to speak with regard to various briefings by City staff at the 9:00 a.m. Council work sessions which could eliminate the necessity to speak at the 2:00 p.m. Council meetings.

Ms. Davis also spoke in support of installing screen doors on the housing units of residents of Lincoln Village and that structural problems associated with the housing units in Lincoln Village be addressed by the appropriate entity.

CITY MANAGER COMMENTS:

VIRGINIA MUNICIPAL LEAGUE-CITY EMPLOYEES-CITY INFORMATION SYSTEMS: The City Manager welcomed back Rolanda Russell, Assistant City Manager for Community Development, who has been on medical leave.

The City Manager advised that the City's new website was activated on Saturday, September 4, 2004, and provides new and improved features.

The City Manager advised that the City of Roanoke will be recognized at the Annual Conference of the Virginia Municipal League on October 3-5, 2004, in Alexandria, Virginia, for the Southeast By Design program.

At 3:40 p.m., the Mayor declared the Council meeting in recess for two Closed Sessions.

At 5:10 p.m., the Council meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, Mayor Harris presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Fitzpatrick moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Lea and adopted by the following vote:

AYES: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

NAYS: None----------0.

OATHS OF OFFICE-COMMITTEES-LIBRARIES: The Mayor advised that there are vacancies on the Roanoke Public Library Board, created by the resignations of B. Gayle Graves and Brenda L. McDaniel, and called for nominations to fill the vacancies.

Mr. Fitzpatrick placed in nomination the names of Lauren Saunders and Owen C. Schultz.

There being no further nominations, Ms. Saunders and Mr. Schultz were appointed as members of the Roanoke Public Library Board, for terms ending June 30, 2007, by the following vote:

FOR MS. SAUNDERS AND MR. SCHULTZ: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

OATHS OF OFFICE-COMMITTEES-YOUTH: The Mayor advised that there are vacancies on the Youth Services Citizen Board, created by the resignations of Jamaal Jackson and Clay Wyatt, and called for nominations to fill the vacancies.

Mr. Fitzpatrick placed in nomination the names of JoAnn Edmunds and Sherman P. Lea, Jr.

There being no further nominations, Ms. Edmunds was appointed for a term ending May 31, 2006; and Mr. Lea was appointed to fill unexpired term of Jamaal Jackson ending May 31, 2005, as members of the Youth Services Citizen Board by the following vote:

FOR MS. EDMUNDS AND MR. LEA: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

OATHS OF OFFICE-PARKS AND RECREATION-COMMITTEES: The Mayor advised that there is a vacancy on the Parks and Recreation Advisory Board, created by the resignation of Geraldine LaManna, and called for nominations to fill the vacancy.

Mr. Fitzpatrick placed in nomination the name of Roger B. Holnback.

There being no further nominations, Mr. Holnback was appointed as a member of the Parks and Recreation Advisory Board, to fill the unexpired term of Geraldine LaManna, ending March 31, 2007, by the following vote:

FOR MR. HOLNBACK: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

OATHS OF OFFICE-COMMITTEES-INDUSTRIES: The Mayor advised that the four year term of office of Charles E. Hunter, III, as a Director of the Industrial Development Authority, will expire on October 19, 2004, and called for nominations to fill the vacancy.

Mr. Fitzpatrick placed in nomination the name of Charles E. Hunter, III.

There being no further nominations, Mr. Hunter was reappointed as a Director of the Industrial Development Authority, for a term ending October 20, 2008, by the following vote:

FOR MR. HUNTER: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

COMMITTEES-SOIL CONSERVATION: Mr. Fitzpatrick moved that Broaddus C. Fitzpatrick and John P. Bradshaw, Jr., be nominated for appointment to the Blue Ridge Soil and Water Conservation Board of Directors. The motion was seconded by Mr. Cutler and unanimously adopted.

OATHS OF OFFICE-COMMITTEES-NEIGHBORHOOD ASSOCIATIONS: The Mayor advised that there is a vacancy on the Roanoke Neighborhood Advocates, created by the resignation of Joseph A. Schupp, and called for nominations to fill the vacancy.

Mr. Fitzpatrick placed in nomination the name of Althea Pilkington.

There being no further nominations, Ms. Pilkington was appointed as a member of the Roanoke Neighborhood Advocates, to fill the unexpired term of Joseph A. Schupp, resigned, ending June 30, 2006, by the following vote:

FOR MS. PILKINGTON: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

OATHS OF OFFICE-COMMITTEES-HOUSING/AUTHORITY: The Mayor advised that there is a vacancy on the Roanoke Redevelopment and Housing Authority, created by expiration of the term of office of Carolyn S. Bumbry, and called for nominations to fill the vacancy.

Mr. Fitzpatrick placed in nomination the name of Anita Powell.

There being no further nominations, Ms. Powell was appointed as a Commissioner of the Roanoke Redevelopment and Housing Authority, for a term ending August 31, 2008, by the following vote:

FOR MS. POWELL: Council Members Wishneff, Cutler, Dowe, Fitzpatrick, Lea, McDaniel, and Mayor Harris----------7.

There being no further business, the Mayor declared the meeting adjourned at 5:15 p.m.

APPROVED

ATTEST:

Mary F. Parker
City Clerk

C. Nelson Harris
Mayor

CITY OF ROANOKE

CITY COUNCIL
215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

C. NELSON HARRIS
Mayor

Council Members:
M. Rupert Cutler
Alfred T. Dowe, Jr.
Beverly T. Fitzpatrick, Jr.
Sherman P. Lea
Brenda L. McDaniel
Brian J. Wishneff

October 18, 2004

The Honorable Vice-Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

This is to request a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, and to interview an applicant for a vacancy on the Roanoke Redevelopment and Housing Authority, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

C. Nelson Harris

C. Nelson Harris
Mayor

CNH:snh

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Beverly T. Fitzpatrick, Jr.
Sherman P. Lea
Brenda L. McDaniel
Brian J. Wishneff

October 18, 2004

The Honorable Vice-Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

This is to request a Closed Meeting to discuss the Citizen of the Year Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

Sincerely,

C. Nelson Harris

C. Nelson Harris
Mayor

CNH:snh

CITY OF ROANOKE

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C. NELSON HARRIS
Mayor

Council Members:
M. Rupert Cutler
Alfred T. Dowe, Jr.
Beverly T. Fitzpatrick, Jr.
Sherman P. Lea
Brenda L. McDaniel
Brian J. Wishneff

October 18, 2004

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Re: Request for closed meeting

Dear Mayor Harris and Council Members:

This is to request that City Council convene a closed meeting to discuss the performance of the City Manager, pursuant to the provisions of §2.2-3711.A.1, of the Code of Virginia (1950), as amended.

Sincerely,

Brian J. Wishneff

BJW/f

cc: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

October 18, 2004

Honorable C. Nelson Harris, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Harris and Members of Council:

Subject: Suggested Signage for Martin Luther King Jr. Bridge

This is to request space on Council's regular agenda for a 5 minute presentation on the above referenced subject.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Subject: Bulletproof Vest Partnership Grant

Dear Mayor Harris and Members of Council:

Background:

The Bulletproof Partnership Grant Act of 2001, enacted by the 107th United States Congress, provides funds to eligible law enforcement agencies for the purchase of bulletproof vests. The grant program is managed by the Department of Justice, Office of Justice Programs, Bureau of Justice Assistance and provides 50 percent reimbursement for eligible vest purchases. On June 8, 2004, the City of Roanoke was awarded a multi-year grant totaling $37,878 for bulletproof vests purchased jointly by the Roanoke Police Department and the Sheriff's Office during FY 2004-08.

Recommended Action:

Accept the Bulletproof Vest Partnership Grant and authorize the City Manager to execute any agreements related to the grant, such agreements to be approved as to form by the City Attorney.

Authorize the Director of Finance to establish a revenue estimate in the Grant Fund in the amount of $37,878.

Appropriate funding of $37,878 per the following and establish corresponding revenue estimates in accounts to be established by the Director of Finance in the Grant Fund:

Division	Account Name	Object Code	Amount
Police Department	Wearing Apparel	2064	$27,979
Sheriff's Office	Expendable Equipment	2035	9,900

Respectfully submitted,

Rolanda B. Russell for

Darlene L. Burcham
City Manager

DLB:mds

c: Honorable George M. McMillan, City Sheriff
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda B. Russell, ACM for Community Development
A. L. Gaskins, Chief of Police

CM04-00177

A445

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funds for the Bulletproof Vest Partnership Grant, amending and reordaining certain sections of the 2004-2005 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2004-2005 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations		
Wearing Apparel	035-640-3416-2064	27,978
Expendable Equipment (<$5,000)	035-640-3416-2035	9,900
Revenues		
Bulletproof Vest Grant FY05	035-640-3416-3616	37,878

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION accepting the Bulletproof Vest Partnership Grant made to the City by the Department of Justice, Office of Justice Programs, and authorizing execution of any required documentation approved as to form by the City Attorney.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke does hereby accept the multi-year Bulletproof Vest Partnership Grant offered by the Department of Justice, Office of Justice Programs in the amount of $37,878, for bulletproof vests to be purchased jointly by the Roanoke Police Department and the Roanoke Sheriff's Office during fiscal years 2004-05, 2005-06, 2006-07, 2007-08, such grant being more particularly described in the letter of the City Manager dated October 18, 2004, upon all terms, provisions and conditions relating to the receipt of such funds.

2. The City Manager and the City Clerk, are hereby authorized to execute, and attest, respectively, the grant agreement and all necessary documents required to accept this grant, all such documents to be approved as to form by the City Attorney.

3. The City Manager is further directed to furnish such additional information as may be required by the Department of Justice, Office of Justice Programs in connection with the City's acceptance of this grant.

ATTEST:

City Clerk

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of Council:

Subject: Commonwealth Building Lease

Background:

On July 1, 1985, the City began leasing space in the Commonwealth Building, located at 210 Church Ave, to the Commonwealth of Virginia, Department of General Services/Division of Engineering and Buildings. The Department of General Services located several departments of the Commonwealth on the ground, first, and third floors of the property. The original Lease term is twenty (20) years and expires June 30, 2005. The Department of General Services (DGS) is requesting an amendment to the current Lease Agreement. The DGS would like to amend the term of the current agreement by extending the term one year, which will change the expiration date to June 30, 2006.

The Commonwealth is currently undergoing an analysis of its property management functions. The DGS is exploring a more efficient manner to manage its assets and is considering a different approach to providing the space needed for the various agencies located in the Roanoke Valley. The DGS is exploring the option of consolidating many agencies into one new facility. Extending the term of the lease agreement will permit the DGS time to plan and construct a new facility to further consolidate the agencies located in the Commonwealth Building and throughout the valley.

Considerations:

The DGS currently pays $3.96 per square foot plus operating expenses. Fiscal Year 2003-2004 generated $329,257.26 in total rental revenue, which is the equivalent of $10.51 per square foot. The proposed amendment will allow the DGS to continue leasing the space in the Commonwealth Building for an additional year using the current rental rate, which is $3.96 per square foot plus actual operating expenses and capital maintenance charges.

Recommended Action:

Authorize the City Manager to execute the appropriate documents, approved as to form by the City Attorney, to amend the Lease Agreement dated March 28, 1984, by extending the term one year with the Commonwealth of Virginia Department of General Services, for space located in the Commonwealth Building at 210 Church Avenue, SW. The proposed amendment shall be in accordance with the provisions outlined in the attached Amendment.

Respectfully submitted,

Rolanda B. Russell for

Darlene L. Burcham
City Manager

DLB:slm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Scott L. Motley, Economic Development Specialist

CM04-00176

Third Amendment to Lease

THIS LEASE AMENDMENT, made and entered this__day of _____, 2004, amends and forms a part of that certain lease (the "Lease") dated the 28th day of March, 1984, as amended April 27, 1992 and November 1, 2003, by and between the City of Roanoke (Lessor) and the Commonwealth of Virginia, Department of General Services/Division of Engineering and Buildings (Lessee).

WHEREAS, as provided in Paragraph 13 of the Lease, Lessee notified Lessor by letter dated May 20, 2002 of its desire to terminate the Lease effective June 30, 2005.

WHEREAS, the parties now desire to extend the Lease term for one additional year until June 30, 2006.

NOW THEREFORE:

1. The parties hereby agree that the Lease term is extended for an additional period of one-year, commencing on July 1, 2005 and terminating on June 30, 2006, notwithstanding any provision of the Lease or Lessee's notice dated May 20, 2002 to the contrary. The rental rate is unchanged and shall remain at the rate that was in effect for the previous term.

2. All other provisions of the Lease remain unchanged and in full force and effect.

IN WITNESS WHEREOF, this Third Amendment to Lease has been duly executed by the parties by their authorized representatives.

Lessor: **CITY OF ROANOKE, VIRGINIA**

ATTEST: By:_____
Darlene L. Burcham, City Manager

_____
Mary F. Parker, City Clerk

Approved as to Execution

_____
Assistant City Attorney

Lessee:

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF GENERAL SERVICES/DIVISION OF BUILDING AND ENGINEERING

By: _____
Richard F. Sliwoski, P.E., Director

Recommend Approval:

Director, Department of General Services

Approval on Behalf of the Governor:

Pursuant to Virginia Code §2.2-1149 and as the official designee of the Governor of Virginia, as authorized and designated by Executive Order 88(01) dated December 21, 2001, I hereby approve relinquishment of the space described herein and execution of this instrument.

Secretary of Administration Date

DAC

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE authorizing the City Manager to execute an amendment to the Lease Agreement dated July 1, 1985, which term expires June 30, 2005, between the City of Roanoke and the Commonwealth of Virginia Department of General Services, to extend the term of the current lease agreement by one year, with an expiration date of June 30, 2006, for office space in the Commonwealth Building, located at 210 Church Avenue, upon certain terms and conditions, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. The City Manager and City Clerk are hereby authorized to execute and attest, respectively, on behalf of the City, in form approved by the City Attorney, an amendment to the Lease Agreement dated July 1, 1985, which term expires June 30, 2005, between the City of Roanoke and the Commonwealth of Virginia Department of General Services, to extend the term of the current lease agreement by one year, with an expiration date of June 30, 2006, for office space in the Commonwealth Building, located at 210 Church Avenue, at a base rent of $3.96 per square foot plus operating expenses, which are adjusted annually based on actual operating expenses, as more particularly set forth in the City Manager's letter dated October 18, 2004, to this Council.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of Council:

Subject: Amendments No. 3 to Two Contracts for Three Year Bridge Inspection Program

Background:

Council awarded contracts on June 17, 2002, to Hayes, Seay, Mattern & Mattern, Inc. and Mattern & Craig, Inc. for the three-year Bridge Inspection Program, which could provide for inspection of Parking Garages. Each year is negotiated based on the inspections for that year. Council approved amendment No. 2 on July 6, 2004, for Year 3 for the bridges and overhead signs. However, four parking garages should also be inspected as part of this program. Hayes, Seay, Mattern & Mattern, Inc. has agreed to inspect two parking garages (Church Avenue and Williamson Road) for the cost of $15,850.00. Mattern & Craig, Inc. has agreed to inspect two parking garages (Tower and Market Square) for the cost of $8,600.00. Since the amounts for these Amendments No. 3, together with prior Amendments, exceeds twenty-five percent of the original contract amount for each contract, approval from City Council is needed.

Funding is available in the following accounts:

$8,700.00 Church Avenue Parking Garage - 007-540-8220-2050
$7,150.00 Williamson Road Parking Garage - 007-540-8205-2050
$3,500.00 Market Square Parking Garage - 007-540-8215-2050
$5,100.00 Tower Parking Garage - 007-540-8225-2050

Recommended Action:

Authorize the City Manager to execute separate Amendments No. 3 for the above additional engineering services for the above work. Amendment No. 3 with Hayes, Seay, Mattern & Mattern, Inc. will be in the amount of $15,850.00. Amendment No. 3 with Mattern & Craig, Inc. will be in the amount of $8,600.00.

Respectfully Submitted,

George Arnead for

Darlene L. Burcham
City Manager

DLB:JGB:dps

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Jesse A. Hall, Director of Finance
Philip C. Schirmer, City Engineer

CM04-00181

D.T.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager's issuance and execution of Amendment No. 3 to the City's Three Year Bridge Inspection contract with Hayes, Seay, Mattern & Mattern, Inc., for additional engineering services to include the inspection of the Church Avenue and Williamson Road parking garages.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager is hereby authorized, for and on behalf of the City, to issue and execute Amendment No. 3 to the City's Three Year Bridge Inspection contract with Hayes, Seay, Mattern & Mattern, Inc., for additional engineering services to include the inspection of the Church Avenue and Williamson Road parking garages, all as more fully set forth in the City Manager's letter to Council dated October 18, 2004.

2. The form of the Amendment shall be approved by the City Attorney.

3. Such Amendment No. 3 will provide authorization for additions to the work, with an increase in the amount of the contract of an additional $15,850.00, all as set forth in the above letter.

ATTEST:

City Clerk.

K:\Measures\bridge program amendment 2004 2005 amendment 3.doc

D.T.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager's issuance and execution of Amendment No. 3 to the City's Three Year Bridge Inspection contract with Mattern & Craig, Inc., for additional engineering services to include the inspection of the Tower and Market Square parking garages.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City Manager is hereby authorized, for and on behalf of the City, to issue and execute Amendment No. 3 to the City's Three Year Bridge Inspection contract with Mattern & Craig, Inc., for additional engineering services to include the inspection of theTower and Market Square parking garages, all as more fully set forth in the City Manager's letter to Council dated October 18, 2004.

2. The form of the Amendment to shall be approved by the City Attorney.

3. Such Amendment No. 3 will provide authorization for additions to the work, with an increase in the amount of the contract of an additional $8,600.00, all as set forth in the above letter.

ATTEST:

City Clerk.

K:\Measures\bridge program amendment 2004 2005 amendment 3.doc

Kathy G. Stockburger, Chairman
Robert J. Sparrow, Vice Chairman
William H. Lindsey
Gloria P. Manns
Alvin L. Nash
Courtney A. Penn
David B. Trinkle, M.D.
Doris N. Ennis, Acting Superintendent
Cindy H. Lee, Clerk of the Board

Roanoke City School Board P.O. Box 13145, Roanoke, Virginia 24031 • 540-853-2381 • Fax: 540-853-2951

October 18, 2004

The Honorable C. Nelson Harris, Mayor
and Members of Roanoke City Council
Roanoke, VA 24011

Dear Members of Council:

As the result of official School Board action at its meeting on October 12, the Board respectfully requests City Council to approve the following appropriations:

- $724,530.00 for the Title I Winter program to provide remedial reading, language arts and mathematics instruction for students in targeted schools. This continuing program is one hundred percent reimbursed by federal funds.
- $12,500.00 for the Title I Even Start Family Literacy Grant to provide staff and funding for parental and preschool workshops for family literacy efforts at the preschool and adult education levels. This continuing program is one hundred percent reimbursed by federal funds.
- $76,300.00 for the Title I School Improvement program at Roanoke Academy for Mathematics and Science. The program will aid the division in its effort to provide strategies to increase student learning at low-performing schools. This continuing program is one hundred percent reimbursed by federal funds.
- $8,946.00 for the 2004-05 Title II, Part A (formerly Class Size Reduction Initiative and Eisenhower) to provide funds for the placement of classroom teachers in grades one through three throughout the district to reduce class size and for teacher and principal training. This continuing program is one hundred percent reimbursed by federal funds.
- $19,854.00 for the 2005 Title III Grant to provide services to students with limited English proficiency and to immigrant children. This continuing program is federally funded on a reimbursement basis.
- $160,803.00 for the 2004-05 Governor's School program to provide instruction in science and math to high school students. This continuing program is funded with State funds and tuition collected from participating school districts.
- $6,575.00 for the Roanoke Adolescent Health Partnership to provide for medical services to Roanoke City Schools in conjunction with the City of Roanoke Health Department and Carilion Health Systems. This continuing program is reimbursed by donations from Carilion Health Systems.
- $6,500.00 for the Homeless Assistance program to provide instructional services to homeless students. This continuing program is reimbursed by federal funds.

- $52,000.00 for the purchase of school instructional technology equipment, which will enable students in the elementary grades to take the Standards of Learning (SOL) on line. This continuing program is reimbursed one hundred percent by State bond funds.
- $39,988.00 for the purchase of new scientific and graphing calculators. The calculators will be used by middle and high school students to implement the statewide standards of learning assessment programs for middle school mathematics and science, and Algebra I, Algebra II, and Geometry in grades eight through ten. This new program is funded with federal funds.

Thank you for your approval of this request.

Sincerely,

Cindy H. Lee

Cindy H. Lee, Clerk

re

cc: Mrs. Kathy G. Stockburger
Mrs. Doris N. Ennis
Mr. Richard L. Kelley
Mr. Kenneth F. Mundy
Mrs. Darlene Burcham
Mr. William M. Hackworth
Mr. Jesse A. Hall
Mr. Paul Workman (with accounting details)

CITY OF ROANOKE
DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461
P.O. Box 1220
Roanoke, Virginia 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-6142

JESSE A. HALL
Director of Finance
email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER
Deputy Director
email: ann_shawver@ci.roanoke.va.us

October 18, 2004

The Honorable C. Nelson Harris, Mayor
The Honorable Beverly T. Fitzpatrick, Jr., Vice-Mayor
The Honorable M. Rupert Cutler, Council Member
The Honorable Alfred T. Dowe, Jr., Council Member
The Honorable Sherman P. Lea, Council Member
The Honorable Brenda L. McDaniel, Council Member
The Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

We have reviewed the attached request to appropriate funding for the School Board. This report will appropriate the following:

- $724,530 for the Title I Winter program to provide remedial reading, language arts and mathematics instruction for students in targeted schools. This continuing program is one hundred percent reimbursed by federal funds.
- $12,500 for the Title I Even Start Family Literacy Grant to provide staff and funding for parental and preschool workshops for family literacy efforts at the preschool and adult education levels. This continuing program is one hundred percent reimbursed by federal funds.
- $76,300 for the Title I School Improvement program at Roanoke Academy for Mathematics and Science. The program will aid the division in its effort to provide strategies to increase student learning at low-performing schools. This continuing program is one hundred percent reimbursed by federal funds.
- $8,946 for the 2004-05 Title II, Part A (formerly Class Size Reduction Initiative and Eisenhower) to provide funds for the placement of classroom teachers in grades one through three throughout the district to reduce class size and for teacher and principal training. This continuing program is one hundred percent reimbursed by federal funds.
- $19,854 for the 2005 Title III Grant to provide services to students with limited English proficiency and to immigrant children. This continuing program is federally funded on a reimbursement basis.
- $160,803 for the 2004-05 Governor's School program to provide instruction in science and math to high school students. This continuing program is funded with State funds and tuition collected from participating school districts.

Honorable Mayor and Members
of City Council
October 18, 2004

- $6,575 for the Roanoke Adolescent Health Partnership to provide for medical services to Roanoke City Schools in conjunction with the City of Roanoke Health Department and Carilion Health Systems. This continuing program is reimbursed by donations from Carilion Health Systems.
- $6,500 for the Homeless Assistance program to provide instructional services to homeless students. This continuing program is reimbursed by federal funds.
- $52,000 for the purchase of school instructional technology equipment, which will enable students in the elementary grades to take the Standards of Learning (SOL) on line. This continuing program is reimbursed one hundred percent by State funds.
- $39,988 for the purchase of new scientific and graphing calculators. The calculators will be used by middle and high school students to implement the statewide standards of learning assessment programs for middle school mathematics and science, and Algebra I, Algebra II, and Geometry in grades eight through ten. This new program is funded with federal funds.

We recommend that you concur with this report of the School Board and adopt the attached budget ordinance to appropriate funding as outlined above.

Sincerely,

Jesse A. Hall

Jesse A. Hall
Director of Finance

Attachment

JAH/ctg

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Doris N. Ennis, Acting Superintendent of City Schools

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to appropriate funding for various grants and donations, amending and reordaining certain sections of the 2004-2005 School Fund Appropriations and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that the following sections of the 2004-2005 School Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

Appropriations

Compensation of Teachers	030-061-6120-6000-0121	$ 186,917
Compensation of Supervisors	030-061-6120-6000-0124	70,483
Supplements	030-061-6120-6000-0129	75,877
Compensation of Teacher Aides	030-061-6120-6000-0141	138,806
Retirement-HIC-VRS	030-061-6120-6000-0200	(39,591)
Social Security	030-061-6120-6000-0201	20,924
Retirement-VRS	030-061-6120-6000-0202	113,804
Health Insurance	030-061-6120-6000-0204	181,001
Professional Health Services	030-061-6120-6000-0311	(214,758)
Parent Involvement	030-061-6120-6000-0585	(59,500)
Other Miscellaneous Payments	030-061-6120-6000-0586	14,799
Food	030-061-6120-6000-0602	(1,000)
Education and Recreational Supplies	030-061-6120-6000-0614	(37,716)
Additional - Machinery & Equipment	030-061-6120-6000-0821	10,000
Compensation of Teachers	030-061-6120-6200-0121	(53,148)
Supplements	030-061-6120-6200-0129	(21,758)
Compensation of Other Professional	030-061-6120-6200-0138	6,911
Compensation of Teacher Aides	030-061-6120-6200-0141	(5,375)
Compensaton of Clerical	030-061-6120-6200-0151	4,536
Retirement-HIC-VRS	030-061-6120-6200-0200	(5,579)
Social Security	030-061-6120-6200-0201	(28,274)
Retirement-VRS	030-061-6120-6200-0202	(3,734)
Health Insurance	030-061-6120-6200-0204	(3,760)
Indirect Costs	030-061-6120-6200-0212	10,709
Maintenance Service Contracts	030-061-6120-6200-0332	(7,600)
Mileage	030-061-6120-6200-0551	4,000
Field Trips	030-061-6120-6200-0583	423,127
Testing/Evaluation	030-061-6120-6200-0584	(1,500)
Parent Involvement	030-061-6120-6200-0585	7,245
Other Miscellaneous Payments	030-061-6120-6200-0586	(3,410)
Inservice Workshops	030-061-6120-6200-0587	(750)

Other Professional Services	030-062-6268-6005-0313	7,280
Conventions/Education	030-062-6268-6005-0554	140
Field Trips	030-062-6268-6005-0583	898
Education and Recreational Supplies	030-062-6268-6005-0614	(7,389)
Additional - Machinery & Equipment	030-062-6268-6005-0821	5,457
Compensation of Teachers	030-062-6268-6105-0121	(3,362)
Supplements	030-062-6268-6105-0129	3,255
Social Security	030-062-6268-6105-0201	(257)
Health Insurance	030-062-6268-6105-0204	762
Other Professional Services	030-062-6268-6105-0313	2,720
Conventions/Education	030-062-6268-6105-0554	(1,390)
Field Trips	030-062-6268-6105-0583	(147)
Education and Recreational Supplies	030-062-6268-6105-0614	1,545
Additional - Machinery & Equipment	030-062-6268-6105-0821	2,452
Compensation of Teachers	030-062-6336-6146-0121	14,224
Compensation of Counselors	030-062-6336-6146-0123	1,428
Compensation of Substitute Teachers	030-062-6336-6146-0021	(1,590)
Supplements	030-062-6336-6146-0129	11,500
Retirement-HIC-VRS	030-062-6336-6146-0200	3,505
Social Security	030-062-6336-6146-0201	3,469
Retirement-VRS	030-062-6336-6146-0202	11,610
Health Insurance	030-062-6336-6146-0204	7,000
Conventions/Education	030-062-6336-6146-0554	775
Field Trips	030-062-6336-6146-0583	(800)
Books & Subscriptions	030-062-6336-6146-0613	20,054
Education and Recreational Supplies	030-062-6336-6146-0614	8,600
Other Operation Supplies	030-062-6336-6146-0615	2,252
Compensation of Principals	030-062-6336-6319-0126	4,884
Compensation of Clerical	030-062-6336-6319-0151	4,469
Retirement-HIC-VRS	030-062-6336-6319-0200	683
Social Security	030-062-6336-6319-0201	715
Retirement-VRS	030-062-6336-6319-0202	2,859
Health Insurance	030-062-6336-6319-0204	500
Conventions/Education	030-062-6336-6319-0554	700
Office Supplies	030-062-6336-6319-0601	(1,500)
Compensation of Clerical	030-062-6336-6146-0151	305
Temporary Help Service Fees	030-062-6336-6146-0321	(495)
Maintenance Service Contracts	030-062-6336-6146-0332	2,000
Purchased Services	030-062-6336-6146-0381	(2,630)
Books & Subscriptions	030-062-6336-6146-0613	(63)
Education and Recreational Supplies	030-062-6336-6146-0614	30,120
Additional - Machinery & Equipment	030-062-6336-6146-0821	25,065
Compensation of Custodians	030-062-6336-6681-0192	1,803
Social Security	030-062-6336-6681-0201	138
Retirement - Other	030-062-6336-6681-0203	719
Health Insurance	030-062-6336-6681-0204	500
Electrical Service	030-062-6336-6681-0511	11,750

Food	030-061-6120-6200-0602	26,125
Additional - Machinery & Equipment	030-061-6120-6200-0821	(12,000)
Compensation of Teachers	030-061-6120-6449-0121	(32,577)
Supplements	030-061-6120-6449-0129	(2,316)
Compensation of Teachers	030-061-6120-6449-0121	(28,536)
Social Security	030-061-6120-6449-0201	(4,852)
Field Trips	030-061-6120-6449-0583	(3,000)
Compensation of Teachers	030-061-6121-6000-0121	(7,265)
Compensation of Teacher Aides	030-061-6121-6000-0141	8,023
Retirement-HIC-VRS	030-061-6121-6000-0200	415
Social Security	030-061-6121-6000-0201	(163)
Retirement-VRS	030-061-6121-6000-0202	663
Health Insurance	030-061-6121-6000-0204	8,327
Professional Health Services	030-061-6121-6000-0311	(1,000)
Other Professional Services	030-061-6121-6000-0313	3,500
Supplements	030-061-6129-6000-0129	36,000
Social Security	030-061-6129-6000-0201	2,760
Other Professional Services	030-061-6129-6000-0313	4,300
Field Trips	030-061-6129-6000-0583	18,000
Food	030-061-6129-6000-0602	2,250
Education and Recreational Supplies	030-061-6129-6000-0614	12,990
Compensation of Teachers	030-061-6267-6000-0121	(126,057)
Compensation of Substitute Teachers	030-061-6267-6000-0021	5,000
Supplements	030-061-6267-6000-0129	(42,727)
Retirement-HIC-VRS	030-061-6267-6000-0200	2,950
Social Security	030-061-6267-6000-0201	(12,529)
Retirement-VRS	030-061-6267-6000-0202	(3,371)
Health Insurance	030-061-6267-6000-0204	(52,776)
Other Professional Services	030-061-6267-6000-0313	1,120
Conventions/Education	030-061-6267-6000-0554	30,000
Food	030-061-6267-6000-0602	2,100
Education and Recreational Supplies	030-061-6267-6000-0614	16,500
Additional - Machinery & Equipment	030-061-6267-6000-0821	36,000
Compensation of Teachers	030-061-6267-6104-0121	77,646
Retirement-HIC-VRS	030-061-6267-6104-0200	427
Social Security	030-061-6267-6104-0201	5,940
Retirement-VRS	030-061-6267-6104-0202	8,564
Health Insurance	030-061-6267-6104-0204	7,320
Compensation of Teachers	030-061-6267-6108-0121	40,224
Retirement-HIC-VRS	030-061-6267-6108-0200	221
Social Security	030-061-6267-6108-0201	3,077
Retirement-VRS	030-061-6267-6108-0202	4,437
Health Insurance	030-061-6267-6108-0204	4,880
Compensation of Teachers	030-062-6268-6005-0121	(558)
Supplements	030-062-6268-6005-0129	7,245
Social Security	030-062-6268-6005-0201	511
Health Insurance	030-062-6268-6005-0204	692

Heating Services	030-062-6336-6681-0512	10,699
Telecommunications	030-062-6336-6681-0523	(1,000)
Repair & Maintenance Supplies	030-062-6336-6681-0608	(4,000)
Interest	030-062-6336-6998-0902	(9,445)
Compensation of Counselors	030-064-6867-6672-0123	4,085
Compensation of Nurses	030-064-6867-6672-0131	3,007
Compensation of Clerical	030-064-6867-6672-0151	(6,822)
Retirement-HIC-VRS	030-064-6867-6672-0200	669
Social Security	030-064-6867-6672-0201	(1,990)
Retirement-VRS	030-064-6867-6672-0202	1,378
Health Insurance	030-064-6867-6672-0204	7,220
Group Life Insurance	030-064-6867-6672-0205	(972)
Compensation of Teachers	030-062-6869-6100-0121	3,004
Retirement-HIC-VRS	030-062-6869-6100-0200	178
Social Security	030-062-6869-6100-0201	1
Retirement-VRS	030-062-6869-6100-0202	514
Health Insurance	030-062-6869-6100-0204	2,803
Additional - Data Process Equipment	030-062-6870-6140-0826	26,000
Additional - Data Process Equipment	030-062-6870-6140-0826	26,000
Education and Recreational Supplies	030-062-6874-6108-0614	39,988
Revenues		
Federal Grant Receipts	030-061-6120-1102	724,530
Federal Grant Receipts	030-061-6121-1102	12,500
Federal Grant Receipts	030-061-6129-1102	76,300
Federal Grant Receipts	030-061-6267-1102	8,946
Federal Grant Receipts	030-062-6268-1102	19,854
State Grant Receipts	030-062-6336-1100	(5,481)
Local Match	030-062-6336-1101	146,774
Fees	030-062-6336-1103	19,510
Fees	030-060-6867-1103	6,575
Federal Grant Receipts	030-062-6869-1102	6,500
State Grant Receipts	030-062-6870-1100	52,000
Federal Grant Receipts	030-062-6873-1102	39,988

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

D.T.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION thanking the employees of the City of Roanoke and expressing gratitude to the citizens of Roanoke for their outstanding response to alleviate the devastation caused by flooding in the aftermath of Hurricane Jeanne.

WHEREAS, on Sept. 28, 2004, storms from Hurricane Jeanne swept over the City of Roanoke leaving more than seven inches of rain;

WHEREAS, flood waters from these storms damaged approximately 100 homes and approximately 43 businesses in the City, and made a number of City roads impassable;

WHEREAS, Transportation Division employees worked to keep storm drains clear and responded to more than 150 calls for flooded streets and needs for barricade services; and also removed and transported approximately 25 truck loads of debris to the Transfer Station, and placed approximately 100 tons of stone for stabilization purposes;

WHEREAS, staff from Real Estate Valuation and Code Enforcement conducted the damage assessments of both residences and businesses experiencing flood-related damage;

WHEREAS, Engineering Division employees worked on administration of contracts and coordinated efforts for right-of-way repairs;

WHEREAS, Solid Waste crews cleaned up bulk debris from the areas most impacted by

WHEREAS, The Office of Environmental and Emergency Management initiated neighborhood evacuations, provided weather and river information to all departments, coordinated local damage assessment and reporting, and worked with the Fire Department and State Department of Emergency Management to mitigate flood related hazardous materials issues;

WHEREAS, the Fire-EMS department responded to numerous calls throughout the City and the Roanoke Valley, including several rescues by the newly formed Swift Water Rescue Team;

WHEREAS, the 911 Center fielded numerous calls and while reassuring and calming citizens, directed such calls to the appropriate departments for response;

WHEREAS, City Council wishes to express its gratitude to the citizens of Roanoke for their individual and collective efforts and for cooperating with the various City departments in the clean up operations; and

WHEREAS, the City received praise from Chuck Murray, an adjuster with the National Flood Insurance Program assigned to Roanoke's "Jeanne" claims, that of the hundreds or thousands of flood claims he has worked, he has never seen one cleaned up so well in under two weeks as in Roanoke.

THEREFORE, BE IT RESOLVED by Council of the City of Roanoke that:

1. City Council adopts this resolution as a means of recognizing and commending the employees of the above mentioned departments, as well as others in other departments who

2. City Council further expresses its appreciation and gratitude to the citizens of Roanoke for their individual and collective efforts and work in connection with the clean up operations.

3. The City Clerk is directed to forward an attested copy of this resolution to Darlene L. Burcham, City Manager.

ATTEST:

City Clerk.

CITY OF ROANOKE
PLANNING BUILDING AND DEVELOPMENT

215 Church Avenue, S.W., Room 166
Roanoke, Virginia 24011
Telephone: (540) 853-1730 Fax: (540) 853-1230
E-mail: planning@ci.roanoke.va.us

Architectural Review Board
Board of Zoning Appeals
Planning Commission

October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Request from Diana Aesy that four tracts of land located on Hollins Road and Georgia Avenue, N.E., identified as Official Tax Nos. 3061113, 3061114, 3061301, and 3061302, be rezoned from LM, Light Manufacturing District, to CN, Neighborhood Commercial District.

Planning Commission Action:

Planning Commission public hearing was held on Thursday, September 16, 2004. By a vote of 7-0, the Commission recommended that City Council approve the requested rezoning.

Background:

The petitioner filed a request to rezone four parcels from LM, Light Manufacturing District, to CN, Neighborhood Commercial on July 29, 2004.

Consideration:

The four subject parcels are situated on the northeast and southeast corners of the Georgia Avenue and Hollins Road intersection. The adjacent zoning districts and land uses include:

- West of the subject parcels across Hollins Road is an industrial use zoned LM, Light Manufacturing.

- North of the subject parcels fronting on Connecticut Avenue are two vacant parcels zoned RM-1, Residential Multifamily Low Density.
- East along Georgia Avenue are a single-family use to the north and a vacant parcel to the south, both of which are zoned LM, Light Manufacturing.
- South of the subject parcels fronting on Pocahontas Avenue are three vacant parcels. The two parcels located nearest the Hollins Road intersection are zoned LM, Light Manufacturing and the third parcel is zoned RM-1, Residential Multifamily Low Density.

The petition request is consistent with the following recommended actions and statements of *Vision 2001-2020*, the City's Comprehensive Plan:

- Identify underutilized commercial sites and promote revitalization (ED A26 p.61).
- Explore redevelopment of areas identified for industrial, commercial, or mixed use development or reuse such as the Plantation and Hollins Road Area. (ED A33 p.62).

Tax Map Nos. 3061113 and 3061114 are developed as one site. The principal structure located at 1501Hollins Road is a 1983 one-story, 2,174 square-foot building. It is divided into three tenant spaces. Two spaces are occupied by a church. The church occupied a portion of the building without receiving a zoning permit and Certificate of Occupancy. The property is currently under code enforcement action pending the disposition of this rezoning petition. The third tenant space is vacant, and was most recently occupied by a pest extermination company, a principal permitted use in an LM District.

Tax Map Nos. 3061301 and 3061302 are developed as one site as well. The building, 1419 Hollins Road, is a 1944 one-story building with 2,693 square feet. It is occupied by a legally non-conforming restaurant use with an accessory apartment.

Staff believes that CN, Commercial Neighborhood District is an appropriate rezoning for the subject parcels. The two existing structures are commercial in their building design and uses historically. The petitioner is not proposing changes of use for either structure. The rezoning will create conforming principal permitted uses and increase the likelihood of reinvestment in the subject parcels. Furthermore, the permitted uses and development standards in the CN District ensure that future uses will be of a scale and intensity compatible with the surrounding residential uses.

Neither site is developed in a consistent manner with design principles outlined in *Vision 2001-2020.* Currently, the sites lack curbing on the periphery of the parking lot and definitive curb cuts along Georgia Avenue. In addition, the sites have minimal landscaping. Future physical improvements such as adding curbing and a landscaping buffer would create a desirable edge between the subject parcels and the public right-of-way.

Planning Commission discussion centered on clarifying with staff the occurrences that precipitated the rezoning request.

Recommendation:

By a vote of 7-0, the Planning Commission recommends that City Council approve the requested rezoning, given that the petition creates conforming uses and further promotes potential revitalization of the subject parcels.

Respectfully submitted,

Robert B. Manetta

Robert B. Manetta, Chairman
City Planning Commission

cc: Darlene L. Burcham, City Manager
Rolanda Russell, Assistant City Manager for Community Development
Steven J. Talevi, Assistant City Attorney
Diana Aesy, petitioner

PETITION TO REZONE

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

IN RE:

Rezoning of four (4) tracts of land located at: 1501 Hollins Road, 1419 Hollins Road and two (2) parcels on Georgia Avenue, identified as Tax Map Numbers 3061113, 3061114, 3061301 and 3061302 from LM, Light Manufacturing District to CN, Commercial Neighborhood District.

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF ROANOKE.

The Petitioner, Diana Aesy, owns land in the City of Roanoke containing .5914 acres, more or less, having Tax Map Numbers 3061113, 3061114, 3061301 and 3061302. Said tracts are currently zoned LM, Light Manufacturing District. A map of the property to be rezoned is attached as Exhibit A. Concept Plans are attached as Exhibit B1 & B2.

Pursuant to Section 36.1-690, Code of the City of Roanoke (1979), as amended, the Petitioner requests that the said property be rezoned from LM, Light Manufacturing District to CN, Neighborhood Commercial District for the purpose of bringing the historical non-conforming uses of these properties into an appropriate zoning district.

The Petitioner believes the rezoning of the said tracts of land will further the intent and purposes of the City's Zoning Ordinance and its comprehensive plan, in that it will permit full utilization for structures that were built for commercial and retail purposes.

Attached as Exhibit C are the names, addresses and tax numbers of the owner or owners of all property immediately adjacent to and immediately across a street from the properties to be rezoned.

WHEREFORE, the Petitioner requests that the above-described tracts be rezoned as requested in accordance with the provisions of the Zoning Ordinance of the City of Roanoke.

Respectfully submitted this 29th day of July, 2004.

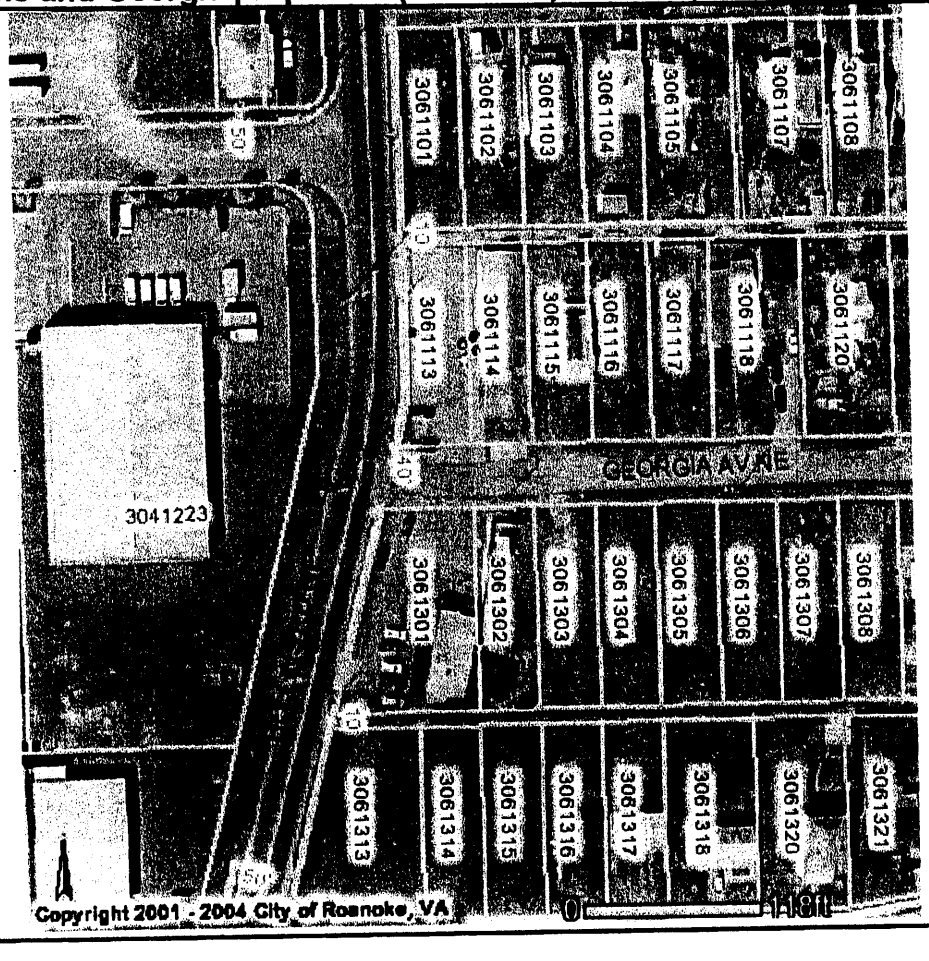
Respectfully Submitted,

By: Diana M. Aesy
Owner

Diana M. Aesy
41 Sunnydale Court
Troutville, VA 24175
Phone: 540-977-3364

Exhibit A

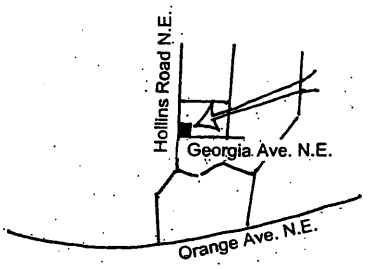
Hollins and Georgia properties (#3061113, 3061114, 3061301, 3061302)



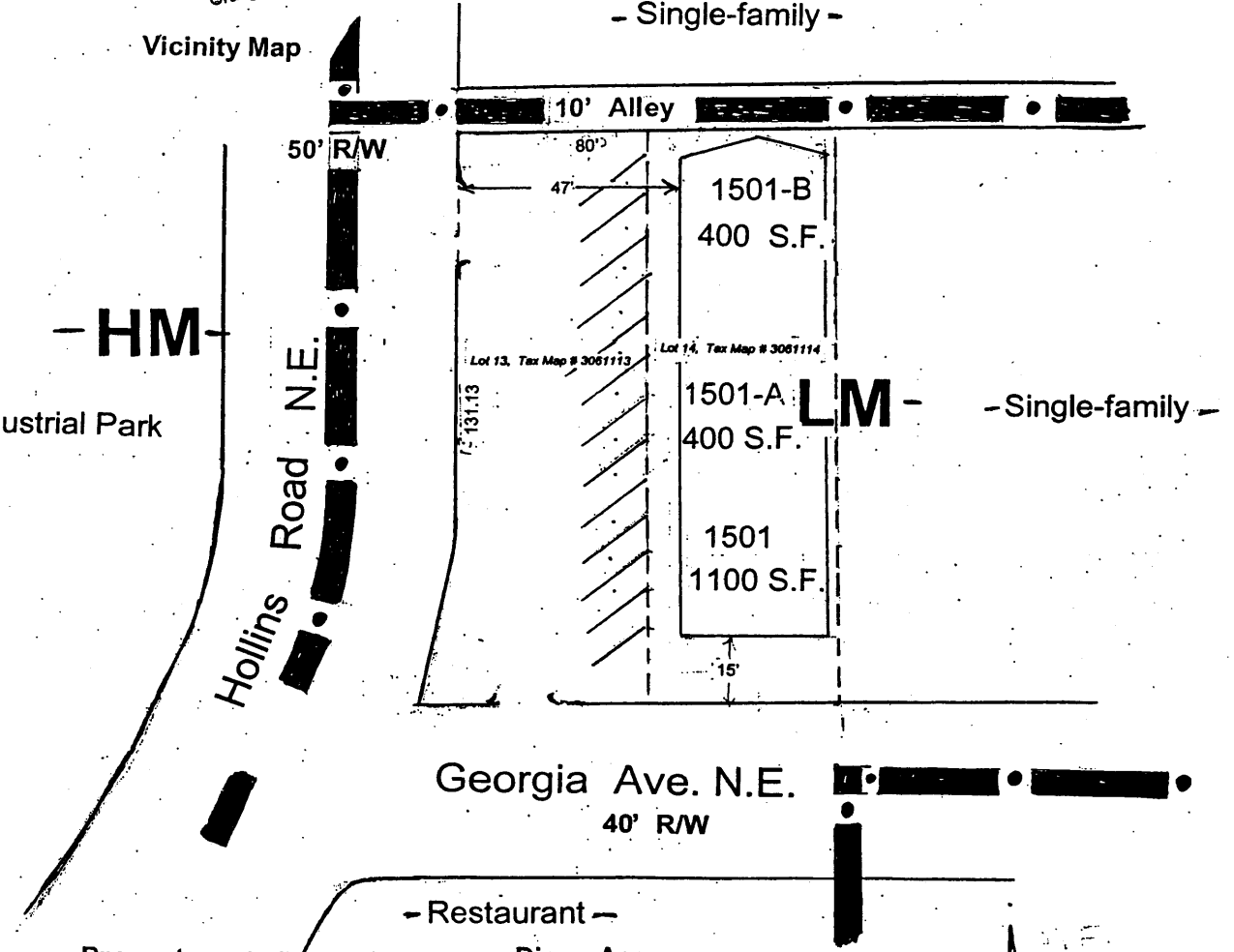
Properties Proposed to be re-zoned

Exhibit B1

Date of drawing : June 3, 2004
Source : Official City Maps/ GIS



Vicinity Map



Property owner	:	**Diane Aesy** **Fredrick C. Murray**
Address	:	**41 Sunnydale Court** **Troutville Virginia, 24175**
Property Address	:	**1501 Hollins Road N.E.**

Total acreage of property 10,489 S.F.

Seating capacity 75 bench seats

Parking spaces required : One space for every five (5) seats of bench seating = 15 spaces.

Parking spaces provided: 13 spaces on-site and 2 spaces off-site.

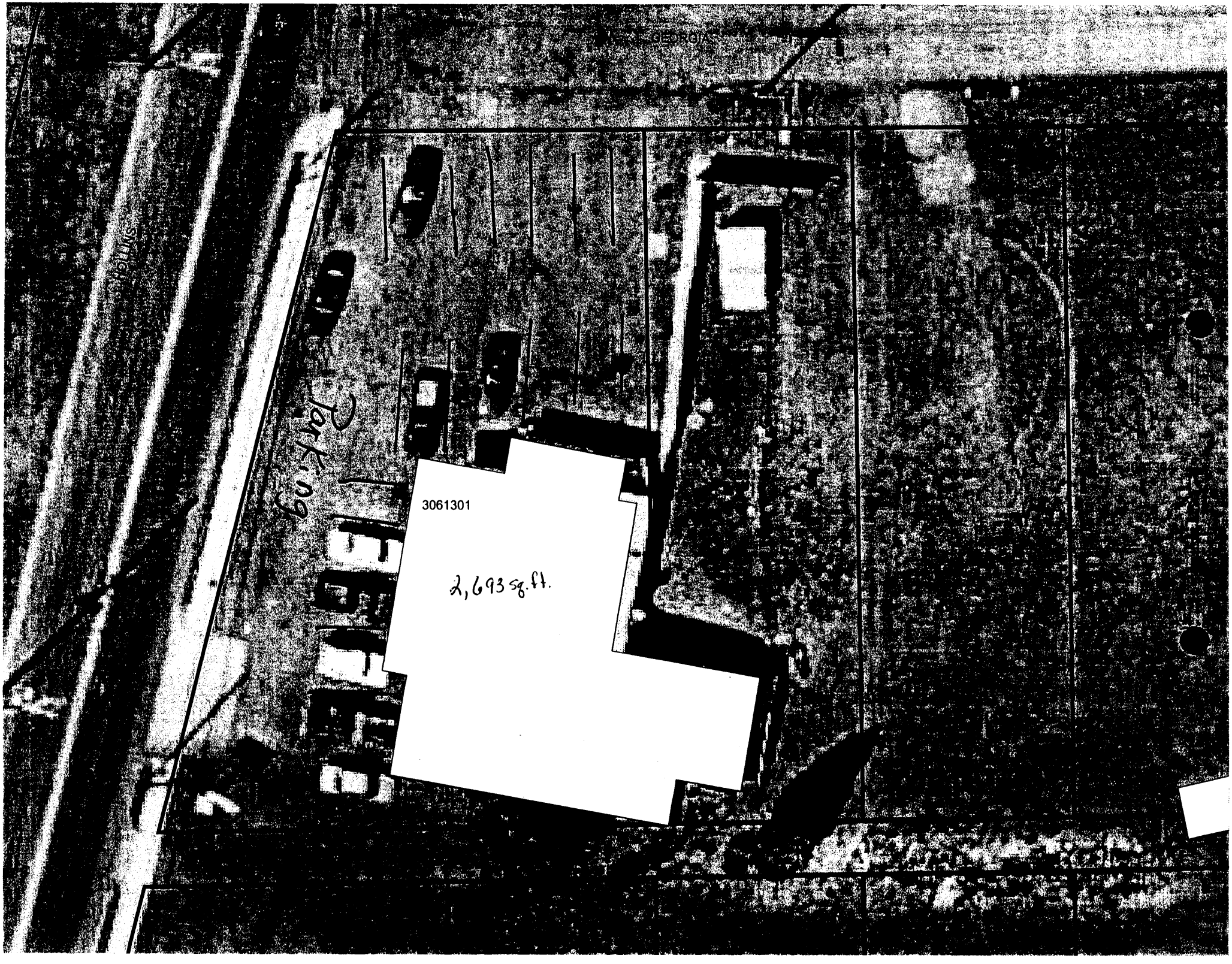

GEORGIA
SHIRLEY HILLS
3061301
2,693 sq.ft.
Lot 7, 09

Exhibit C

Official Tax No./ Street Address	Name of Property Owner	Mailing Address
3041223 1512 Hollins Rd NE	NCB, Inc.	P.O. Box 11686 Roanoke, VA 24022
3061101 Connecticut Ave, NE	Goldie Mae Lawson	1615 Riverside Terr, SE Roanoke, VA 24014
3061102 Connecticut Ave, NE	Aurora Properties, LLC	3435 Sterling Road Roanoke, VA 24014
3061103 907 Connecticut Ave, NE	Aurora Properties, LLC	3435 Sterling Road Roanoke, VA 24014
3061115 Georgia Ave, NE	Fredrick C. Murray	113 Preston Ave, NE Roanoke, VA 24012
3061303 Georgia Ave, NE	Diane Murray Fredrick C. Murray	41 Sunnydale Court Troutville, VA 24175
3061313 Pocahontas Ave, NE	Fredrick C. Murray	113 Preston Ave, NE Roanoke, VA 24012
3061314 Pocahontas Ave, NE	Fredrick C. Murray	113 Preston Ave, NE Roanoke, VA 24012
3061315 912 Pocahontas Ave, NE	Deloris J. Bailey	912 Pocahontas Ave, NE Roanoke, VA 24012
3061316 916 Pocahontas Ave, NE	Keli N. Murray	916 Pocahontas Ave, NE Roanoke, VA 24012

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 306, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City; and dispensing with the second reading of this ordinance.

WHEREAS, Diana Aesy has made application to the Council of the City of Roanoke to have the hereinafter described property rezoned from LM, Light Manufacturing District, to CN, Neighborhood Commercial District;

WHEREAS, the City Planning Commission, which after giving proper notice to all concerned as required by §36.1-693, Code of the City of Roanoke (1979), as amended, and after conducting a public hearing on the matter, has made its recommendation to Council;

WHEREAS, a public hearing was held by City Council on such application at its meeting on October 18, 2004, after due and timely notice thereof as required by §36.1-693, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed rezoning; and

WHEREAS, this Council, after considering the aforesaid application, the recommendation made to the Council by the Planning Commission, the City's Comprehensive Plan, and the matters presented at the public hearing, is of the opinion that the hereinafter described property should be rezoned as herein provided.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 306 of the Sectional 1976 Zone Map, City of Roanoke, be amended in the following particular manner

and no other:

Those four tracts of land located on Hollins Road and Georgia Avenue, N.E., and designated on Sheet No. 306 of the Sectional 1976 Zone Map, City of Roanoke, as Official Tax Nos. 3061113, 3061114, 3061301 and 3061302 be, and are hereby rezoned from LM, Light Manufacturing District, to CN, Neighborhood Commercial District, as set forth in the Petition filed in the Office of the City Clerk on July 29, 2004, and that Sheet No. 306 of the 1976 Zone Map be changed in this respect.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
PLANNING BUILDING AND DEVELOPMENT
215 Church Avenue, S.W., Room 166
Roanoke, Virginia 24011
Telephone: (540) 853-1730 Fax: (540) 853-1230
E-mail: planning@ci.roanoke.va.us

Architectural Review Board
Board of Zoning Appeals
Planning Commission

October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Request from Pheasant Ridge Real Estate Holdings, LLC, to amend proffered conditions on a tract of land located on Pheasant Ridge Road, S.W., and bearing Official Tax No. 5460124

Planning Commission Action:

Planning Commission public hearing was held on Thursday, September 16, 2004. Due to a conflict of interest, Richard Rife, Commission member, abstained from discussion and vote. By a vote of 6-0, the Commission recommended that City Council approve the requested amendment.

Background:

The petitioner filed a request to amend proffered conditions on Tax Map No. 5460124 on August 5, 2004. A First Amended Petition was filed on September 9, 2004. A Second Amended Petition was filed on September 15, 2004.

The subject parcel is an 11.9 acre vacant tract of land located on Pheasant Ridge Road (private). The subject parcel is one (1) of seven (7) parcels subdivided from a 49.23 acre parent tract, Tax Map No. 5460101. Ordinance No. 32815 conditionally rezoned Tax Map No. 5460101 to C-1, Office District in February, 1996 for the purpose of developing a

continuum care facility to include a nursing home, congregate home for the elderly and multifamily units for the elderly.

The petitioner requests that the following proffers be repealed as they pertain to Tax Map No. 5460124:

1. That the property will be developed in substantial conformity with the site plan prepared by Engineering Concepts, Inc., dated November 14,1995, a copy of which is attached to the Petition for Rezoning as Exhibit "D", subject to any changes required by the City of Roanoke during site development plan review.

2. That the property shall be used only for the purposes of operating a nursing home, condominiums, single family dwellings, two family dwellings, townhouses and medical clinics.

3. That a detailed landscape plan will be prepared by a professional landscape architect and approved by the City. The plan will provide for transitional landscaping along the Old Rocky Mount Road and Van Winkle Road corridors. The design will reduce the impact of parking and building structures. Review and required revisions in accordance with the proffer, will take place at the time of comprehensive development plan review.

4. That the wooded areas contiguous with the property lines will be maintained as a wooded area for a width of at least fifty (50) feet, with the exception of the areas adjacent to the existing C-1 zoned property on the west, along which a 25 foot buffer area shall be maintained.

5. That all proposed structures shown on Exhibit "D" will be constructed of natural exterior building materials such as stone, brick, decorative block, stucco, and wood. This shall not preclude the use of other building construction materials when used as a particular component of the building system such as glassed atriums, skylights, entry canopies, standing-seam metal roofs, or other structures inconsistent with the above described selection of materials shall not be used in this development.

6. Recreational amenities, consisting of internal walkways or paths shall be provided.

7. That as subsequent phases of development are proposed, those development plans will be submitted to the Planning Commission for their review and approval.

Furthermore, the petitioner requests that the following proffered conditions be substituted and adopted for the conditions listed above as they pertain to Tax Map No. 5460124:

1. That the property will be developed in substantial conformity with the conceptual site diagram prepared by Jones & Jones Associates, Architects PC, dated 4 August 2004, a copy of which is attached to the Petition for Rezoning as Exhibit "A".

2. That the property shall be used only for the following uses:
   a. Permitted Uses:
      1) General and professional offices.
      2) Medical offices.

   b. Special Exception Uses:
      1) Group care facilities subject to the requirements of Section 36.1-560 et seq.
      2) Multifamily dwellings.
      3) Medical clinics.

3. That all proposed structures shown on Exhibit "A" will be constructed of natural exterior building materials such as stone, brick, decorative block, stucco, and wood. This shall not preclude the use of other building construction materials when used as a particular component of the building system such as glassed atriums, skylights, entry canopies, standing-seam metal roofs, or other structures inconsistent with the above described selection of materials shall not be used in this development.

4. That a wooded buffer area contiguous with the property lines will be maintained as a wooded area for a width of at least fifty (50) feet as depicted on Exhibit "A".

5. Recreational amenities consisting of internal walkways shall be improved surfaces and integrated with existing walkways on adjacent parcels and as depicted on Exhibit "A".

6. Landscaping shall be installed and maintained on the north slope near the Independent Living Facility in substantial conformity with the conceptual landscaping plan attached as Exhibit "C".

Consideration:

Ordinance No. 32815, adopted in February of 1996, includes a proffered site plan showing the development of nine (9) two-family detached units and one (1) medical care facility/clinic on a portion of parent tract, Tax Map No. 5460101, that is today the subject parcel. The petitioner requests amending proffered conditions in order to construct an approximately 96-unit multifamily, independent living facility and two buildings that may be used for general and professional offices, medical offices, and/or medical clinics. The petitioner intends to build the Independent Living Facility first and the office buildings in subsequent phases.

The surrounding land uses and zoning districts include:

- Related uses zoned C-1, Office District, within the Pheasant Ridge Development to the south along Pheasant Ridge Road. Uses include a nursing home, a multi-family development, an assisted living facility, and general and professional offices.
- The Hunting Hills Shopping Center zoned C-2, General Commercial District, to the west.
- Residential uses zoned RS-3, Residential Single Family District, to the north along Griffin Road and Van Winkle Road.

The following policies and actions of *Vision 2001-2020*, the City's Comprehensive Plan are relevant to the consideration of this petition:

- Roanoke will protect steep slopes, ridgetops, and viewsheds within the City as important environmental and scenic resources.(EC P3)
- Revise zoning ordinance to permit small-acreage, mixed-use development.(ED A31)

The *Southern Hills Neighborhood Plan*, adopted by City Council on October 15, 2002 as an amendment to the comprehensive plan, contains several relevant policies and actions:

- Support continued mixed density residential development in Pheasant Ridge. (p.19)
- Ensure that new development preserves mature trees and incorporates new tree plantings to replace those lost during development.(p.23)
- Encourage the use of clustered development to avoid development on steep slopes. New development should design excess capacity in erosion control and storm water management measures.(p.23)

A primary concern of staff is the intention to remove existing vegetation in order to create building pads on the north slope of the subject parcel. The hillside is highly visible from the Route 220 corridor and denuding the hillside of the mature growth trees would create a highly undesirable viewshed. The petitioner's proffer six (6), Exhibit "C" Conceptual Landscape Diagram provides sufficient assurance that the graded slope will be replanted with an adequate density and combination of types of trees.

Proffer two (2) lists general and professional offices and medical offices as by-right uses. Proffered special exception uses include group care facilities, multifamily dwellings, and medical clinics. It is important to note that special exceptions have been previously granted for group care facilities and multifamily dwellings in February, 1996 for the parent tract 5460101 prior to the subdivision applying to the subject parcel. The Board of Zoning Appeals would need to grant a special exception for future medical clinics as a use on the subject parcel.

Proffer one (1) states that the petitioner's development will be in substantial conformity with Exhibit "A", the proffered conceptual site diagram. The proffered conceptual site diagram will limit the development to one residential building and two office buildings. It also shows the fifty (50) foot wooded buffer area described in proffer three (3). The wooded area contiguous to a single family residential district provides a buffer from the mixed-uses proposed for the subject parcel. Exhibit "A" also shows the walkway that will remain and Proffer five (5) further ensures that future walkways will be improved and integrated with existing walkways on adjacent parcels. With the petitioner not proffering elevation drawings of the proposed buildings, proffer four (4) details the materials the petitioner has agreed to use. Staff has reviewed draft site and building elevation plans for the Independent Living Facility provided by the petitioner, and the elevation drawings are consistent with proffer four (4).

The maximum building height for any structure on the site would be 55 feet. In February, 1996, the Board of Zoning Appeals granted a special exception permitting the maximum allowable height to be increased from 35 feet to 55 feet on the entire parcel. The average elevation of the proposed Independent Living Facility does not exceed that height limitation.

Staff has received one phone call prior to the public hearing from a property owner on Griffin Road. The property owner's primary concern

was the creation of more traffic at the intersection of Route 220 and Pheasant Ridge Road.

Planning Commission discussion centered on the following:

- Clarifying that the Independent Living Facility is classified as a multifamily use under the Zoning Ordinance and it is permitted by special exception under the C-1, Office District regulations.
- A question to the petitioner regarding the intended slope of the graded hillside below the proposed Independent Living Facility. Jyke Jones, project engineer, said that the maximum slope was two to one and the majority of the slopes were three to one.

Recommendation:

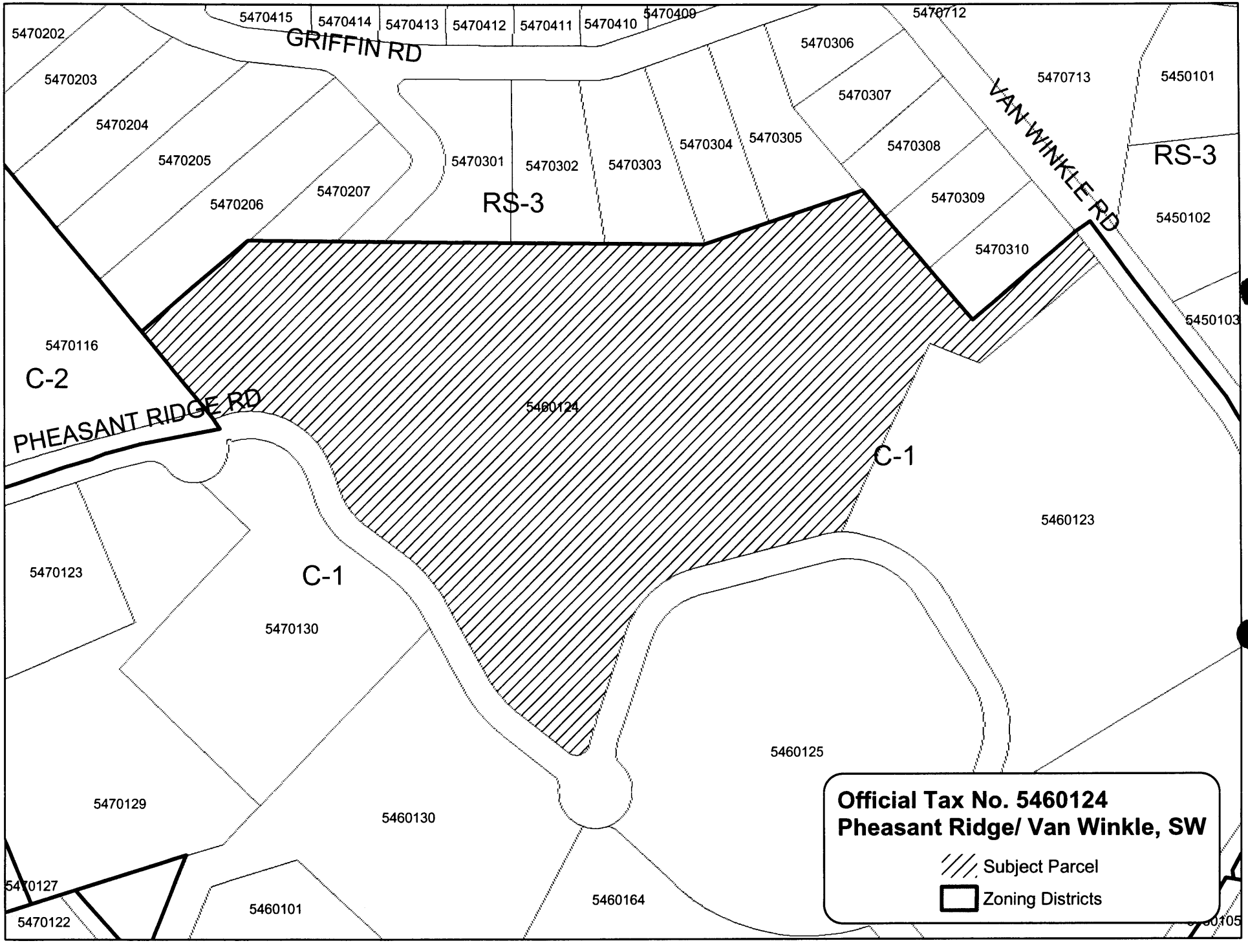
By a vote of 6-0, the Commission recommends that City Council approve the proposed amendment of proffered conditions. The proposed amendment of proffers will result in an appropriate set of land uses and pattern of buildings similar in scale, siting, and material as exist on other portions of the development.

Respectfully submitted,

Robert B. Manetta

Robert B. Manetta, Chairman
City Planning Commission

cc: Darlene L. Burcham, City Manager
Rolanda Russell, Assistant City Manager for Community Development
Steven J. Talevi, Assistant City Attorney
Hunter Smith, Petitioner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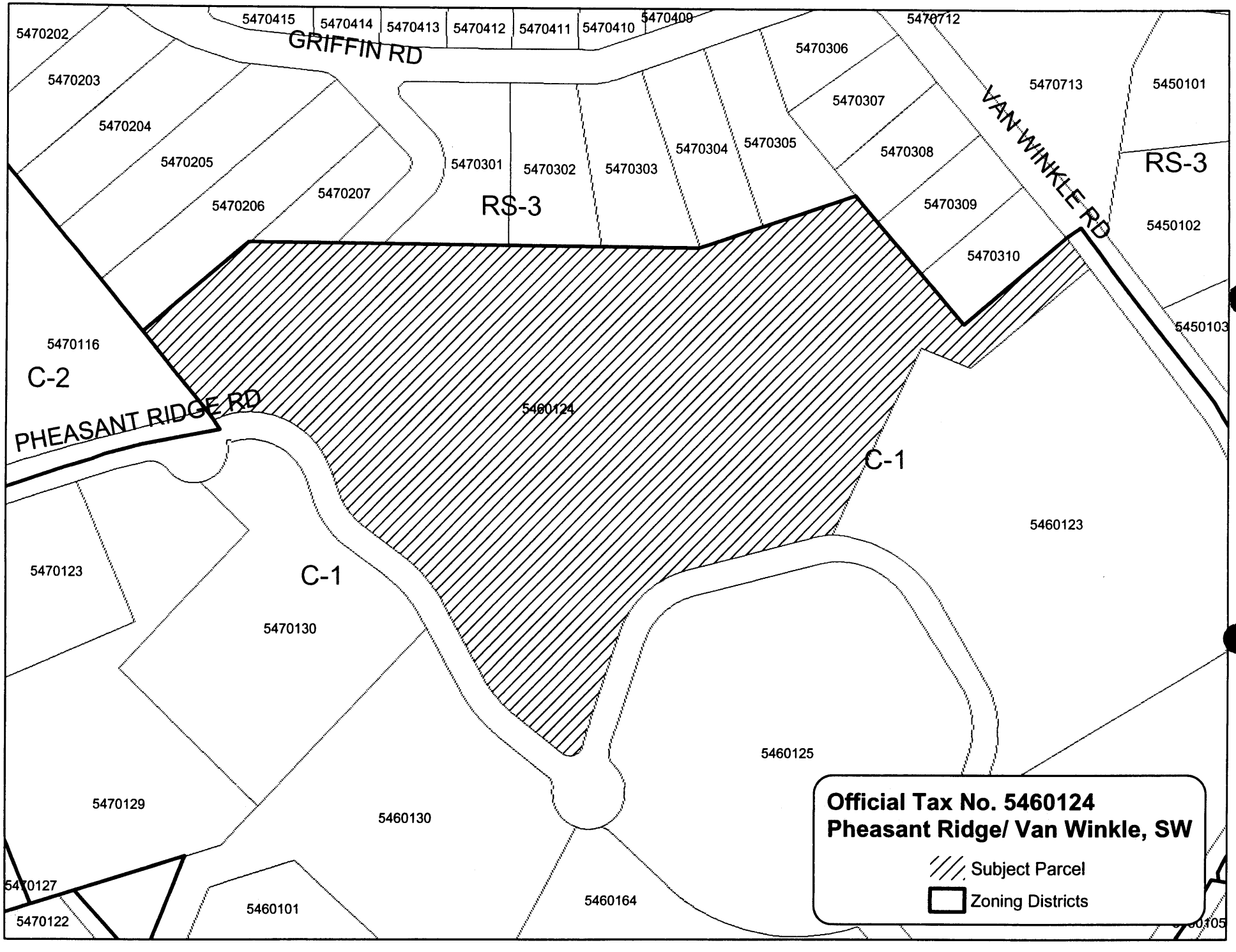
Official Tax No. 5460124
Pheasant Ridge/ Van Winkle, SW
Subject Parcel
Zoning Districts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5460101
5460164
Official Tax No. 5460124
Pheasant Ridge/ Van Winkle, SW
Subject Parcel
Zoning Districts

SECOND AMENDED PETITION TO AMEND PROFFERED CONDITIONS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

IN RE:

Amendment of Proffered Conditions for Lot 2, containing 11.9 acres of Pheasant Ridge Real Estate Holdings, Tax Map number 5460124.

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF ROANOKE:

By ordinance No. 24898-120379, at the request of Roanoke Health Care Center, City Council rezoned the property identified as Tax Map No.5460101 C-1, with proffered conditions. By Ordinance No. 32815-020596, at the request of Roanoke Health Care Center, City Council amended the previous proffered conditions.

The Petitioner, Pheasant Ridge Real Estate Holdings, LLC, owns Tax Map No. 5460124 in the City of Roanoke and requests that the conditions relating to said property be amended as hereinafter set out. Tax Map Number 5460124 is a subdivided lot created from parent tract 5460101 on 7/16/96.

The Petitioner believes that the subject amendment of proffers will further the Intent and purposes of the City Zoning Ordinance and its Comprehensive Plan in that it will allow for a better use of the subject property.

The Petitioner hereby requests that the following proffers enacted by Ordinance No. 32815-020596 be repealed as they pertain to Tax Map No. 5460124:

1. That the property will be developed in substantial conformity with the site plan prepared by Engineering Concepts, Inc., dated November 14, 1995, a copy of which is attached to the Petition for Rezoning as Exhibit "D", subject to any changes required by the City of Roanoke during site development plan review.

2. That the property shall be used only for the purpose of operating a nursing home, condominiums, independent living facilities, single family dwellings, two family dwellings, townhouses and offices.

3. That a detailed landscape plan will be prepared by a professional landscape architect and approved by the City. The plan will provide for transitional landscaping along the Old Rocky Mount Road and the Van Winkle Road corridors. The design will reduce the impact of parking and building structures. Review and required revisions in accordance with the proffer, will take place at the time of comprehensive development plan review.

4. That the wooded areas contiguous with the property lines will be maintained as a wooded area for a width of at least fifty (50) feet, with the exception of the areas adjacent to the existing C-1 zoned property on the west, along which a 25 foot buffer area shall be maintained.

5. That all proposed structures shown on Exhibit "D" will be constructed of natural exterior building materials such as stone, brick, decorative block, stucco, and wood. This shall not preclude the use of other building construction materials when used as a particular component of the building system such as glassed atriums, skylights, entry canopies, standing-seam metal roofs, or other structural or mechanical systems incidental to the building use. Metal buildings, mobile or manufactured buildings, with the exception of temporary structures used as contractor's offices during construction, or other structures inconsistent with the above described selection of materials shall not be used in this development.

6. Recreational amenities, consisting of internal walkways or paths shall be provided.

7. That as subsequent phases of development are proposed, those development plans will be submitted to the Planning Commission for their review and approval.

The Petitioner hereby requests that the following proffered conditions be substituted and adopted for those existing proffers delineated above as they pertain to Tax Map No. 5460124.

1. That the property will be developed in substantial conformity with the conceptual site diagram prepared by Jones & Jones Associates, Architects PC, dated 4 August 2004 , a copy of which is attached to the Petition for Rezoning as Exhibit "A".

2. That the property shall be used only for the following uses
    a. Permitted Uses:
        1. General , medical and professional offices.
    b. Special Exception Uses:
        1. Group care facilities subject to the requirements of section 36.1-560 et seq.
        2. Multifamily dwellings, so long as a special exception is granted.
        3. Medical Clinic.

3. That a wooded buffer area contiguous with the northern property lines will be maintained as a wooded area for a width of at least fifty (50) feet as depicted on Exhibit "A".

4. That all proposed structures shown on Exhibit "A" will be constructed of natural exterior building materials such as stone, brick, decorative block, stucco, and wood. This shall not preclude the use of other building construction materials when used as a particular component of the building system such as glassed atriums, skylights, entry canopies, standing-seam metal roofs, or other structural or mechanical systems incidental to the building use. Metal buildings, mobile or manufactured buildings, with the exception of temporary structures used as contractor's offices during construction, or other structures inconsistent with the above described selection of materials shall not be used in this development.

5. Recreational amenities consisting of internal walkways shall be improved surfaces and integrated with existing walkways on adjacent parcels and as depicted on Exhibit "A".

6. Landscaping shall be installed and maintained on the north slope near the Independent Living Facility in substantial conformity with the conceptual Landscaping plan attached as "Exhibit "C".

Attached as Exhibit "B" are the names, addresses and tax numbers of the owner or owners of all lots or property immediately adjacent to and immediately across a street or road from the subject property.

WHEREFORE , the Petitioner requests that the above-described amended proffers be approved as herein set out in accordance with the provisions of the Zoning Ordinance of the City of Roanoke.

Respectfully submitted this Fourteenth day of September , 2004.

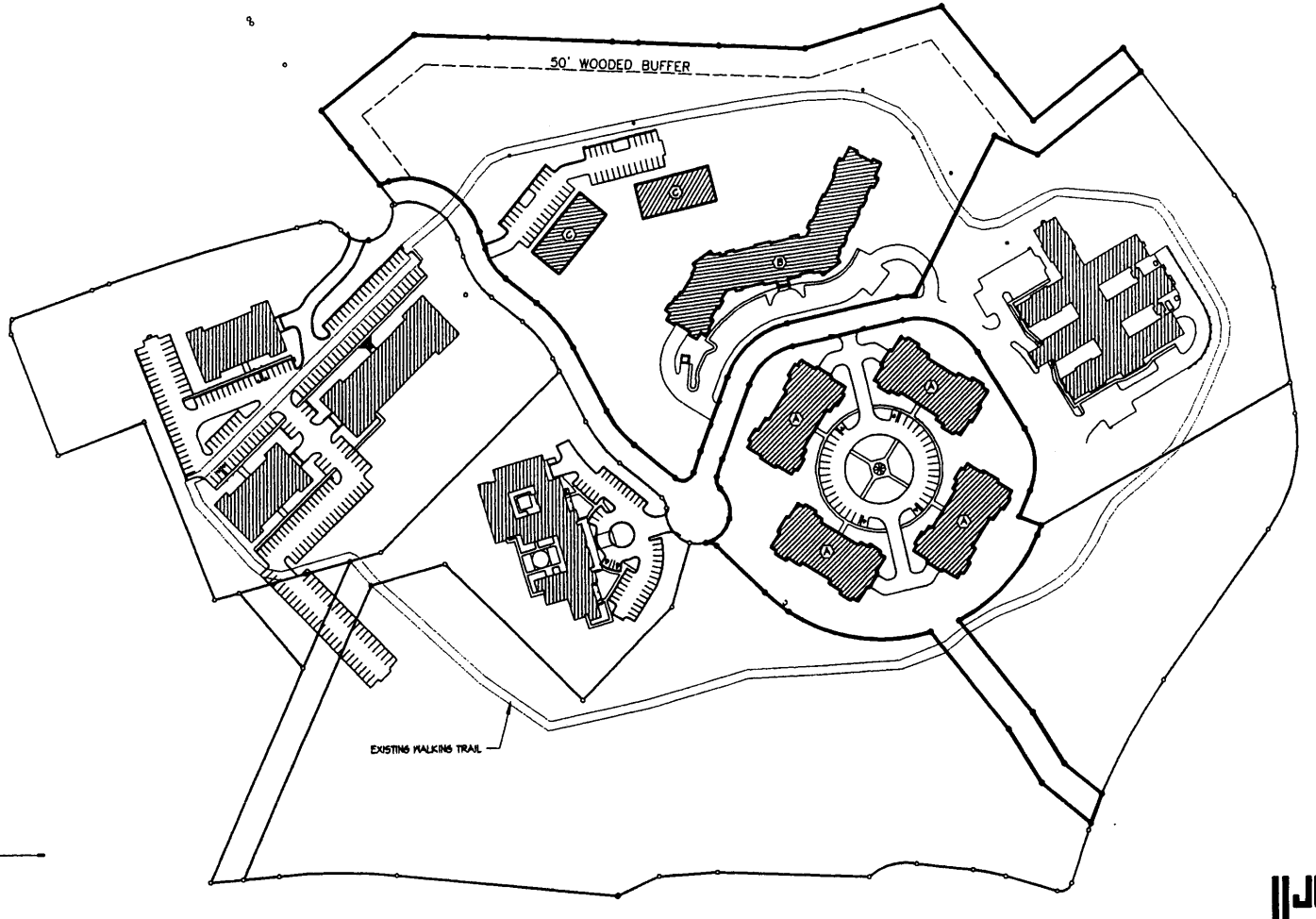
Respectfully submitted,

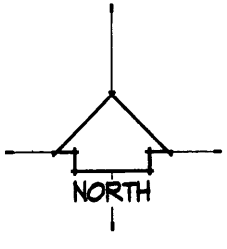
BY: _____
Hunter D. Smith

Pheasant Ridge Real Estate Holdings, LLC
4415 Pheasant Ridge Road SW – Suite 301
Roanoke, Virginia 24014

LEGEND

- (A) RESIDENTIAL CONDOMINIUM BUILDING
- (B) INDEPENDENT LIVING BUILDING
- (C) OFFICE BUILDING





CONCEPTUAL SITE DIAGRAM

NOT TO SCALE

PHEASANT RIDGE REAL ESTATE HOLDINGS, LLC

JONES & JONES ASSOCIATES ARCHITECTS

4 AUG 2004

EXHIBIT "A"

PHEASANT RIDGE REAL ESTATE HOLDINGS, LLC

EXHIBIT "B"

5470116
NEW PLAN REALTY TRUST
P O BOX 4900
SCOTTSDALE AZ 85261-4900

5470308
EDWARDS ROY C & ELIZABETH M
4437 VAN WINKLE RD SW
ROANOKE VA 24014

5470309
EDWARDS ROY C & ELIZABETH M
4437 VAN WINKLE RD SW
ROANOKE VA 24014

5470310
EDWARDS ROY C OR ELIZABETH M EDWARDS
4437 VAN WINKLE RD SW
ROANOKE VA 24014

5470305
DALTON PLACE LLC
4415 PHEASANT RIDGE RD #305
ROANOKE VA 24014

5470304
DALTON PLACE LLC
4415 PHEASANT RIDGE RD #305
ROANOKE VA 24014

5470303
DALTON PLACE LLC
4415 PHEASANT RIDGE RD #305
ROANOKE VA 24014

5470302
DALTON PLACE LLC
4219 SOUTHERN HILL DR
ROANOKE VA 24014

5470301
ROBERTSON JEAN G
5272 FALCON RD SW
ROANOKE VA 24014

5470206
PAIGE PAUL ANDREW & JOY FAYE
4323 GRIFFIN RD SW
ROANOKE VA 24014

5470207
DALTON PLACE LLC
4415 PHEASANT RIDGE RD #305
ROANOKE VA 24014

5460123
HCP VIRGINIA INC
3760 KILROY AIRPORT WAY STE 300
LONG BEACH CA 90806

5470713
MUSE RUBY MARIE
4422 VAN WINKLE RD SW
ROANOKE VA 24014

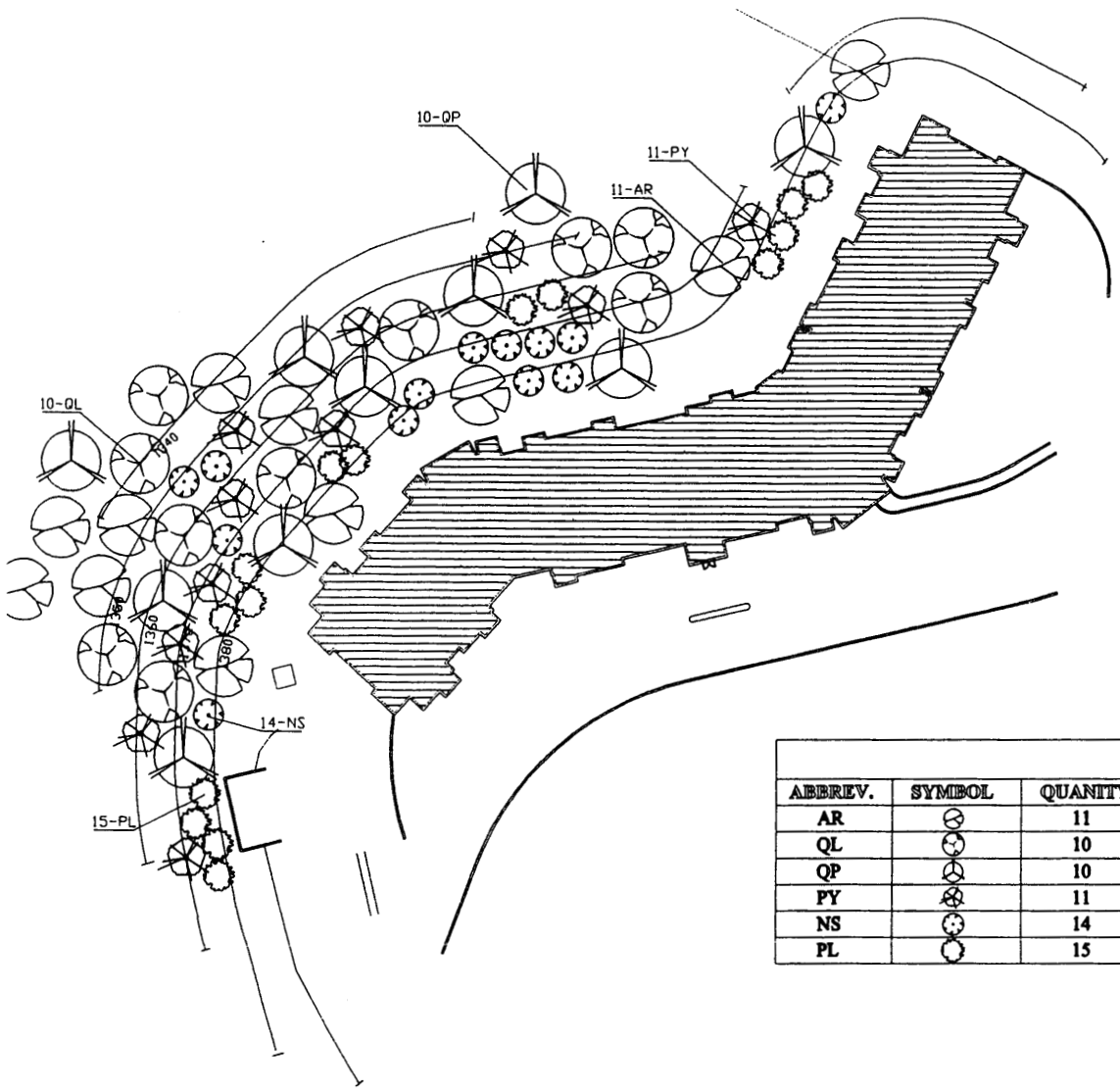
5450102
DICKERSON ELIZABETH ORA
4446 VAN WINKLE RD SW
ROANOKE VA 24014

5450125
PHEASANT RIDGE CONDOMINIUMS LLC
4438 PHEASANT RIDGE RD SW #108
ROANOKE VA 24014

5460164
PHEASANT RIDGE WELLNESS CENTER LL
4415 PHEASANT RIDGE RD #105
ROANOKE VA 24014

5460130
PHEASANT RIDGE ASSISTED LIVING
4435 PHEASANT RIDGE RD SW
ROANOKE VA 24014

5470129
PHEASANT RIDGE OFFICE
4415 PHEASANT RIDGE RD SU 300-303
ROANOKE VA 24018



PLANT SCHEDULE

ABBREV.	SYMBOL	QUANITY	SCIENTIFIC NAME	COMMON NAME	SIZE	TYPE
AR		11	ACER RUBRUM	RED MAPLE	2.5" CAL	DECIDUOUS TREE
QL		10	QUERCUS LYRATA	OVERCUP OAK	2.5" CAL	DECIDUOUS TREE
QP		10	QUERCUS PHELLOS	WILLOW OAK	2.5" CAL	DECIDUOUS TREE
PY		11	PRUNUS X YEDOENSIS	YOSHINO CHERRY	2.5" CAL	DECIDUOUS TREE
NS		14	ILEX X 'NELLIE R. STEVENS'	NELLIE STEVENS	6'	EVERGREEN TREE
PL		15	PINUS LOBLOLLY	LOBLOLLY PINE	6'	EVERGREEN TREE

CONCEPTUAL LANDSCAPING DIAGRAM

NOT TO SCALE

PHEASANT RIDGE REAL ESTATE HOLDINGS. LLC

JONES & JONES ASSOCIATES ARCHITECTS

15 SEPT 2004

ST
10/12/04

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 546, Sectional 1976 Zone Map, City of Roanoke, in order to amend certain conditions presently binding upon certain property previously conditionally zoned C-1, Office District, and dispensing with the second reading of this ordinance.

WHEREAS, Pheasant Ridge Real Estate Holdings, LLC filed an application to the Council of the City of Roanoke to amend certain conditions presently binding upon a tract of land located on Pheasant Ridge Road, S.W., designated as Official Tax No. 5460124, which property is one of seven parcels subdivided from a 49.23 acre parent tract, previously identified as Official Tax No. 5460101 and conditionally rezoned from RS-3, Single Family Residential District, to C-2, General Commercial District, C-1, Office and Institutional District, and RG-1, General Residential District, by the adoption of Ordinance No. 24898, on December 3, 1979;

WHEREAS, the subject property was rezoned to RM-2, Residential Multi-family, Medium Density District, pursuant to a comprehensive rezoning by the adoption of Ordinance No. 28611, on April 27, 1987;

WHEREAS, the subject property was rezoned from RM-2, Residential Multi-family, Medium Density District, to C-1, Office District, with proffers, by the adoption of Ordinance No. 32815-020596, on February 5, 1996;

WHEREAS, the City Planning Commission, which after giving proper notice to all concerned as required by §36.1-693, Code of the City of Roanoke (1979), as amended, and after

conducting a public hearing on the matter, has made its recommendation to Council;

WHEREAS, a public hearing was held by City Council on such application at its meeting on October 18, 2004, after due and timely notice thereof as required by §36.1-693, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed amendment; and

WHEREAS, this Council, after considering the aforesaid application, the recommendation made to the Council by the Planning Commission, the City's Comprehensive Plan, and the matters presented at the public hearing, is of the opinion that the conditions now binding on that certain tract of land located on Pheasant Ridge Road, S.W., and designated as Official Tax No. 5460124, and the matters presented at the public hearing, should be amended as requested.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that §§36.1-3 and 36.1-4, Code of the City of Roanoke (1979), as amended, and Sheet No. 546 of the Sectional 1976 Zone Map, City of Roanoke, be amended to reflect the changes in proffered conditions as shown in the document entitled "Second Amended Petition to Amend Proffered Conditions," filed in the City Clerk's Office on September 15, 2004, and as set forth in the report of the Planning Commission dated October 18, 2004.

BE IT FINALLY ORDAINED that pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
PLANNING BUILDING AND DEVELOPMENT

215 Church Avenue, S.W., Room 166
Roanoke, Virginia 24011
Telephone: (540) 853-1730 Fax: (540) 853-1230
E-mail: planning@ci.roanoke.va.us

Architectural Review Board
Board of Zoning Appeals
Planning Commission

October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Request from CHS, Inc., represented by David Helscher, attorney, that a portion of 22nd Street, S.E., and Yellow Mountain Road, S.E., adjacent to property bearing Official Tax No. 4060601, be permanently vacated, discontinued and closed.

Planning Commission Action:

Planning Commission public hearing was held on Thursday, September 16, 2004. Robert Manetta, chairman of the Commission, abstained from discussion and vote due to a conflict of interest. By a vote of 6-0, the Commission recommended that City Council approve the requested closure and charge a price of $14,976.

Background:

The petitioner requests vacation of a 4,992 square foot portion of unimproved right-of-way adjoining the northeast side of Official Tax No. 4060601 at Yellow Mountain Road and 22nd Street, S.E. The petitioner owns the adjoining property.

Mr. Scholz and Mr. Williams asked how the value of the right-of-way was determined. Staff replied that the value was based on comparable assessments of adjoining properties. Mr. Townsend further clarified that the Department of Real Estate Valuation provides a valuation range based on assessments and staff uses that information upon which to make its recommendation on price.

Mr. Scholz said that the overall value of the property would increase with the right-of-way, since it would allow them to develop it more intensely.

Staff noted that a previous alley closure adjoining C-1 properties was only valued at $1.40 per square foot, while this right-of-way is valued at $3 per square foot. He also informed Mr. Scholz that the right-of-way is not large enough to qualify as a parcel.

Mr. Rife also said that if it were to be assumed that the petitioner develops condominiums on the property, the value of that development would have to be weighed against the current value, which is based on C-1 zoning.

Mr. Butler said that he doubted the right-of-way could sell for $14,976 in the open market and the real estate tax return on the subsequent development of the property would be much greater than it is at present.

Considerations:

The petitioner's property is zoned C-1, Office District, with conditions. Properties to the west are also zoned C-1. Properties to the north and east of the petitioner's are zoned RS-3, Residential Single-family High Density District, and properties to the south are zoned RM-2, Residential Multifamily Medium Density District.

The petitioner currently uses Official Tax No. 4060601 for parking. The City owns the property to the east, which is vacant with the exception of the Crystal Spring Water Treatment Facility. First Presbyterian Church lies to the west and owns all of the parcels in the 2100 block of Jefferson Street, S.W. Parcels to the south of the petitioner's property are predominantly multifamily housing.

The property abutting this portion of Yellow Mountain Road and 22nd Street is currently under consideration for a mixed use development. Subject to City Council consideration and approval of this petition, a petition would be filed to rezone Official Tax No. 4060601. The vacated right-of-way is necessary to be combined with Official Tax No. 4060601 to increase the total lot area over 2 acres, the minimum lot size required to rezone the property.

Current City policy is to design neighborhood streets with traffic calming devices where necessary, while not adding or widening travel lanes, which increase motorist's speeds. A policy (IN P1) of *Vision 2001-2020* states:

> "Cooperative planning on the local, regional, and state levels should include design features that maintain or improve connectivity of streets while maintaining neighborhood integrity and minimizing negative visual and noise impacts."

The South Roanoke Neighborhood Plan states:

"Minimize through traffic on Avenham Avenue and Yellow Mountain Road."

"Preserve the residential integrity of neighborhood streets."

As is consistent with *Vision 2001-2020* and the South Roanoke Neighborhood Plan, there are no plans to use the subject portion of right-of-way for any widening of Yellow Mountain Road or 22nd Street, S.E. Vacation of the unimproved portion of right-of-way will not preclude any streetscape improvements, e.g. curb, gutter and sidewalk, or have any adverse impact on pedestrian or vehicular circulation.

The area is served by public utilities. Staff received comments from American Electric Power (AEP), The Western Virginia Water Authority and Roanoke Gas, all of whom stated no objection to the request.

Staff received comments from Barbara Duerk, who asked that staff review the petitioner's request and work with them to create connectivity between greenway routes and other trails in the area. Staff received no comments in opposition to this request.

Recommendation:

The Planning Commission, by a vote of 6-0, recommends that City Council approve the petitioner's request, subject to the conditions listed below. In addition, the Commission recommends that the petitioner be charged $3 per square foot ($14,976) for the right-of-way and that closure of the right-of-way be contingent upon payment of the charge.

A. The applicant shall submit a subdivision plat to the Agent for the Planning Commission, receive all required approvals of, and record the plat with the Clerk of the Circuit Court for the City of Roanoke. Such plat shall combine all properties which would otherwise dispose of the land within the right-of-way to be vacated in a manner consistent with law, and retain appropriate easements for the installation and maintenance of any and all existing utilities that may be located within the right-of-way, including the right of ingress and egress.

B. Upon meeting all other conditions to the granting of the application, the applicant shall deliver a certified copy of this ordinance for recordation to the Clerk of the Circuit Court of Roanoke, Virginia, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the petitioner, and the names of any other parties in interest who may so

request, as Grantees. The applicant shall pay such fees and charges as are required by the Clerk to effect such recordation.

C. Upon recording a certified copy of this ordinance with the Clerk of the Circuit Court of the City of Roanoke, Virginia, the applicant shall file with the Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

D. If the above conditions have not been met within a period of one year from the date of adoption of this ordinance, then such ordinance shall be null and void with no further action by City Council being necessary.

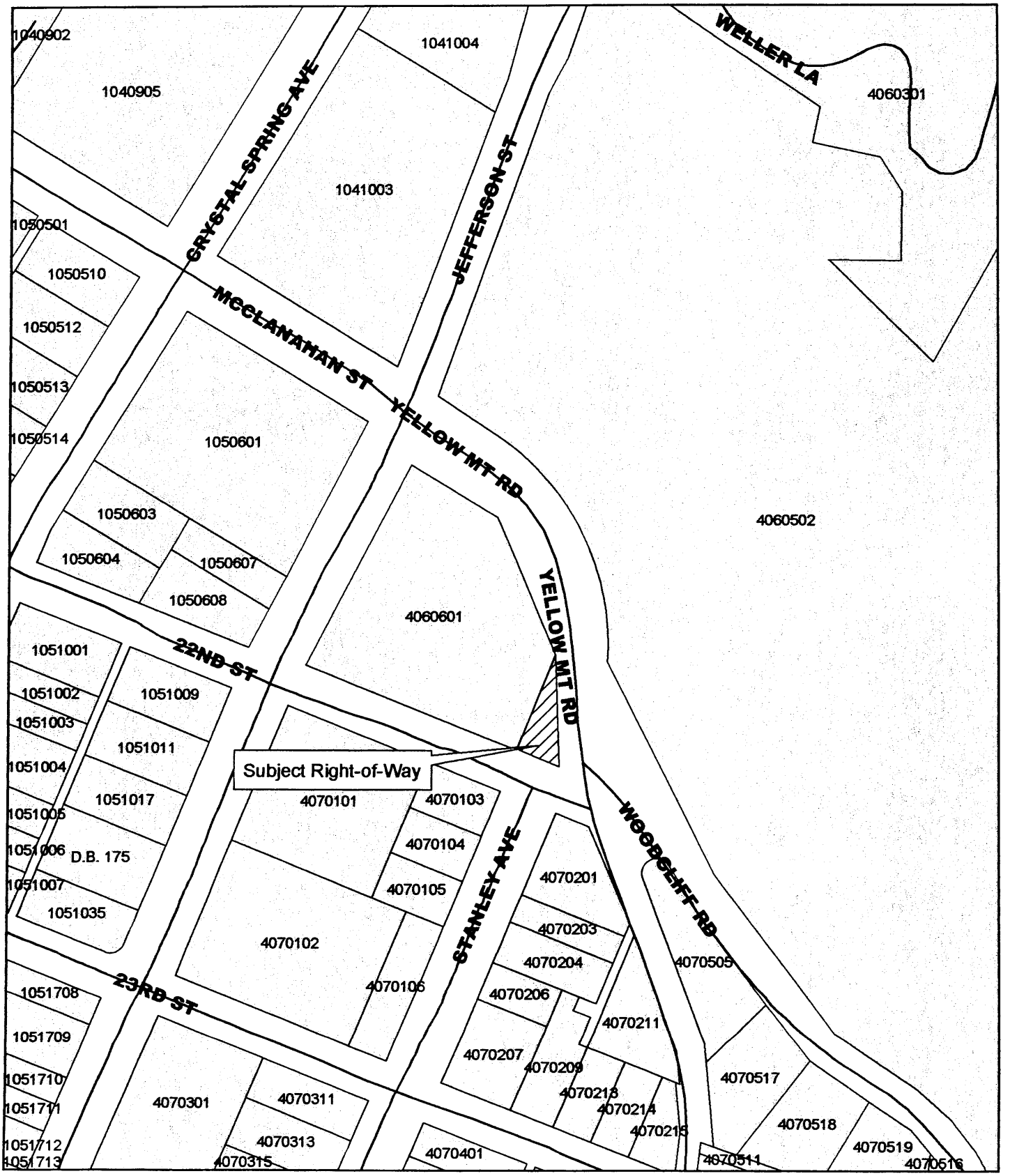
Respectfully submitted,

Robert B. Manetta

Robert B. Manetta, Chairman
City Planning Commission

cc: Darlene L. Burcham, City Manager
Rolanda Russell, Assistant City Manager
Steven J. Talevi, Assistant City Attorney
David Helscher, Attorney for the Petitioner

Right-of-Way Vacation:
Yellow Mountain Road, SE



IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

IN RE:

APPLICATION OF CHS, INC. FOR THE VACATION OF 22ND STREET, SE, AND YELLOW MOUNTAIN ROAD	)	APPLICATION FOR VACATING, DISCONTINUING AND CLOSING A PORTION OF 22ND STREET, SE, AND YELLOW MOUNTAIN ROAD, ADJACENT TO PROPERTY BEARING OFFICIAL TAX NO. 4060601

MEMBERS OF COUNCIL:

CHS, INC., by Counsel, applies to have portions of 22nd Street, SE, and Yellow Mountain Road, adjacent to property bearing official Tax No. 4060601, in the City of Roanoke, Virginia, permanently vacated, discontinued and closed, pursuant to Virginia Code Section 15.2-2006 and Section 30-14, Code of the City of Roanoke (1979), as amended. The portions of the streets in question are more particularly described on the attached Exhibit A.

1. Petitioner is the only property owner who owns land adjoining the area in question.
2. The portion of the street to be vacated is presently a grassy area joining the street and there are no current or future plans by the City to widen or expand this area for street purposes.
3. The applicant has its property, which adjoins this area under contract for sale to Westwin of Roanoke, LLC, who intends to apply to City Council for rezoning in order to utilize this area for a new condominium project. In order to be able to

have the property rezoned for this project, it is necessary that the applicant have a minimum of two acres and this additional area will provide Westwin with the area necessary in order to satisfy the minimum acreage requirement.

WHEREFORE, CHS, Inc., respectfully requests that the above described portion of 22nd Street, SE and Yellow Mountain Road, be vacated by the City Council of the City of Roanoke, Virginia, in accordance with Virginia Code Section 15.2-2006 and Section 30-14, Code of the City of Roanoke, (1979), as amended.

Respectfully submitted,

CHS, INC.

By: _____ Date: August 5, 2004
Briggs W. Andrews

Its: Corporate Secretary
Its Duly Authorized Officer

CHS, Inc.
213 S Jefferson Street, Suite 720
P. O. Box 40032
Roanoke, Virginia 24022-0032

F:\USERS\tashley\Applications\CHS.doc

EXHIBIT A

0.1146 acres, being located at the northwesterly corner of Yellow Mountain Road and 22nd Street, SE.

Beginning at an iron pin found on the northwesterly side of 22nd Street, SE, said point being located N. 67° 43′ 00″ W. 312 feet from the westerly right of way line of Jefferson Street; thence leaving said beginning point and with the northwesterly right of way line of 22nd Street, SE, N. 67° 43′ 00″ W. 71.20 feet to a point on the southerly right of way line of Yellow Mountain Road; thence with the same N. 04° 42′ 28″ W. 157.36 feet to an iron pin found; thence leaving Yellow Mountain Road and with the existing boundary line of Tax Parcel 4060601, S. 22° 11′ 45″ W. 140.22 feet to the place of BEGINNING and containing 0.1146 acres, (4,992 square feet) and being a triangular parcel located at the intersection of 22nd Street, SE, and Yellow Mountain Road and more particularly shown on survey prepared by ACS Design, dated August 4, 2004, for C.H.S., Inc., which parcel is to be added to and combined with other property of C.H.S., Inc., Tax Parcel 4060601, containing 1.940 acres, and also known as Block 67, Crystal Spring Land Company.

PLAT OF RIGHT-OF-WAY CLOSURE AND COMBINATION

FOR

C.H.S., INC.

SHOWING THE CLOSING OF

0.1146 AC. (4,992 SQ. FT.)

OF YELLOW MOUNTAIN RD., S.E.

AND COMBINING IT TO BLOCK 67,

CRYSTAL SPRING LAND CO. MAP

1.940 AC. (84,506 SQ. FT.)

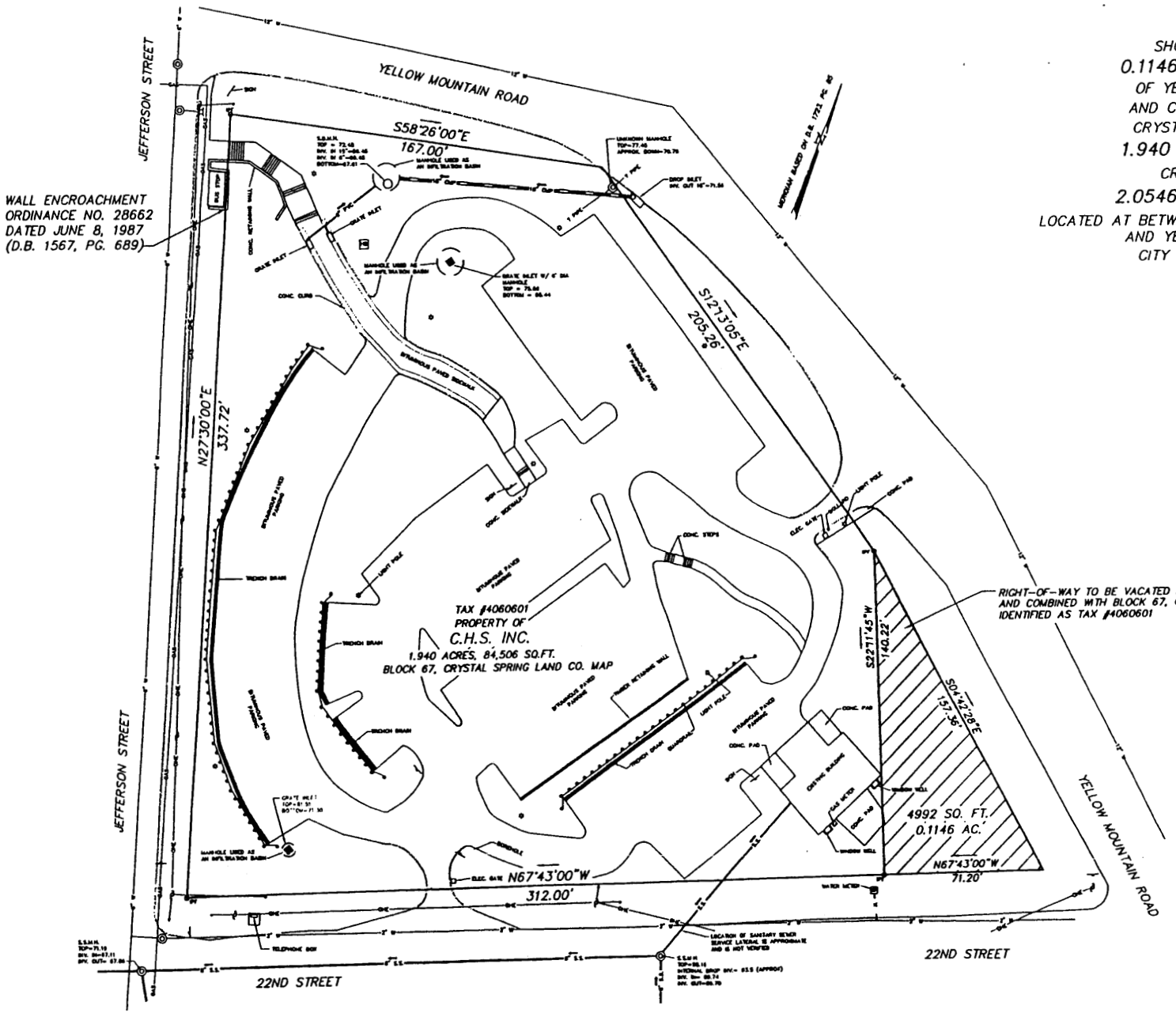
CREATING A NEW LOT OF

2.0546 AC. (89,498 SQ. FT.)

LOCATED AT BETWEEN 22ND ST., S.E. JEFFERSON ST.

AND YELLOW MOUNTAIN RD, S.E.

CITY OF ROANOKE , VIRGINIA



ACS DESIGN

Engineering-Planning-Surveying

Construction Management

2203 Peters Creek Road, NW

Roanoke, Virginia 24017

Phone: 540 562 2345

Fax: 540 562 2344

Email: info@acsdesignllc.com

www.acsdesignllc.com

30' 0' 30' 60' 1" = 30'

GRAPHIC SCALE

Drawn:	M.L.	Scale:	1" = 30'
Checked:	D.B.	Tax Parcel:	4060601
Date:	Aug. 4, 2004	Job No.:	04182
		Field Book.:	

ADJOINING PROPERTY OWNERS TO TAX MAP NO. 4060601:

1. Tax Map No. 4070103
   Owner: Henderson Davis Properties, LLC
   Mailing address: 1010 2nd Street, SW, Roanoke, VA 24016

2. Tax Map No. 4060502
   Owner: City of Roanoke Water Dept.
   Mailing address: 215 Church Avenue, SW, Room 250, Roanoke, VA 24011

3. Tax Map No. 4070505
   Owner: Leman Dudley
   Mailing address: 1710 Dawn Lane, Roanoke, VA 24018

4. Tax Map No. 4070201
   Owner: Garland L. Bowman, II
   Mailing Address; 2201 Yellow Mountain Road, SE, Roanoke, VA 24014

SJ 9/19/04

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE permanently vacating, discontinuing and closing a certain public right-of-way in the City of Roanoke, Virginia, as more particularly described hereinafter; and dispensing with the second reading of this ordinance.

WHEREAS, CHS, Inc. filed an application to the Council of the City of Roanoke, Virginia, in accordance with law, requesting the Council to permanently vacate, discontinue and close the public right-of-way described hereinafter;

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by §30-14, Code of the City of Roanoke (1979), as amended, and after having conducted a public hearing on the matter, has made its recommendation to Council;

WHEREAS, a public hearing was held on such application by the City Council on October 18, 2004, after due and timely notice thereof as required by §30-14, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were afforded an opportunity to be heard on such application;

WHEREAS, it appearing from the foregoing that the land proprietors affected by the requested closing of the subject public right-of-way have been properly notified; and

WHEREAS, from all of the foregoing, the Council considers that no inconvenience will result to any individual or to the public from permanently vacating, discontinuing and closing such public right-of-way.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke, Virginia, that the public right-of-way situate in the City of Roanoke, Virginia, and more particularly described as

follows:

> A 4,992 square foot unimproved portion of 22nd Street, S.E., and Yellow Mountain Road, S.E., adjacent to property bearing Official Tax No. 4060601

be, and is hereby permanently vacated, discontinued and closed, and that all right and interest of the public in and to the same be, and hereby is, released insofar as the Council of the City of Roanoke is empowered so to do with respect to the closed portion of the right-of-way, reserving however, to the City of Roanoke and any utility company, including, specifically, without limitation, providers to or for the public of cable television, electricity, natural gas or telephone service, an easement for sewer and water mains, television cable, electric wires, gas lines, telephone lines, and related facilities that may now be located in or across such public right-of-way, together with the right of ingress and egress for the maintenance or replacement of such lines, mains or utilities, such right to include the right to remove, without the payment of compensation or damages of any kind to the owner, any landscaping, fences, shrubbery, structure or any other encroachments on or over the easement which impede access for maintenance or replacement purposes at the time such work is undertaken; such easement or easements to terminate upon the later abandonment of use or permanent removal from the above-described public right-of-way of any such municipal installation or other utility or facility by the owner thereof.

BE IT FURTHER ORDAINED that the applicant shall submit to the Subdivision Agent, receive all required approvals of, and record with the Clerk of the Circuit Court for the City of Roanoke, a subdivision plat, with such plat combining all properties which would otherwise be landlocked by the requested closure, or otherwise disposing of the land within the right-of-way to be vacated in a manner consistent with law, and retaining appropriate easements, together with the right of ingress and egress over the same, for the installation and maintenance of any and all existing

utilities that may be located within the right-of-way.

BE IT FURTHER ORDAINED that prior to receiving all required approvals of the subdivision plat referenced in the previous paragraph, the applicant shall give to the Treasurer for the City of Roanoke a certified check or cash in the amount of fourteen thousand nine hundred seventy-six dollars and no cents ($14,976.00) as consideration for this action taken by City Council.

BE IT FURTHER ORDAINED that the applicant shall, upon meeting all other conditions to the granting of the application, deliver to the Clerk of the Circuit Court of the City of Roanoke, Virginia, a certified copy of this ordinance for recordation where deeds are recorded in such Clerk's Office, indexing the same in the name of the City of Roanoke, Virginia, as Grantor, and in the name of the Petitioner, and the names of any other parties in interest who may so request, as Grantees, and pay such fees and charges as are required by the Clerk to effect such recordation.

BE IT FURTHER ORDAINED that the applicant shall, upon a certified copy of this ordinance being recorded by the Clerk of the Circuit Court of the City of Roanoke, Virginia, where deeds are recorded in such Clerk's Office, file with the City Engineer for the City of Roanoke, Virginia, the Clerk's receipt, demonstrating that such recordation has occurred.

BE IT FURTHER ORDAINED that if the above conditions have not been met within a period of twelve (12) months from the date of the adoption of this ordinance, then such ordinance shall be null and void with no further action by City Council being necessary.

BE IT FINALLY ORDAINED that pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
PLANNING BUILDING AND DEVELOPMENT

215 Church Avenue, S.W., Room 166
Roanoke, Virginia 24011
Telephone: (540) 853-1730 Fax: (540) 853-1230
E-mail: planning@ci.roanoke.va.us

Architectural Review Board
Board of Zoning Appeals
Planning Commission

October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Request from CHS, Inc., that property located on McClanahan Street and Crystal Spring Avenue, S.W., identified as Official Tax Nos. 1040902 and 1040905, be rezoned from C-1, Office District, to INPUD, Institutional Planned Unit Development District.

Planning Commission Action:

Planning Commission public hearing was held on Thursday, September 16, 2004. Because of a conflict of interest, Robert Manetta, chairman of the Commission, abstained from discussion and vote. By a vote of 6-0, the Commission recommended that City Council approve the requested rezoning.

Background:

The petitioner filed a request to rezone two parcels from C-1, Office District, to INPUD, Institutional Planned Unit Development District, on August 5, 2004. A First Amended Petition was filed on September 14, 2004. A Second Amended Petition was filed on September 21, 2004.

Consideration:

The two subject parcels occupy an approximately 2.83-acre city-block bordered by Rosalind Avenue, McClanahan Street, Crystal Spring Avenue, and Evans Mill Road. The surrounding zoning is C-1, Office District. Surrounding land uses include:

- Medical clinics across Rosalind Avenue to the west.
- A bank and medical clinics/medical offices across McClanahan Street to the south.
- Medical clinics and medical laboratories across Crystal Spring Avenue to the east.
- Railroad right-of-way and the Rivers Edge Sports Complex across Evans Mill Road to the north.

The petition request is consistent with the following recommended actions and statements of *Vision 2001-2020*, the City's Comprehensive Plan:

- Commercial Development - Revise zoning and development guidelines that encourage maximum use of commercial sites by addressing setbacks and lot coverage.(ED A27)
- Revise zoning ordinance to permit small acreage, mixed-use development.(ED A31)

Exhibit "B" - the scaled development plan with site development notes - shows the petitioner maintaining the existing three-story, medical clinic building at 2001Crystal Spring Avenue and the 544-space multi-story parking structure on the corner of Evans Mill Road and Crystal Spring Avenue. Moreover, the plan proposes a three-story, medical clinic building with a 45-space first floor parking garage be constructed fronting on Rosalind Avenue.

The petitioner's application satisfies the INPUD, Institutional Planned Unit Development District development standards and application requirements as set forth in Sections 36.1-398 and 36.1-399 of the Zoning Ordinance. The scaled development plan documents that development standards such as the maximum floor area ratio and open space ratio are met by the petitioner. It is important to note that there is no maximum height or minimum yard requirement which applies to the INPUD District given the subject parcels do not abut a residential district or residential use.

The development plan adequately addresses application requirements, such as the location and uses of proposed and existing buildings and the location and sizes of existing and proposed parking facilities. The plan also illustrates and labels a pedestrian connector between the buildings and the proposed and existing walkways around the edge of the subject parcels except along Evans Mill Road in front of the parking garage. It indicates the extent of landscaped portions of the site and provides for screening around the mechanical equipment on the site. Existing site

lighting is denoted and proposed lighting is limited to pedestrian level bollard lights or building-mounted lights that employ glare shields and shall not exceed .5 foot-candles.

Staff believes the rezoning is an appropriate application of the INPUD, Institutional Planned Unit Development District. It allows the petitioner to maximize the development potential of the site by providing greater flexibility in regard to lot coverage and building setbacks. In addition, it allows the petitioner to create a compatible campus-development within the block. The proposed uses of medical clinics/medical offices listed on the development plan ensure that the uses on the site will be compatible with the surrounding uses in the C-1, Office District. Furthermore, the proposed height and mass of the new structure is in character with adjacent development across Rosalind Avenue and along McClanahan Street.

Planning Commission discussion centered on the following:

- Encouraging the petitioner to implement a streetscape design that is pedestrian friendly.
- Requesting the petitioner use a high-quality fencing material or masonry wall with an adequate height to ensure the proper screening of the proposed mechanical equipment from Evans Mill Road.

Recommendation:

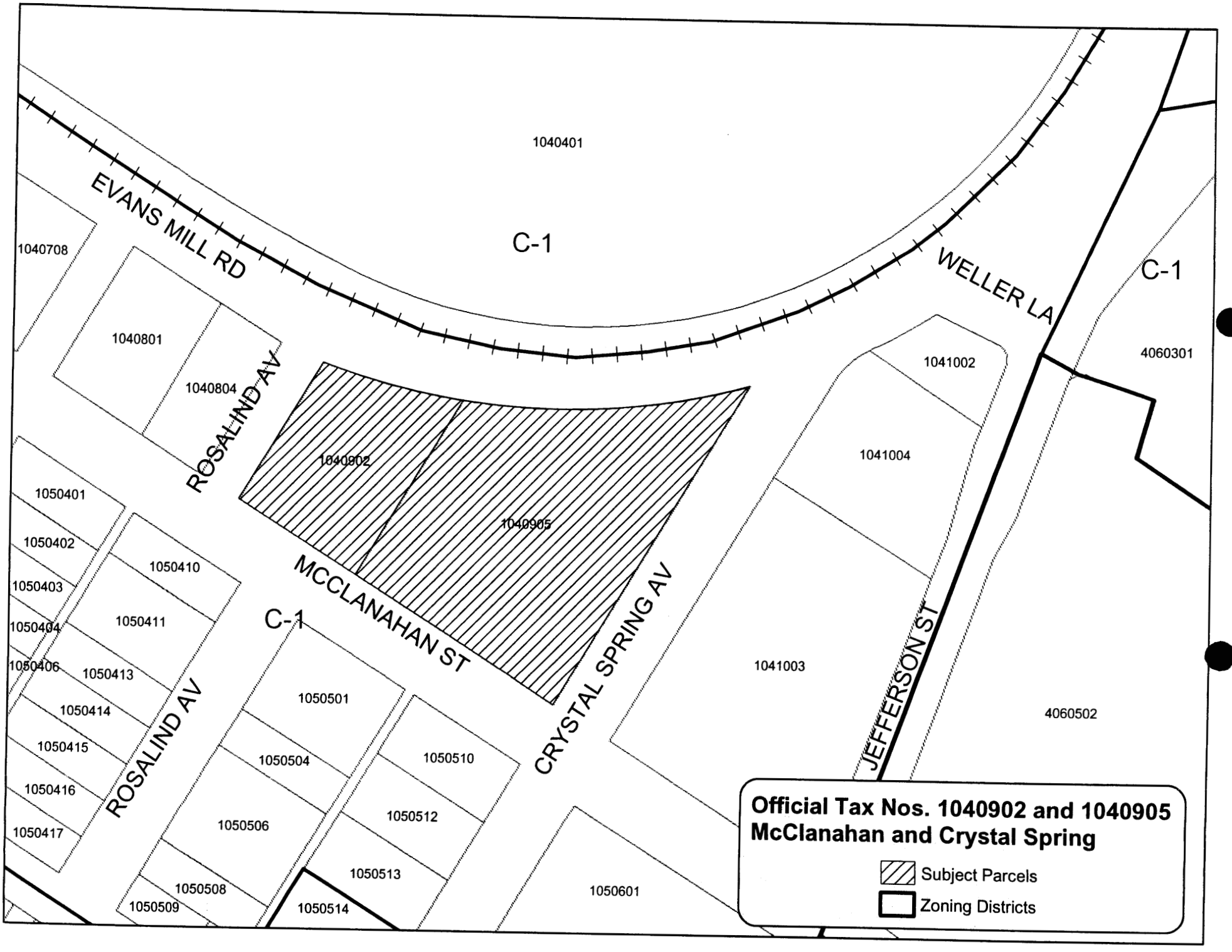
By a vote of 6-0, the Commission recommends that City Council approve the requested rezoning, given that the petition promotes a coordinated development pattern.

Respectfully submitted,

Robert Manetta

Robert B. Manetta, Chairman
City Planning Commission

cc: Darlene L. Burcham, City Manager
Rolanda Russell, Assistant City Manager for Community Development
Steven J. Talevi, Assistant City Attorney
Petitioner


1040401
C-1
EVANS MILL RD
WELLER LA
C-1
1040708
1040801
1040804
ROSALIND AV
1041002
4060301
1040902
1041004
1040905
1050401
1050402
1050410
1050403
MCCLANAHAN ST
1050411
C-1
1050404
1050406
1050413
CRYSTAL SPRING AV
1041003
JEFFERSON ST
1050501
1050414
4060502
1050415
1050504
1050510
ROSALIND AV
1050416
1050512
1050506
1050417
1050513
1050508
1050601
1050509
1050514
Official Tax Nos. 1040902 and 1040905
McClanahan and Crystal Spring
Subject Parcels
Zoning Districts

SECOND AMENDED PETITION TO REZONE

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

IN RE:

Rezoning of two (2) parcels of land lying in the City of Roanoke, (Lots 6-8, BLK 41 & PT 1 – 6 Crystal SP LD Co BLK 50 and New Lot A BLK 50) bearing City of Roanoke Official Tax Nos. 1040902 and 1040905 ("Property") containing .7935 and 2.0380 acres, more or less, from **C - 1,** Office District to **INPUD,** Institutional Planned Unit Development District.

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF ROANOKE:

The Petitioner, CHS, Inc. is the owner of the parcels having the Official Tax No. 1040902 and 1040905 ("Carilion Parcels"). Said Parcels are currently zoned **C - 1,** Office District. A map of the Property to be rezoned is attached as Exhibit A.

Pursuant to Section 36.1-690, Code of the City of Roanoke (1979), as amended, the Petitioners request that the Property be rezoned from **C - 1,** Office District to **INPUD,** Institutional Planned Unit Development District pursuant to the development plan submitted in conjunction with this petition, entitled Consultants in Cardiology/CHS, Inc. Medical Office Building Development Exhibit drawn by Mattern & Craig, dated the 4th day of August, 2004 and revised the 10th day of September 2004. ("the Plan")

The Petitioner believes that the rezoning of the said Property will further the intent and purposes of the City's Zoning Ordinance and its comprehensive plan and that it will result in the development of the vacant parcel (Tax Map No. 1040902), thereby ensuring a strong and diversified economic base while maintaining the character of the nearby existing commercial and institutional activities.

Upon the completion of the rezoning, it is the intention of Carilion to lease one parcel (Tax Map No. 1040902) for the development of a medical office building.

Attached as Exhibit C is a list of the names, addresses, and tax numbers of the owner or owners of all lots or property immediately adjacent to or immediately across a street or road from the Property to be rezoned.

WHEREFORE, the Petitioners request that the above-described parcel of land be rezoned as requested in accordance with the provisions of the Zoning Ordinance.

Respectfully submitted this 21st day of September 2004.

Respectfully submitted,

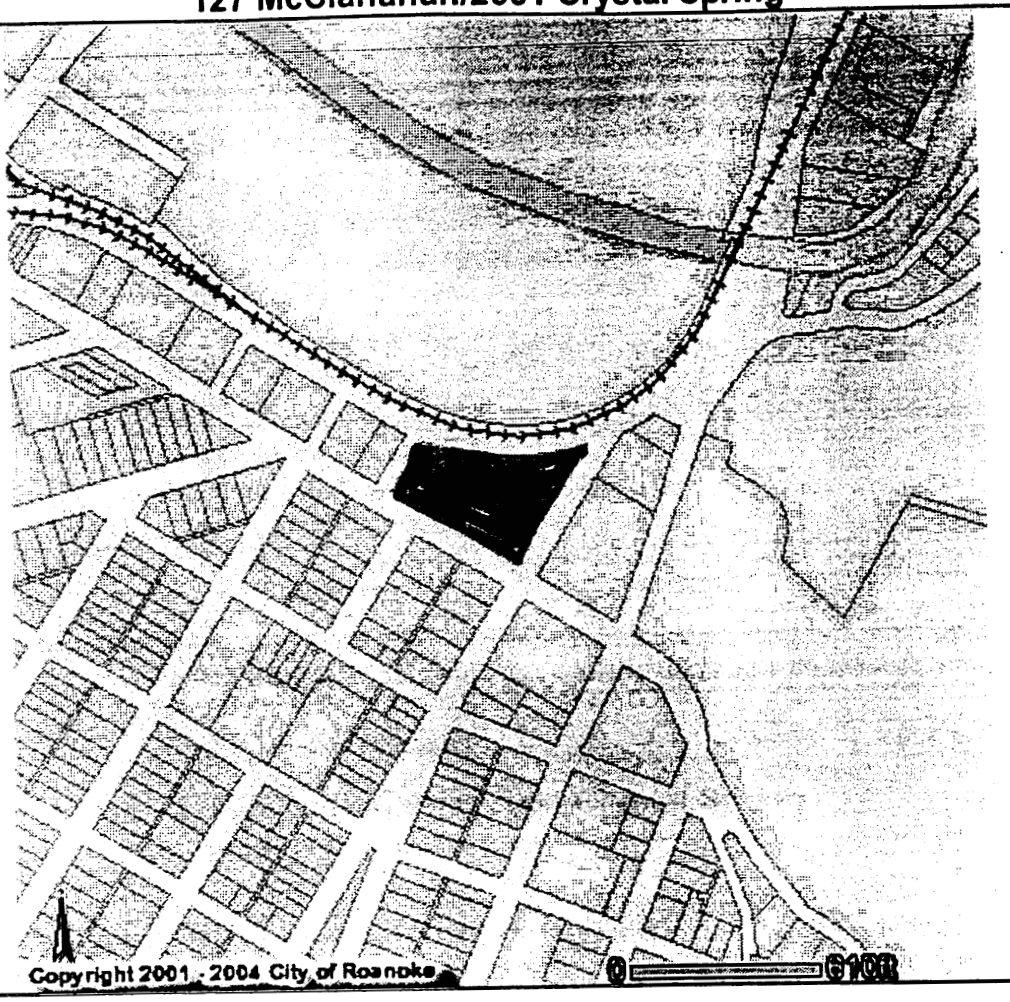
CHS, Inc.

Owner:

By: _____
Donald E. Lorton, Treasurer
213 S. Jefferson Street, Suite 720
Roanoke, Virginia 24011
(540 224 5062)

EXHIBIT A

127 McClanahan/2001 Crystal Spring



SITE DEVELOPMENT NOTES:

1. THIS SITE DEVELOPMENT EXHIBIT WAS DEVELOPED IN SUPPORT OF A REZONING APPLICATION FOR THE SUBJECT PROPERTIES AND IS NOT INTENDED TO BE USED FOR PERMITTING, CONSTRUCTION OR CONVEYANCE OF PROPERTY.

2. THE PROJECT SITE CONSISTS OF THE FOLLOWING PROPERTIES:

   A. 2001 CRYSTAL SPRING AVENUE, S.W.
   TAX PARCEL # 1040905
   2.038 ACRES
   CURRENT ZONING: C-1
   PROPOSED ZONING: INPUD
   CURRENT USE: MEDICAL OFFICES/ MEDICAL CLINICS AND ACCESSORY PARKING
   CURRENT FLOOR AREA RATIO = 3.37 / MAXIMUM ALLOWED = 10.0
   CURRENT BUILDING HEIGHT = 43 FEET / MAXIMUM ALLOWED = NO MAXIMUM
   CURRENT OPEN SPACE= 12.3% / REQUIRED MINIMUM= 10 %

   B. 127 McCLANAHAN AVENUE, S.W.
   TAX PARCEL # 1040902
   0.780 ACRES
   CURRENT ZONING: C-1
   PROPOSED ZONING: INPUD
   CURRENT USE: VACANT
   PROPOSED USE: MEDICAL OFFICES/ MEDICAL CLINICS AND ACCESSORY PARKING
   PROPOSED FLOOR AREA RATIO = 1.8 / MAXIMUM ALLOWED = 10.0
   PROPOSED BUILDING HEIGHT = 24 FEET / MAXIMUM ALLOWED = NO MAXIMUM
   PROPOSED OPEN SPACE= 26.0% / REQUIRED MINIMUM= 10 %

3. NO BUILDING WITHIN THE PROPOSED INPUD DISTRICT IS CLOSER THAN 50 FEET TO ANY LOT OUTSIDE THE INPUD DISTRICT.

4. OUTDOOR STORAGE SHALL BE PROHIBITED IN THE INPUD DISTRICT.

5. THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "X" AS INDICATED ON FLOOD INSURANCE RATE MAP NO. 51161C0048D, OCTOBER 15, 1993. APPROXIMATE BASE FLOOD ELEVATION = 934.

6. THE LOCATION AND SIZE OF WATER, SANITARY SEWER, AND STORM DRAINAGE LINE SHOWN HEREON WAS TAKEN FROM A FIELD SURVEY PERFORMED IN MAY 2004. SOME OF THE DATA IS SUBJECT TO VERIFICATION.

7. SANITARY SEWER SERVICE TO THE NEW BUILDING WILL BE PROVIDED BY THE CITY OF ROANOKE. THE SIZE OF THE LATERAL CONNECTION WILL BE 6 INCHES AND IS SHOWN HEREON. WASTE WILL BE NON-MEDICAL DOMESTIC WASTE.

8. WATER SERVICE (DOMESTIC AND FIRE PROTECTION) WILL BE PROVIDE BY WESTERN VIRGINIA WATER AUTHORITY. LOCATION AND APPROXIMATE SIZE OF SERVICE SHOWN HEREON.

9. ANY NEW SITE LIGHTING PROPOSED ON THE 127 McCLANAHAN STREET SITE SHALL BE ACCOMPLISHED USING PEDESTRIAN LEVEL BOLLARD LIGHTS OR BUILDING-MOUNTED LIGHTS THAT EMPLOY GLARE SHIELDS SUCH THAT GLARE PRODUCING ACTIVITY SHALL NOT BE PERCEPTIBLE BEYOND THE INPUD DISTRICT BOUNDARY. THE MAXIMUM LIGHTING LEVEL AS MEASURED AT THE PROPERTY LINE RESULTING FROM THE PROPOSED LIGHTING FIXTURES SHALL NOT EXCEED 0.5 FOOT-CANDLES.

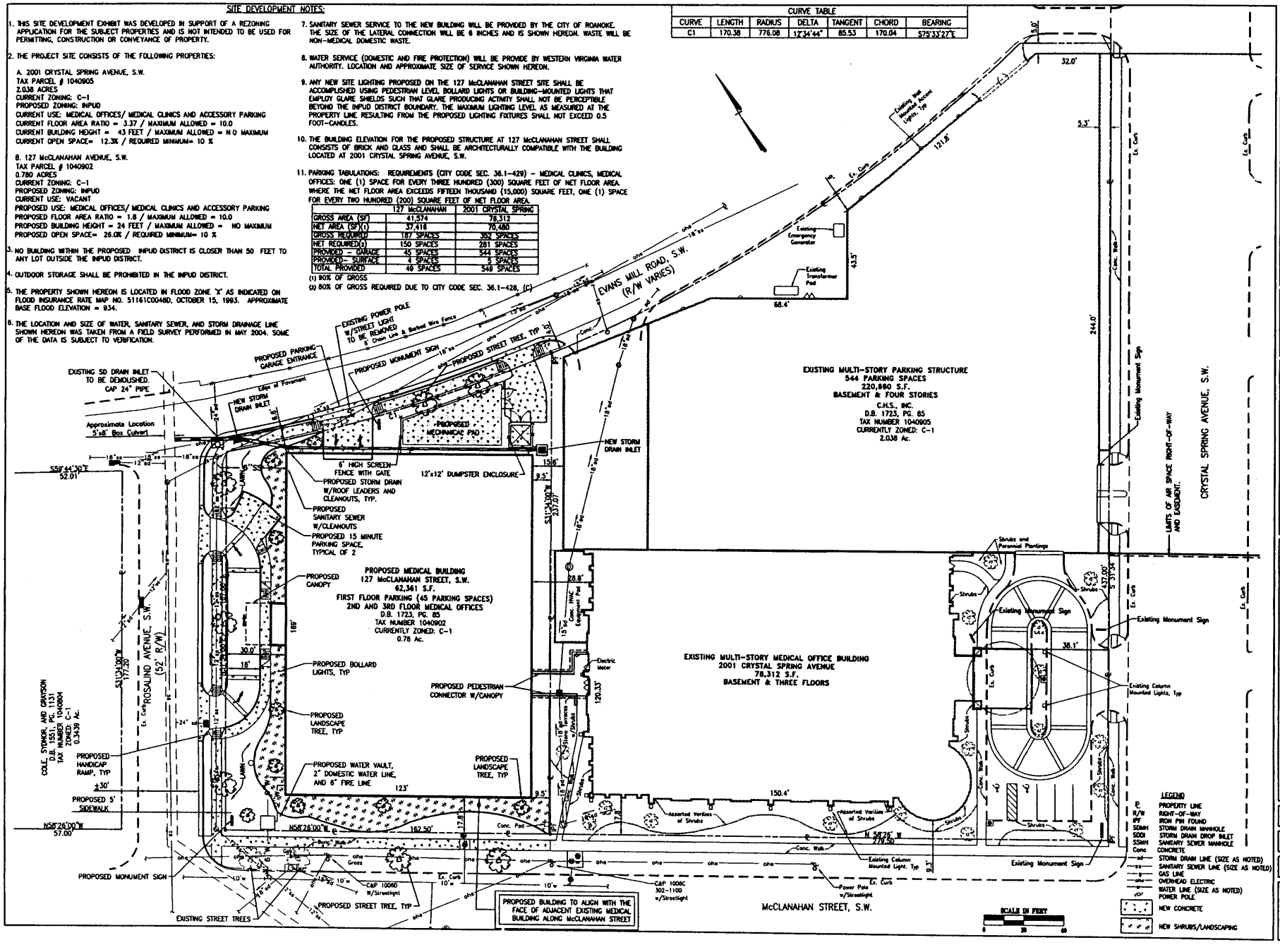
10. THE BUILDING ELEVATION FOR THE PROPOSED STRUCTURE AT 127 McCLANAHAN STREET SHALL CONSISTS OF BRICK AND GLASS AND SHALL BE ARCHITECTURALLY COMPATIBLE WITH THE BUILDING LOCATED AT 2001 CRYSTAL SPRING AVENUE, S.W.

11. PARKING TABULATIONS: REQUIREMENTS (CITY CODE SEC. 36.1-429) - MEDICAL CLINICS, MEDICAL OFFICES: ONE (1) SPACE FOR EVERY THREE HUNDRED (300) SQUARE FEET OF NET FLOOR AREA. WHERE THE NET FLOOR AREA EXCEEDS FIFTEEN THOUSAND (15,000) SQUARE FEET, ONE (1) SPACE FOR EVERY TWO HUNDRED (200) SQUARE FEET OF NET FLOOR AREA.

	127 McCLANAHAN	2001 CRYSTAL SPRING
GROSS AREA (SF)	41,574	78,312
NET AREA (SF)(1)	37,416	70,480
GROSS REQUIRED	187 SPACES	352 SPACES
NET REQUIRED(2)	150 SPACES	281 SPACES
PROVIDED - GARAGE	45 SPACES	544 SPACES
PROVIDED- SURFACE	4 SPACES	5 SPACES
TOTAL PROVIDED	49 SPACES	549 SPACES

(1) 90% OF GROSS
(2) 80% OF GROSS REQUIRED DUE TO CITY CODE SEC. 36.1-428, (C)

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	BEARING
C1	170.38	776.08	12°34'44"	85.53	170.04	S75°33'27"E



Revisions	Date
1. REVISIONS PER STAFF COMMENTS	8-10-04

Issue Date: AUGUST 4, 2004
Drawn By: CZV
Designed By: CZV
Checked By: WFA
Date: 8-4-04

Mattern & Craig
CONSULTING ENGINEERS • SURVEYORS
701 FIRST STREET, S.W.
ROANOKE, VIRGINIA 24016
(540) 345-7227
FAX (540) 345-7801

CONSULTANTS IN CARDIOLOGY/C.H.S., Inc.
MEDICAL OFFICE BUILDING

DEVELOPMENT EXHIBIT

CITY OF ROANOKE, VIRGINIA

Vertical Scale: N/A
Horizontal Scale: 1" = 20'
Commission Number: 2278-B
Sheet No.: 1

EXHIBIT C

Adjacent Properties

Tax Number: 1050410
2101 Rosalind Ave SW
Owner: Vogel & Cromwell, LLC
P. O. Box 18188
Roanoke, Virginia 24014

Tax Number: 1040804
201 McClanahan St., SW
Owner: Cole Sydnor and Grayson
P. O. Box 8788
Roanoke, Virginia 24014

Tax Number: 1050501
118 McClanahan St. SW
Owner: Crestar Bank
919 E Main St
Richmond, VA 23219

Tax Number: 1050510
2101 Crystal Spring Ave. SW
Owner: Strauss, J. L.
P. O. Box 40032
Roanoke, Virginia 24022

Tax Number: 1050601
2101 Jefferson St., SW
Owner: First Presbyterian Church
2101 Jefferson St., SW
Roanoke, VA 24014

Tax Number: 1041003
2031 Jefferson St. SW
Owner: Roanoke Hospital Association
P. O. Box 40032
Roanoke, Virginia 24022

Tax Number: 1041004
2013 Jefferson St., SW
Owner: Roanoke Memorial Hospitals
P. O. Box 40032
Roanoke, Virginia 24022

Tax Number: 1040401
Wiley Dr. SW
Owner: City of Roanoke
215 Church Ave SW RM 250
Roanoke, VA 24011

SJT 9/24/04

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 104, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City; and dispensing with the second reading of this ordinance.

WHEREAS, CHS, Inc. has made application to the Council of the City of Roanoke to have the hereinafter described property rezoned from C-1, Office District, to INPUD, Institutional Planned Unit Development District;

WHEREAS, the City Planning Commission, which after giving proper notice to all concerned as required by §36.1-693, Code of the City of Roanoke (1979), as amended, and after conducting a public hearing on the matter, has made its recommendation to Council;

WHEREAS, a public hearing was held by City Council on such application at its meeting on October 18, 2004, after due and timely notice thereof as required by §36.1-693, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed rezoning; and

WHEREAS, this Council, after considering the aforesaid application, the recommendation made to the Council by the Planning Commission, the City's Comprehensive Plan, and the matters presented at the public hearing, is of the opinion that the hereinafter described property should be rezoned as herein provided.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 104 of the Sectional 1976 Zone Map, City of Roanoke, be amended in the following particular manner

and no other:

Those two parcels of land, designated on Sheet No. 104 of the Sectional 1976 Zone Map, City of Roanoke, as Official Tax Nos. 1040902 and 1040905 be, and are hereby rezoned from C-1, Office District, to INPUD, Institutional Planned Unit Development District, as set forth in the Second Amended Petition filed in the Office of the City Clerk on September 21, 2004, and that Sheet No. 104 of the 1976 Zone Map be changed in this respect.

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable Dr. M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Public Hearing on the Federal-Aid Highway Transportation Enhancement Grant Projects

Background:

The Federal Surface Transportation Program is in the process of congressional reauthorization which is expected to continue funding for Transportation Enhancement activities that strive to promote mobility, protection of the human and natural environment, community preservation, sustainability, and livability. Traditionally this program has been funded through a requirement that state Departments of Transportation set aside 10 percent of their Surface Transportation Program (STP) allocation each year for transportation enhancements activities. These activities include such things as facilities for pedestrians and bicyclists (such as greenways) and rehabilitation of historic transportation buildings. The Virginia Department of Transportation (VDOT) advertised and held an applicant workshop on the TEA-21 enhancement program in Salem on July 30, 2004, at which citizens and public officials were able to ask questions and learn more about this program.

Considerations:

Any group or individual may initiate enhancement projects; however, City Council and the Metropolitan Planning Organization must endorse the applications prior to submittal to VDOT by the applicant by November 1, 2004. Two (2) enhancement project applications have been received and are described in Attachments A and B.

City Council resolutions that would endorse these project applications also require, according to VDOT, that the City of Roanoke agree to be liable for a minimum of 20 percent of the total cost for planning and design, right-of-way and construction of the project, and that, if the City subsequently elects to cancel a project, the City agrees to reimburse VDOT for the total amount of the costs expended by VDOT through the date of cancellation of that project. The project funding summaries, including the proposed source of the local match, is described in Attachment C. An agreement to be executed between the City and a project applicant will require the applicant to be fully responsible for the matching funds as set forth in Attachment C and, if the project is canceled, the agreement will also require the applicant to reimburse the City for all amounts due VDOT.

Recommendation:

Endorse, by separate resolutions, the project applications which are summarized in Attachments A and B, and agree to pay the respective percentages of the total cost for each project (as described in Attachment C) and that, if the City elects to cancel the project, the City would reimburse VDOT for the total amount of costs associated with any work completed on these projects through the date of cancellation notice. Also, authorize the City Manager to execute, on behalf of the City, City/State Agreements for project administration, subject to approval of project applications by VDOT, and authorize the City Manager to execute, on behalf of the City, a legally binding agreement with the project applicants subject to their application being approved by VDOT, requiring each applicant to be fully responsible for its matching funds (as described in Attachment C) as well as all other obligations undertaken by the City by virtue of the City/State Agreement.

Respectfully submitted,

Darlene L. Burcham for
City Manager

DLB/KHK/gpe

Attachments

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Kenneth H. King Jr., P.E., Manager, Division of Transportation

CM04-00179

ATTACHMENT A

Roanoke River Greenway
Applicant – City of Roanoke
In cooperation with Roanoke Valley Greenway Commission

Objective
The City of Roanoke is requesting Transportation Enhancement Funds in the amount of $759,600 for the completion of the Roanoke River Greenway Bridge connecting to Tinker Creek Greenway.

Overview
The Roanoke River Greenway will be the "backbone" of the Roanoke Valley greenway network. This bicycle/pedestrian path will be the major west-east greenway and has always been the priority greenway project for valley residents. The greenway will run 23 miles from Green Hill Park in Roanoke County, through Salem, City of Roanoke, and Vinton to the Blue Ridge Parkway and Explore Park.

Master plans for the greenway have been completed. As these plans have been developed, the Roanoke Valley Greenway Commission has applied for funding under the Enhancement program to assist the four localities with construction costs. To date the project has been awarded $754,000 for the western section in Salem and Roanoke County and $200,000 for the section in City of Roanoke.

In Roanoke the greenway will be included as part of both phases of the flood reduction project. Funding is committed on a 50/50 basis through the Army Corps of Engineers and City funds dedicated to the project. This year the Greenway Commission has prepared an Enhancement application requesting funds for the bridge from the Waste Water Treatment Plant to Tinker Creek Greenway. This section is not included in the flood project and no monies are yet committed to it.

Grant Criteria Met
As a regional project, the Roanoke River Greenway meets six of the twelve categories under which a project may qualify, including:

1. Bicycle and pedestrian facilities;
2. Bicycle and pedestrian safety and educational activities;
3. Scenic easements and scenic or historic sites;
4. Landscaping and other scenic beautification;
5. Historic preservation;
6. Mitigation of pollution due to highway run-off and wildlife protection.

In addition the greenway scores well under most of the evaluation criteria, particularly relationship to surface transportation, inclusion in state/regional/local plans, community involvement and support, accessibility, public/private venture, multi-jurisdictional, environmental benefits, and impact on economy and tourism. The project has been awarded funding five years in a row.

Cost
The application requests funds for a specific portion of the greenway, namely the bridge across Roanoke River and connection to Tinker Creek Greenway. The application requests $397,800, to be matched by $100,000 in CIP funds, donations and services.

Note: A copy of the complete application can be obtained from the City's Division of Transportation by contacting: Kenneth King, Manager, at 853-5471.

ATTACHMENT B

Dr. Martin Luther King, Jr. Memorial Bridge Enhancements
Formerly the First Street Bridge
Applicant – City of Roanoke

Objective:
The City of Roanoke is requesting Transportation Enhancement Funds in the amount of $396,720 to provide memorial, educational, and scenic enhancements to the Dr. Martin Luther King Jr. Memorial Bridge project.

Overview
The Dr. Martin Luther King, Jr. Memorial Bridge, formally the First Street Bridge, provides a connection over the existing Norfolk Southern railroad tracks between the historic Gainsboro Neighborhood and Downtown Roanoke. On the south side the project connects the O. Winston Link Linear Rail Walk to historic Henry Street on the north side in the vicinity of the Dumas Center.

This pedestrian connection from the historic Gainsboro Neighborhood into Downtown Roanoke has historical significance. During the Civil Rights Movement black leaders traveled across the bridge daily to sit at the local lunch counters in protest of segregation. In an effort to acknowledge their efforts in support of Dr. King, Roanoke City Council passed a resolution to rename the First Street Bridge in honor of Dr. King.

The vision for the enhancements is to provide a walking tour of the highlights of Dr. King's life. This will include a designated park on the north side of the bridge adjacent to Centre Avenue. The focal point of the park is a statue of Dr. King with observation platforms, landscaping, lighting, and park furniture. Bronze medallions will be mounted at each end of the bridge and audio visual stations with additional landscaping will be provided along the route.

In addition, this project is included as a part of the Roanoke Valley greenway network.

Grant Criteria Met:
As a regional project, the Dr. Martin Luther King, Jr. Memorial Bridge Enhancements meet four of the twelve categories under which a project may qualify, including:

1. Bicycle and pedestrian facilities;
2. Bicycle and pedestrian safety and educational activities;
3. Scenic easements and scenic or historic sites; and
4. Landscaping and other scenic beautification, historic preservation.

In addition the bridge enhancements score well under most of the evaluation criteria, particularly relationship to the pedestrian element of surface transportation, inclusion in regional/local plans, community involvement and support, accessibility, and impact on the economy and tourism.

Cost
This application includes the costs of enhancements to the Dr. Martin Luther King Memorial Bridge to honor Dr. King that are not currently financed by another means. The application requests $317,376 to be matched by the City of Roanoke in the amount of $79,344 using either cash and/or in-kind services, for a total estimated project cost of $396,720.

Note: A copy of the complete application can be obtained from the City's Division of Transportation by contacting: Kenneth King, Manager, at 853-5471.

Project Funding Summary

PROJECT APPLICANT	Federal Funds Requested	Non-federal Total by Applicant (%) (20% Minimum)	Applicant's Proposed Source of Funds (Local Match)
Greenway	$397,800	$100,000 (20.1%)	Capital Improvement Program Donations, Services
Dr. Martin Luther King, Jr. Memorial Bridge (formerly First Street Bridge)	$317,376	$79,344 (20%)	City of Roanoke

SSC 10/8/04

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION requesting that the Commonwealth Transportation Board establish an enhancement project for the Roanoke River Greenway.

WHEREAS, in accordance with the Commonwealth Transportation Board's construction allocation procedures, it is necessary that a request by resolution be received from the local government in order that the Virginia Department of Transportation program an enhancement project in the City of Roanoke; and

WHEREAS, the Council of the City of Roanoke supports the completion of the construction of a bridge across the Roanoke River for the Roanoke River Greenway from the Waste Water Treatment Plant connecting to the Tinker Creek Greenway.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City hereby endorses and requests that the Commonwealth Transportation Board establish a project for the completion of the construction of a bridge across the Roanoke River for the Roanoke River Greenway from the Waste Water Treatment Plant connecting to the Tinker Creek Greenway, such project being more particularly described in the City Manager's letter dated October 18, 2004, to City Council.

2. Pursuant to the Transportation Equity Act for the 21st Century, the City hereby agrees to pay a minimum of twenty percent (20%) of the total cost for completion of the construction of this project, and that if the City subsequently elects to cancel this project, the City hereby agrees to reimburse the Virginia Department of Transportation (the "Department") for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation,

all of which is set forth in the City Manager's letter dated October 18, 2004, to City Council.

3. The City Manager and the City Clerk are hereby authorized on behalf of the City to execute and attest, respectively, all necessary and appropriate agreements with the Department providing for the programming of such project, such agreements to be in such form as is approved by the City Attorney.

4. The City Clerk is directed to forward a copy of this resolution to the appropriate officials at the Commonwealth Transportation Board.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION requesting that the Commonwealth Transportation Board establish an enhancement project for the Dr. Martin Luther King, Jr., Memorial Bridge.

WHEREAS, in accordance with the Commonwealth Transportation Board's construction allocation procedures, it is necessary that a request by resolution be received from the local government in order that the Virginia Department of Transportation program an enhancement project in the City of Roanoke; and

WHEREAS, the Council of the City of Roanoke supports the memorial, educational, and scenic enhancements to the Dr. Martin Luther King, Jr., Memorial Bridge.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City hereby endorses and requests that the Commonwealth Transportation Board establish a project for enhancements to the Dr. Martin Luther King, Jr., Memorial Bridge, such project being more particularly described in the City Manager's letter dated October 18, 2004, to City Council.

2. Pursuant to the Transportation Equity Act for the 21st Century, the City hereby agrees to pay a minimum of twenty percent (20%) of the total cost to provide memorial, educational, and scenic enhancements for this project, and that if the City subsequently elects to cancel this project, the City hereby agrees to reimburse the Virginia Department of Transportation (the "Department") for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation, all of which is set forth in the City Manager's letter dated October 18, 2004, to City Council.

3. The City Manager and the City Clerk are hereby authorized on behalf of the City to execute and attest, respectively, all necessary and appropriate agreements with the Department providing for the programming of such project, such agreements to be in such form as is approved by the City Attorney.

4. The City Clerk is directed to forward a copy of this resolution to the appropriate officials at the Commonwealth Transportation Board.

ATTEST:

City Clerk.

CITY OF ROANOKE
PLANNING BUILDING AND DEVELOPMENT

215 Church Avenue, S.W., Room 166
Roanoke, Virginia 24011
Telephone: (540) 853-1730 Fax: (540) 853-1230
E-mail: planning@ci.roanoke.va.us

Architectural Review Board
Board of Zoning Appeals
Planning Commission

October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr.,Vice Mayor Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor and Members of City Council:

Subject: Adoption of the *Williamson Road Area Plan* as a component of *Vision 2001-2020.*

Background:

On August 16, 2004, City Council held a public hearing and considered adoption of the Williamson Road Area Plan. City Council voted to table the matter for the purpose of providing for additional discussion with members of the Williamson Road Area Business Association (WRABA). The motion to table indicated that the plan would be reconsidered no later than City Council's regular meeting on October 18, 2004.

Following City Council's action, WRABA appointed a committee to develop specific comments on the plan. Staff received a list of comments from the committee on September 10, 2004. Planning staff met with committee representatives Gene McGuire and Ed Armentrout on September 21, 2004, to discuss the comments and staff's preliminary responses.

Planning staff carefully reviewed the written and verbal comments and developed an itemized response. These revisions were transmitted to City Council and shared with WRABA and WRAF leadership on or around October 1, 2004.

Planning staff met with WRABA representatives Ed Armentrout, Gene McGuire, and Linda Plunkett on Monday, October 11, 2004. Additional changes to the proposed plan were agreed to regarding future land use designations.

Considerations:

The most notable change identified at the October 11th meeting was to broaden the scope and application of the "Small and Medium Scale Commercial" designation on the Future Land Use Plan on pp. 36-37. With this change, the "General Commercial" designation is no longer needed and has been deleted. Additional wording changes were made as follows:

- (Page 14, paragraph 1): Rewording
- (Page 15, Paragraph 4): Deleted the word "necessarily"
- (Page 44, Paragraph 1): Rewording

Respectfully submitted,

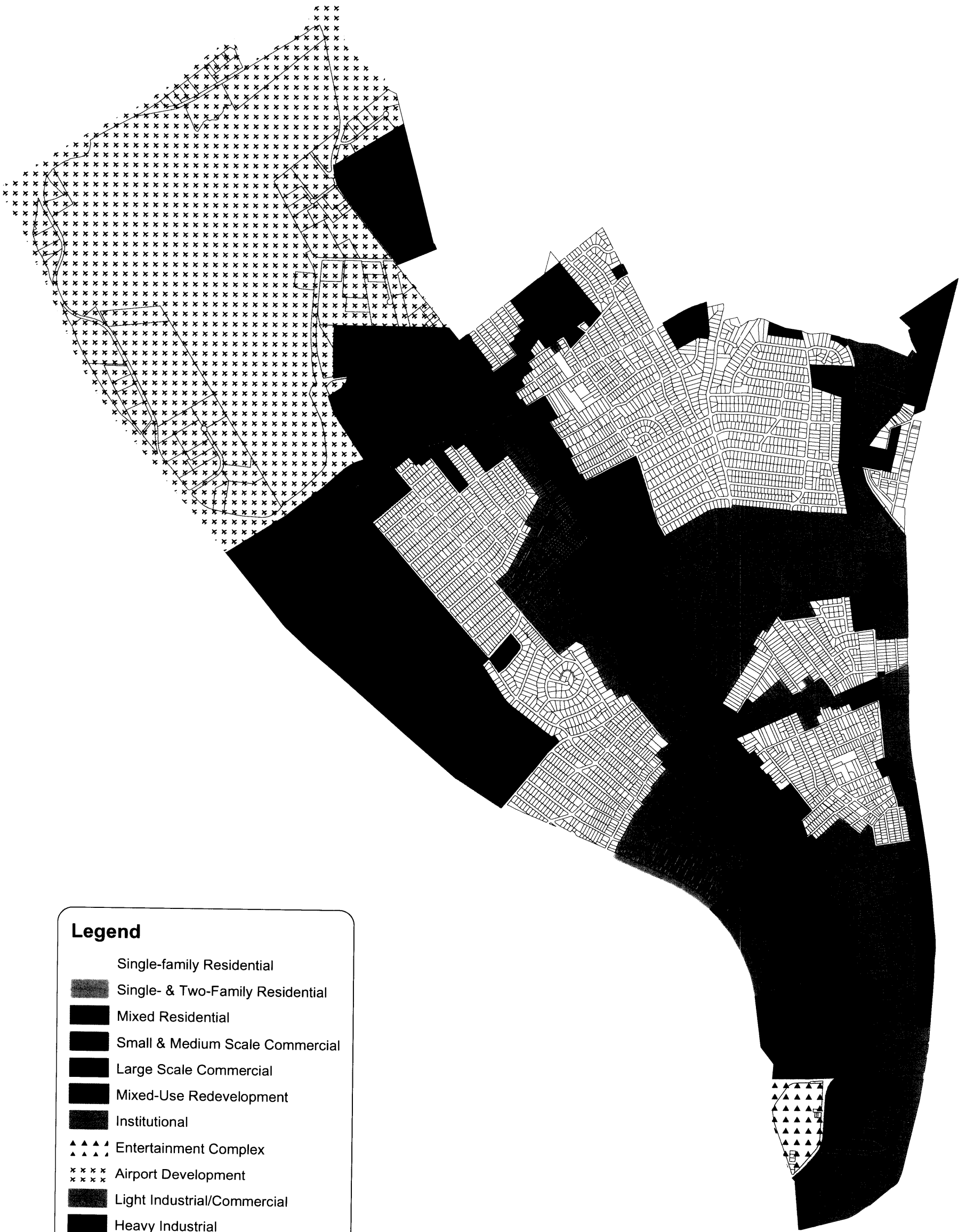
R. Brian Townsend

R. Brian Townsend, Agent
City Planning Commission

RBT:mpf
Attachment
cc: Darlene L. Burcham, City Manager
Rolanda Russell, Assistant City Manager
William M. Hackworth, City Attorney

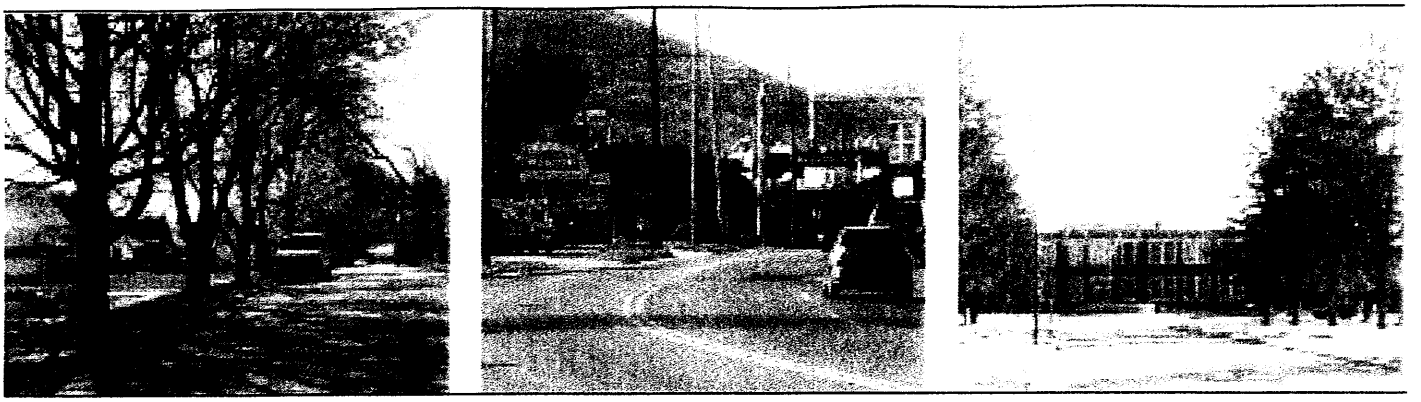
B.1.

Williamson Road Area Plan
Future Land Use Plan



Legend

- Single-family Residential
- Single- & Two-Family Residential
- Mixed Residential
- Small & Medium Scale Commercial
- Large Scale Commercial
- Mixed-Use Redevelopment
- Institutional
- Entertainment Complex
- Airport Development
- Light Industrial/Commercial
- Heavy Industrial
- Recreation & Open Space



Williamson Road

AREA
PLAN

ROANOKE
VIRGINIA

vision 2001 / 2020

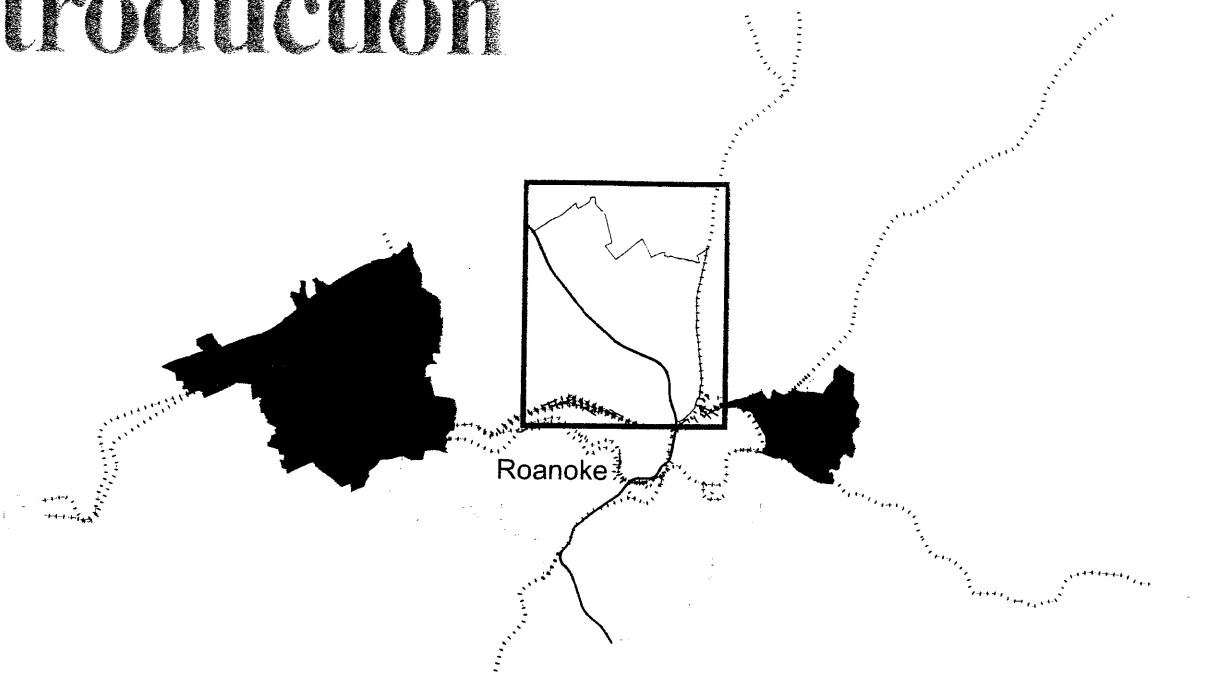
October 12 Draft for
City Council
Public Hearing
October 18, 2004

Planning Building & Development

Table of Contents

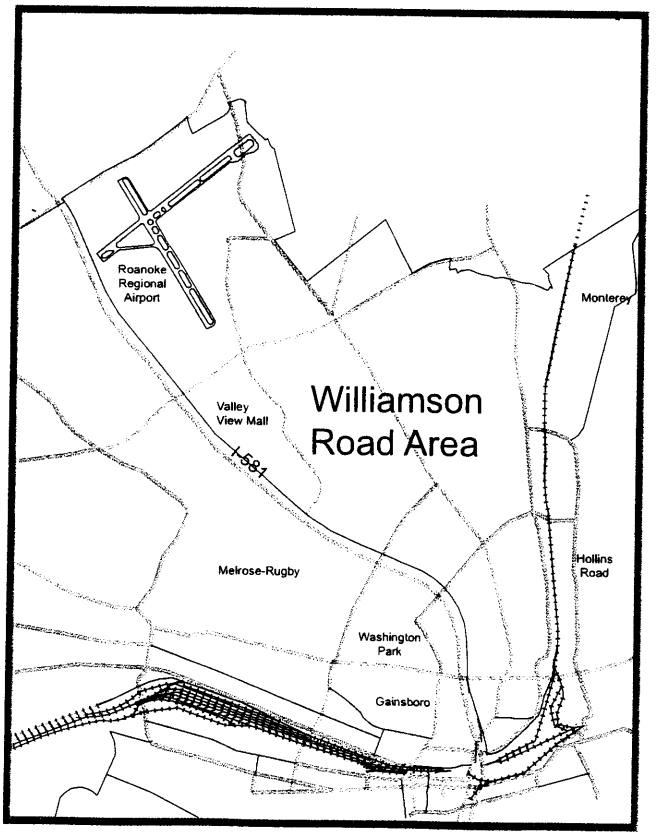
Introduction	1
Community Design	8
Residential Development	16
Economic Development	19
Transportation	23
Public Services and facilities	29
Quality of Life	33
Recommendations	35
Implementation	60
Appendix: Design Guidelines	

Introduction



The Williamson Road area is located in the northern part of Roanoke, stretching from downtown north to the city limits. It is made up of several neighborhoods, but is thought of by residents as a cohesive area because of its clear link to the recognizable corridor that runs its length.

I-581, the northern city limits, and the Norfolk Southern rail line define neighborhood edges. The area includes the airport, the Roanoke Civic Center, several commercial/industrial corridors, and diverse residential areas. Its 6.5 square miles constitute 15% of Roanoke's land area and nearly 14,000 persons live in the Williamson Road area, representing 15% of the city's population.



About Neighborhood Planning

In 1985, *Roanoke Vision*, the City's comprehensive plan called for the preservation and enhancement of existing neighborhoods and recommended that city policies and actions support neighborhood revitalization and preservation. A major recommendation toward that end was to develop a plan for each neighborhood. *Vision 2001-2020* continues support for neighborhood-based planning for a livable and sustainable city. This plan recommends actions that can be carried out by citizens, the city, neighborhood organizations, and other supporting interests, as well as policies that are used to guide future decisions. Neighborhood and area plans are official documents that are adopted by City Council and become part of the city's comprehensive plan.

Residents and businesses were involved in the planning process as community stakeholders. Planning staff sponsored three workshops in spring and summer 2003 to work with citizens to identify major neighborhood concerns. Once a draft of the plan was completed, staff sponsored two additional workshops in spring 2004 to review the draft version.

Population Characteristics

Though the number of people remained fairly constant during the 1990s, the population diversified in terms of race. The African American population nearly doubled and people of multiple races or of other races more than tripled.

The area has a smaller percentage of young people and a higher percentage of seniors than the city as a whole.

Population

	1990	**2000**	% change
Williamson Road Area	14,064	**13,957**	-0.7%
Roanoke	96,397	**94,911**	-1.5%

Age Distribution

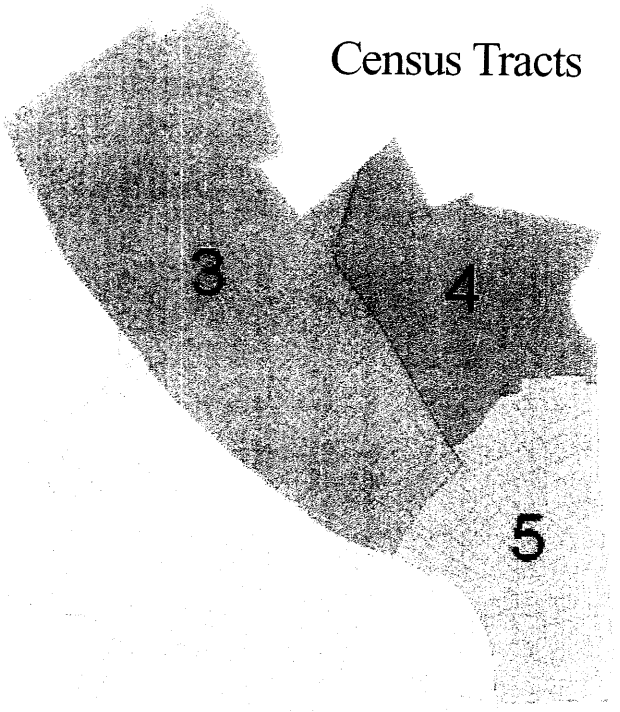
	Williamson Road Area	**Roanoke**
0-17 years	**18%**	23%
18-34 years	**31%**	31%
34-65 years	**30%**	30%
65 years and up	**21%**	16%

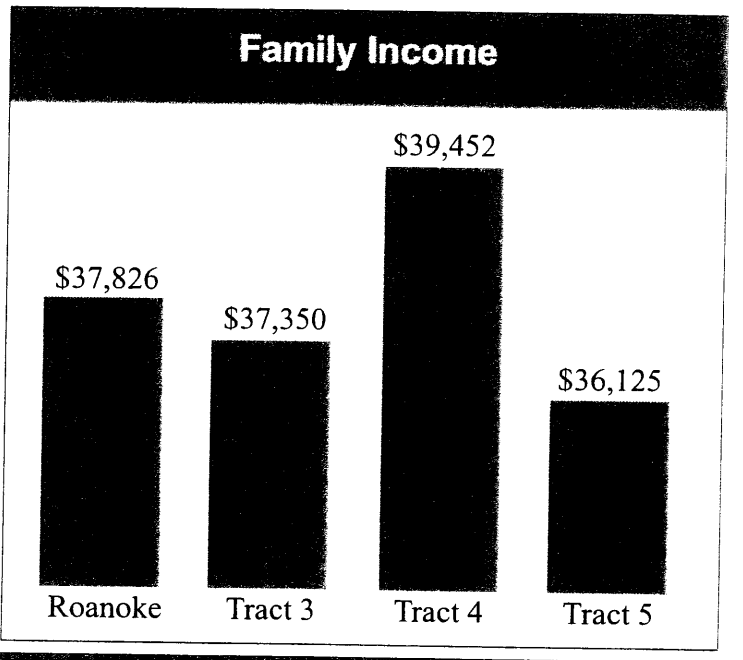
Changes in Racial Composition 1990-2000

	1990	**2000**	% change
White	13,034	**11,559**	-11%
African-American	852	**1,609**	+89%
Other races and Multiracial	178	**789**	+343%

Racial Distribution
Comparison between Williamson Road & Roanoke

	Williamson Road Area		Roanoke	
White	11,559	**83%**	65,848	**69%**
African-American	1,609	**11%**	25,380	**27%**
Other races and Multiracial	789	**6%**	3,683	**4%**





Employment by Sector

Employment Sector	Roanoke	Relative to Roanoke's distribution		
		[redacted]		
Management/Professional	27%	-1	-7	-8
Service	17%	+2	-5	-2
Sales/Office	30%	+3	+7	3
Construction/extraction/maintenance	9%	-2	+2	2
Production/transportation/material moving	17%	-1	+4	6

Plan Elements

Discussion in this plan is organized into six major **Plan Elements**:

- Community Design
- Residential Development
- Economic Development
- Transportation
- Public Services and Facilities
- Quality of Life

The Community Design element looks at physical design features and land use patterns. Residential Development addresses existing and new housing opportunities. Economic Development deals with commercial and industrial development in the neighborhood. The Infrastructure plan element evaluates transportation systems and utility systems such as water, sewer, and storm drainage. The Public Services element assesses Fire/EMS, police and other city services. Finally, the Quality of Life element addresses recreational opportunities, environmental issues, education, and community development. Each plan element contains information about current conditions and issues.

High priority initiatives

This plan identifies the following **high priority themes**:

- Creating a network of unique and identifiable places
- Changing land use patterns to respond to emerging commercial development patterns
- Improving the appearance and function of streets
- Improving the design of new buildings and sites

In addition to these priority themes, the following important issues were identified by participants in the community workshops.

- Code enforcement
- Library improvements
- Widening of Plantation Road
- Stadium traffic plan
- Traffic calming
- Overhead utilities

The plan establishes a framework for future land use decisions and also identifies areas where further detailed planning is necessary.

Development History

The Williamson Road area was settled at the same time as Roanoke, but it developed later in the city's history. Land in the Williamson Road area remained in the hands of just a few owners until the 1850s.

The first landowner in the area was Mark Evans, who acquired most of the area in the mid 1700s. The area was known as "The Barrens." His land was eventually sold by his heirs to several major property owners, including Robert Breckinridge. Tracts generally contained 300-400 acres. By the mid-1800s, tracts were in smaller increments from 150-250 acres. Major landowners were Edward Watts, Elisha Betts, Lucy Carvin, and Alexander Bruce. The Town of Gainsboro was established near the intersection of what is now I-581 and Orange Avenue. Gainsboro never achieved significant settlement as a town and was later absorbed into the City of Roanoke.

By the early 1900s, tracts were being sold in even smaller parcels of under 60 acres. Still, fewer than 100 families owned land in the Williamson Road area. By this time, major neighborhoods had been established around Roanoke's downtown and development began to extend into streetcar suburbs like Raleigh Court and Rugby.

Until 1912, there was no Williamson Road. What is now Tenth Street was the only road of consequence in the area. Residents petitioned Roanoke County for a road that would lead to downtown. Several residents provided the funding, land, and machinery to build the road and the state provided labor. The state had to condemn the property of the Williamson family to acquire right-of-way. Immediately following the hard-surfacing of the road, businesses and residents began to develop along the length of Williamson Road.

Roanoke's real estate assessment records show that settlement was sparse until the 1900s, when widespread automobile ownership made the area more accessible and tracts began to be subdivided and sold as small individual lots. Between 1920 and 1940, about 1,000 lots were developed.

The era following WWII is when the real building boom came. Between 1940 and 1960, over 3,500 lots were developed. Postwar prosperity, housing shortages, new mortgage lending practices, and the automobile all combined to make the area both accessible and desirable to people seeking suburban home ownership. Development radiated out from the intersection of Liberty Road and Williamson Road. Most of the streets were laid out and most land was developed out by 1960, but significant residential development continued through the 1970s.

Commercial development has traditionally located along the Williamson Road corridor and was mixed with residential development. Indeed, many residential structures remain along the corridor.. Williamson Road steadily converted over to mostly commercial uses. The *1964 Development Plan for Roanoke* showed that Williamson Road was nearly all commercial. By 1970, the southern end of Williamson Road was anchored by the Civic Center and Sears Town. To the north, Crossroads Mall was built at the intersection of Hershberger Road in 1961.

Williamson Road became a vibrant, thriving commercial corridor lined with businesses, each competing for attention. In the 1960s and 70s, Williamson Road's straight lines and numerous traffic lights made it an ideal place for cruising and drag racing. The street actually became a social center of sorts as teens cruised up and down the road on weekends.

In the mid-1980s, Valley View Mall was built along the western side of the area, solidifying the Williamson Road area's identity as a major regional commercial center. Development in the Valley View Mall area continues and is nearing its full development capacity in terms of vacant land.

Community Design

Physical Layout

The physical layout of streets and lots reflects the period in which most of the area was developed. Following WWII, suburban development patterns were gaining acceptance, while vestiges of traditional urban patterns remained. Traditional patterns called for compact lots and narrow streets arranged in a connected grid, while suburban patterns had larger lots that fronted on wide, curving streets. However, the now-common practice of ending a street in a cul-de-sac was not frequently used. Despite its varied development styles, the area has a connected system of streets that provide for even distribution of traffic along many streets. Residential lots generally range in size from 5,000–10,000 square feet.

Land Use Patterns

The neighborhoods have a diverse land use mix. Though perceived as predominantly commercial, residential uses occupy nearly half the land. The northern and southern edges are dominated by intense commercial uses, but between Liberty Road and Hershberger Road, commercial development is limited to the Williamson Road corridor. Outside this corridor, residential uses are the dominant land use. Industrial uses are concentrated along Plantation Road and Kimball Avenue.

There are few vacant parcels. Though 16% of the land area is classified as vacant, much of it is actually used for parking in conjunction with commercial and industrial land uses. Most other vacant parcels are individual lots scattered around the neighborhood.

The diversity of land uses is reflected in the fact that nearly all of the city's zoning districts are represented. Land uses generally conform to zoning patterns; there are few places where zoning designates a different land use than that which is on the property.

Existing Land Use

How land is USED

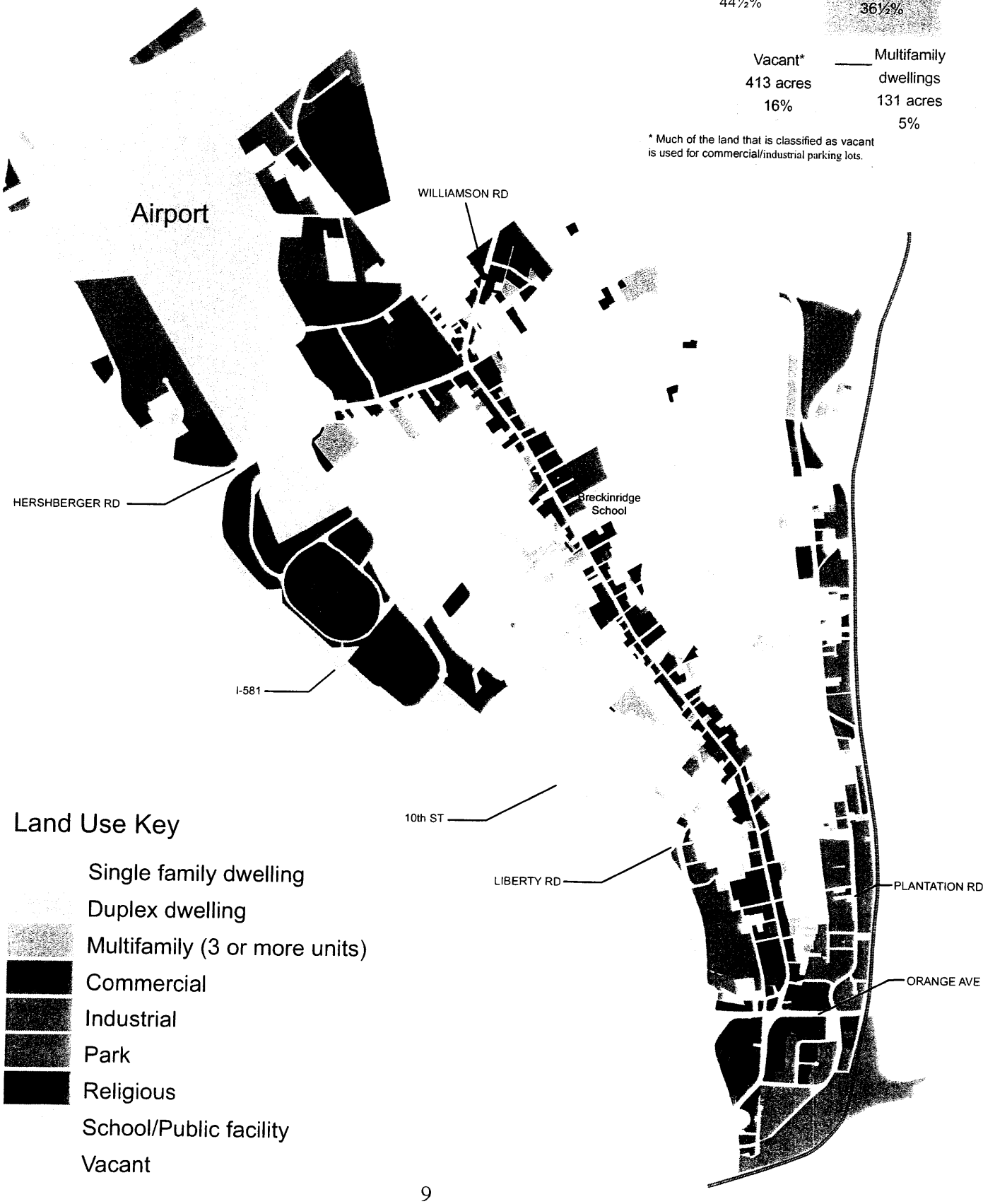
Single-family dwellings 1,156 acres 44½%

Commercial & Industrial 954 Acres 36½%

Vacant* 413 acres 16%

Multifamily dwellings 131 acres 5%

* Much of the land that is classified as vacant is used for commercial/industrial parking lots.



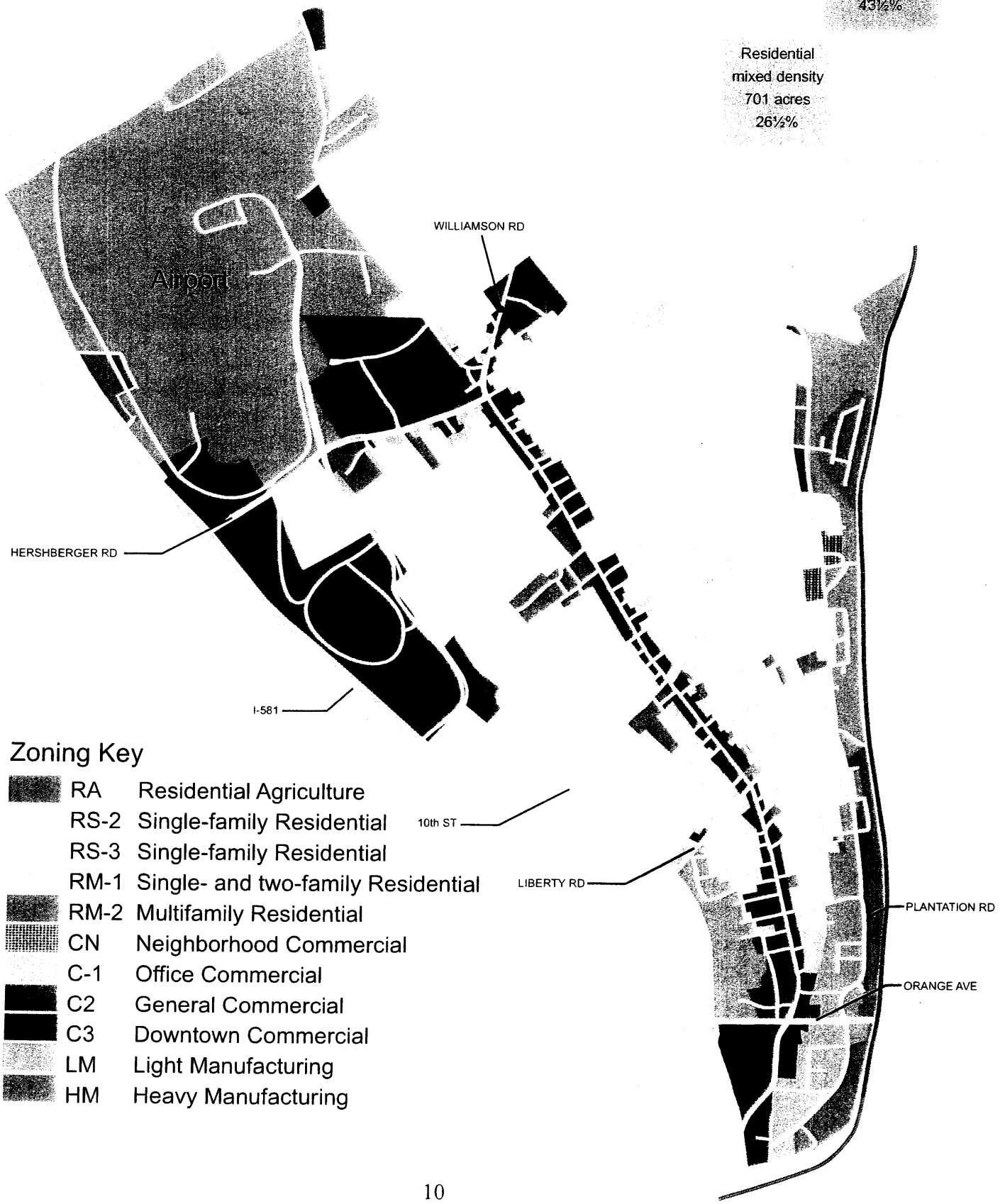
Existing Zoning

How land is ZONED

Single-family dwellings 803 acres 30%

Commercial & Industrial 1,151 Acres 43½%

Residential mixed density 701 acres 26½%



Zoning Key

- RA Residential Agriculture
- RS-2 Single-family Residential
- RS-3 Single-family Residential
- RM-1 Single- and two-family Residential
- RM-2 Multifamily Residential
- CN Neighborhood Commercial
- C-1 Office Commercial
- C2 General Commercial
- C3 Downtown Commercial
- LM Light Manufacturing
- HM Heavy Manufacturing

Community Design Issues

Through the planning process, planning staff identified major issues relating to the overall design of the community.

- Need for identifiable and unique places
- Commercial land use policies
- Relationship between residential and commercial uses
- Design of major streets

These are interrelated issues that need to be addressed in a comprehensive approach. The commercial corridor is not an inherently bad development form. Rather, it is the character of the development that usually takes place along it. While many communities attack the problem by geographically limiting strips, Roanoke's approach should be to improve the character of the development and "punctuate" the strip with a series of identifiable and unique places. Several such places along Williamson Road should be targeted for development as models for future development patterns. While this plan identifies node areas along Williamson Road, locations and priorities may be adjusted based on consensus of the business community, neighborhood interests, and the City of Roanoke

Strategic Initiatives

A key symptom of strip commercial patterns is that there are few identifiable and unique places. To address this issue, this plan identifies eleven **Strategic Initiatives** where master plans should be developed with the intent of creating (or building on) identifiable nodes. Plans should be developed through a charette process to produce consensus on a vision for each of the areas. Conceptual drawings should be developed to illustrate desired development patterns, building types, and street designs. Each Strategic Initiative listed below is discussed in more depth in the **Recommendations** chapter.

- Airport
- Civic Center/Stadium
- Auto sales & service cluster
- Oakland School
- Breckinridge School
- Crossroads Mall
- Valley View/Towne Square ~~(regional commercial center)~~
- Plantation and Liberty ~~(small village center)~~
- Liberty Road & Williamson Road
- Whiteside Village Centers
- Liberty Road at Courtland Road ~~(small village center)~~

Adapting commercial land use policies

Regional land use and zoning policies of the 1950s and 60s solidified commercial development patterns along Williamson Road. The *1964 Development Plan for Roanoke* designated the entire corridor for commercial uses. Later changes in the nature of commercial development would work to compromise the viability of older commercial areas.

Between 1970 to 2000, hundreds of acres of new commercial development were created. Valley View Mall, Towne Square, Tanglewood, Route 419, and incremental additions throughout the region all represented major shifts in commercial development patterns. Activity moved to suburban areas near new population centers and the scale of development also increased. As these new commercial areas were created, demand for commercial property diminished in older areas like Williamson Road.

Regional zoning policies did not respond to these changes. Continuous expansion of the region's commercial development is not sustainable because a given population can only support a finite amount of activity. With slow population growth, ~~the amount of commercial development reached its saturation point.~~ new commercial areas not only supported new commercial development, but also drew business activity away from older commercial areas such as Williamson Road.

Two factors indicate that a saturation point has been reached: low floor-area ratios and low property values. *Floor area ratio* is a measurement of how intensely a property is developed. It is calculated as the ratio of building area to land area. The C-2 zoning district allows for a floor area ratio of 5-to-1 (five square feet of building can be built for each square foot of land). However, the average floor area ratio for properties along Williamson Road is 0.21-to-1, which is only **4%** of the allowable ratio. This low ratio indicates low demand for existing commercial land. Conversely, high demand for commercial property results in high floor area ratios because developers must maximize the use of the land.

Depressed property values are another symptom of a saturated market for commercial property. Property assessments show that commercial land values are very low along the corridor - averaging around $4 per square foot. By comparison, land values in downtown average $16 per square foot. Low land values along Williamson Road have resulted in chronic vacancies because values do not justify investment or spur owners to ensure that buildings produce income. Development tends toward very low-value buildings that are even below typical residential per-square-foot costs. Low land values result in business sites being dominated by asphalt instead of buildings because there is little financial incentive to maximize use of the site.

Some of the corridor's issues relate to zoning patterns that have not responded to radical increases in the region's supply of commercial property. During the planning workshops, several participants felt the city should expand commercial zoning deeper off of the Williamson Road corridor so businesses could expand to the rear of their existing properties. This approach seems to be a logical way to support business development in the area. However, such action would likely aggravate the problem of a saturated market for commercial property.

This problem is not unique to Roanoke. The Urban Land Institute, recognized as an authority on real estate and land development issues, recommends *reductions* in commercial zoning to encourage revitalization of commercial corridors.

The economic health and sustainability of Roanoke's business environment depends on wise use of its scarce land resources. Improvements in long-term commercial land values will result from limiting, rather than continuously expanding, the supply of general commercial properties. Restricting the supply of commercial zoning will have the long-term effect of improving the quality of commercial development because it will encourage developers to invest more in a given amount of land.

In the Williamson Road area (as well as citywide), Roanoke must seek opportunities to ~~reduce general commercial zoning and~~ create transitions to a mixture of less intensive commercial types and residential uses. The following types of land uses should be reviewed for possible transition:

- Small-scale ~~neighborhood-oriented~~ retail, service, and office uses
- Existing residential ~~buildings~~ uses
- Vacant ~~buildings~~ properties

The **Future Land Use Plan** (see **Recommendations** chapter) identifies areas for transition to small- and medium-scale commercial activity. In addition, the plan strongly recommends against further piecemeal expansion of general commercial districts. Existing business types and other land uses were considered in developing the **Future Land Use Plan**.

While the amount of commercial land would not be significantly increased, public policies can provide for growth by increasing the development potential of existing commercial properties. One recommendation is to relax or eliminate some setback requirements and abandon setback ordinances, thus allowing many businesses to expand to the front of existing buildings. Another recommendation is to reduce or, in some cases, eliminate parking requirements. The vast majority of businesses provide more parking than is required. With less land devoted to setbacks and parking, most businesses will gain ample room to expand on existing commercial property. Reduced parking requirements would also open up the opportunity to establish common parking lots that serve multiple businesses.

Residential/commercial compatibility

Conflicts between residential and commercial uses have been a long-standing problem along most commercial corridors. Business and residential uses can peacefully coexist beside one another. Many conflicts can be addressed by ~~simply being~~ conscientious ~~about~~ business practices ~~A more constructive approach is through~~ thoughtful site design and retention of existing transitional land uses such as small scale businesses, offices, open space, and higher density residential uses. There are several general strategies available for improving relationships between business and residential uses:

- Locate new buildings ~~to~~ toward the front of the site, so that objectionable activity is physically moved away from residences.
- Ensure that noise and lighting stays on the commercial site.
- Make buildings attractive from all visible sides.
- Buffering and screening—physical separation with green space, fencing, and vegetation—should be used to complement good site and building design.

This plan advocates creating good relationships between diverse uses rather than strictly separating them from one another.

Street design

Another problem common to commercial corridor development is the quality of the street itself. Strip development typically occurs along a busy arterial street that is designed solely to move vehicles efficiently. There were numerous comments in citizen workshops related to making the community more attractive and walkable. Improving the appearance and function of major streets is a fundamental step in cultivating a better image of commercial areas as well as the neighborhoods that border them.

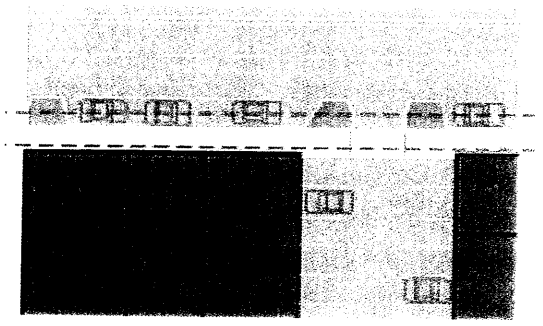
This plan advocates comprehensive improvements to key arterial streets to improve the overall definition of the street, define access points, improve overall appearance, and make walking and biking comfortable means of transportation. Both the business community and residents expressed a strong desire for a continuous sidewalk system along Williamson Road to encourage pedestrian access. However, the means for accommodating bicycles was less definitive. Members of WRABA expressed concern about safety, given traffic volumes and the potential for bike lanes to induce bicycle traffic by less-accomplished riders along the corridor. Bikes currently have the right to use the street and Williamson Road might be a preferred route for a commuter cyclist, while a parallel route would likely be preferred by the recreational cyclist. Moreover, alternative street design features other than bike lanes can work to accommodate able riders.

Ultimately, these considerations should be factored into planning of street improvements, which should involve residents and the business community. The **Transportation Recommendations** provide general guidance for streetscape improvements. Each street segment will need detailed study as to what actual improvements are implemented.

It is important to note that city-sponsored improvements to a right-of-way will not necessarily make for a good street. The design and layout of privately-owned properties and buildings are also crucial elements of an improved streetscape.

Parking Strategies

WRABA Comment: eliminate parking requirements in CC district along Williamson Road.



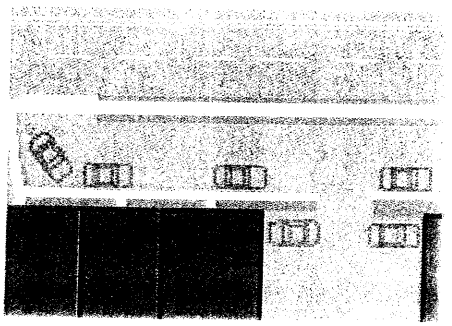
This example shows new street-access parking. Where the property line is located near the existing pavement, the line is relocated (dashed lines). A wide sidewalk and parking area become part of the right-of-way and are maintained as part of the street.

Parking emerged as an issue in discussions of the draft of this plan—particularly as it relates to site development with buildings close to the front and parking to the side and rear. Parking is a crucial issue because Williamson Road, like most commercial corridors, lacks on-street parking. Parking is typically provided on each individual site and is often provided in the front. The cumulative effect of this arrangement is that the streetscape becomes dominated by asphalt rather than buildings. In order to ensure ample spaces for customers, businesses often oversize parking areas. Such parking areas are often underused and consume limited land resources to a largely unproductive use. Strategies are needed to adequately meet parking needs while contributing to a better urban form.

First, regulatory constraints must be removed. One barrier is the minimum off-street parking currently required by zoning. Applying the CN (Neighborhood Commercial), which has no parking requirement, is one way to provide flexibility. Providing allowances for available on-street parking is another way to provide flexibility.

Second, street-side parking should be encouraged as a preferred arrangement. Most blocks of Williamson Road have potential for creating new parking areas with direct access to the street. Such parking areas have parallel or angled parking which has the appearance of on-street parking, but would not ~~necessarily~~ involve conversion of travel lanes to parking. A good example of this strategy, as implemented, can be found at the former Virginia Hair Academy.

Finally, two types of shared parking lots should be created. **Public-access parking lots** should be created to provide customer parking for multiple businesses. Shared **long-term parking lots** should be developed as a means to move employee parking off-site to open up more convenient on-site spots for customers. Both public-access and long-term employee parking would make more lot area of a commercial site available for a business expansion. Furthermore, varying peak parking demands would reduce the total number of spaces needed, thereby allowing land resources to be used more efficiently.



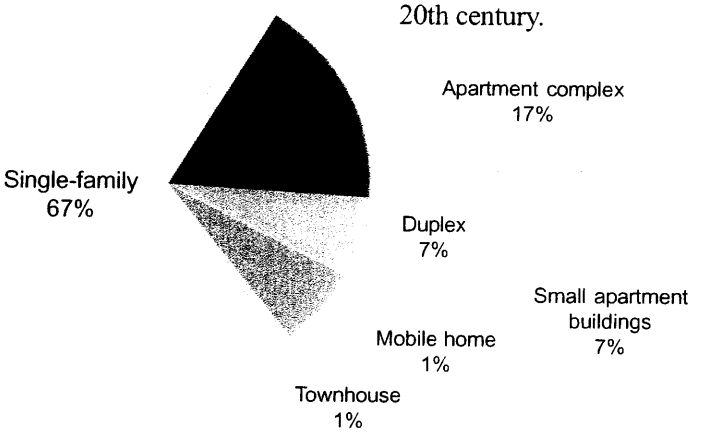
The example above shows a parallel "street" along which parallel or angled parking is created. A shared parking pocket is created between the buildings.

Such new parking arrangements can be identified in several ways. A project should be initiated to do block-by-block inventory of opportunities for ~~on-street~~ street-side and shared parking. In addition, arrangements should be explored while planning the Strategic Initiatives.

Residential Development

Williamson Road's neighborhoods are stable and its housing is generally in very good condition. Many of the houses are brick–a durable material that reduces maintenance requirements. Neighborhoods have a good mix of housing types and price ranges. The housing stock, along with a stable core of home owners, makes for an area of healthy neighborhoods. Participants in planning workshops cited good housing conditions and high home ownership rates as important neighborhood assets.

Housing styles in the Williamson Road area are probably more varied than anywhere else in the city. The area has an eclectic mix of architectural styles, including the American Foursquare, Craftsman Bungalow, and other Prairie-inspired styles. Also common are Tudor Revival houses with steep, complex roof forms. Later development included the familiar Ranch and split-level styles. While difficult to confirm, many houses are likely from the house pattern books by companies like Sears Roebuck which were popular in the early decades of the 20th century.



Housing Characteristics

	1990	**2000**
Housing Units	6,979	**7,068**
Owner-occupied	62%	**61%**
Renter-occupied	38%	**39%**

Source: US Census

The number of housing units increased by 89 units. The owner-occupancy rate decreased very slightly, but remains well above the city rate of 56%.

Residential density

Established residential density patterns generally decrease in density away from the city's center. Zoning should generally reinforce existing densities throughout most of the neighborhoods. *Vision 2001-2020* recommends higher densities around village centers; the Future Land Use Plan identifies appropriate areas for high density development such as apartments and townhouses. The **Future Land Use Plan** also encourages more residential development along Williamson Road.

Housing conditions

Housing conditions have not traditionally been an issue as with other neighborhoods. The Williamson Road area has not been surveyed to record housing conditions, so the assessment of conditions is based on informal staff observations. As mentioned before, housing conditions are generally very good. However, housing in areas south of Liberty Road is showing signs of deterioration which could accelerate if unchecked. In response, this plan recommends designation of a portion of the area as a Rehabilitation District. The Rehabilitation District designation makes special housing programs and incentives available. It also authorizes the City of Roanoke to implement the Rental Inspection Program.

Staff researched census information on owner occupancy trends, age of housing, and housing values to identify Census Tract 5 as the recommended area for the Rehabilitation District expansion. Census Tract 5 is comprised of the area from 10th Street and Huntington Boulevard south to Orange Avenue.

Housing design

At the planning workshops, residents expressed concern about the design of infill housing. A tool that could address this issue is the Neighborhood Design District. This district is an overlay zoning used in traditional neighborhoods to control design of new infill dwellings. Eligibility is based on whether the area has "historic or unique architectural value" and whether it is in a city-designated Rehabilitation District. The area's neighborhoods are fully developed and there are few opportunities for residential infill development.

While the Neighborhood Design District may not be applicable throughout the neighborhood, builders should be conscientious about design, and build houses that are compatible with existing development. Residential Design Guidelines are included in the Appendix. These guidelines can also be linked to development incentives and used to guide decision-making for special zoning requests.

Deep lot subdivisions

Some blocks in neighborhoods in the northern parts of the area have lots that are very deep, creating interior spaces of vacant land. Such areas have the potential for haphazard development as flag lots. A better approach would be for willing owners to work together to create a coherent development pattern that would complement and add value to existing development, such as housing clusters fronting on narrow lanes. Zoning and street standards should discourage flag lot development and encourage a cluster development pattern (if the properties are developed). Such areas are ideal for development of housing clusters promoted by *Vision 2001-2020.* A more preferable option is to develop the interior sections as forested areas (see Quality of Life Chapter).

Deep lots

Economic Development

Commercial activity centers

The Williamson Road area contains major centers that have regional importance for entertainment, shopping, auto sales and service, and transportation. Valley View is a major regional commercial center. Valley View, Towne Square, and Crossroads contain three shopping centers and numerous big box retailers. It is the largest concentration of retail activity in the region. Businesses tend to be part of national and regional chains.

Williamson Road is a continuous strip commercial corridor that contains a considerable amount of Roanoke's economic activity. ~~Uses tend to be smaller scale and many are locally-owned.~~ Though businesses tend to be smaller scale and locally-owned, the corridor has regional characteristics. Many individual businesses have a regional market and the corridor is collectively considered a regional draw.

Most industry is in the south of the area along Plantation Road and Kimball Avenue. Many of the major industrial uses are transportation-oriented (trucking; warehouse/ transfer) or associated with the building trades. CEI, located on Plantation Road, employs about 200 people.

Most of the major centers such as Valley View and Towne Square were established within the last 20 years. While this new development draws from the region, it has also drawn economic activity away from older commercial areas like Williamson Road and Crossroads. This plan will focus on the economic development and revitalization along the Williamson Road corridor.

Vision 2001-2020

There are two recommendations in *Vision 2001-2020* that are especially applicable in the Williamson Road area. First is the policy of encouraging commercial development in appropriate places (i.e., key intersections and centers). Second is the policy of pursuing the Village Center development form as an economic development strategy to strengthen neighborhoods and the City's economy. Redevelopment of underutilized commercial and industrial sites was noted by *Vision 2001-2020* as a Strategic Initiative. Several sites are underutilized and should be considered for redevelopment.

The two most crucial areas for revitalization efforts are the Williamson Road corridor and Crossroads Mall.

Williamson Road Revitalization

The need for physical revitalization along Williamson Road has long been recognized. The Williamson Road Area Business Association has commissioned several planning efforts to encourage economic development, including the *Urban Design Catalog* and the *Williamson Road Corridor Plan*. The *Urban Design Catalog* recommended streetscape and building/site design improvements. The *Williamson Road Corridor Plan* recommended streetscape improvements and redevelopment of target areas. In 1995, a Virginia Tech Landscape Architecture studio developed conceptual plans for improvements along the corridor. None of the previous plans were adopted by City Council. Few recommendations have been widely implemented, though infrastructure improvements such as sidewalks and stamped crosswalks have been completed between Orange Avenue and Wayne Street.

Investment in public infrastructure can spur revitalization, but meaningful changes in the landscape of the Williamson Road corridor will also require major private investment. Changes in buildings and site development patterns are essential to transforming the corridor into a place that reflects the economic context of today and the future. A new urban form that meets today's economic and commercial needs must be identified and implemented. This plan recommends the following strategies:

- Change land use and site design patterns.
- Expand cooperative marketing and business promotion.
- Improve street function and appearance.

Land Use Patterns & Commercial Design

The first strategy—land use and site development patterns—is implemented, in part, by the Future Land Use Plan and corresponding zoning patterns. The **Future Land Use Plan** attempts to create identifiable places along the corridor, encourage efficient use of land, and promote high quality development. Zoning patterns that implement the Future Land Use Plan will have limited effect in the short term. Existing uses and buildings are indefinitely grandfathered, so changes due to zoning tend to take place over the long term.

Shorter term change must come from action by private landowners with a commitment to the long-term health of the corridor. To address building and site development, this plan includes voluntary **Commercial Design Guidelines** for building and site development. These guidelines are intended to complement zoning regulations. This plan recommends grants or tax incentives to offset a portion of site or building improvements that implement the Commercial Design Guidelines.

Coordinated Marketing

Since its inception, the Williamson Road Area Business Association has worked to market the area. Coordinated advertising pools the resources of many and is a solid strategy for attracting customers (and new businesses) to the corridor. Such efforts should be continued and expanded.

Streetscape improvements

The appearance and function of Williamson Road are crucial to future economic development. Limited sidewalk improvements have been made in the area just north of Orange Avenue. The segment of Williamson Road near Breckinridge School had a raised center median installed in Spring 2004. Recommended streetscape improvements for Williamson Road are contained in the Transportation Recommendations.

The *Williamson Road Corridor Plan* presented several concepts that merit further consideration. First is the recommendation to create front parking areas that mimic the function of a local access street. These parking areas should be considered as an intermediate step for existing buildings set back 50 feet or more from the right-of-way.

Second is the idea for larger street identification signs in nodes and identification of major signalized intersections These would work to identify nodes and establish landmarks along the corridor.

Special Service District

The Williamson Road Corridor is designated as a Special Service District. Owners in the district pay an additional $0.10 per $100 of real estate valuation. This assessment yielded approximately $64,000 in 2003-04. These funds are passed along to the Williamson Road Area Business Association. This funding covers a portion of staff and administrative expenses and also funds some projects.

On a national level, special service districts have traditionally been used for funding infrastructure improvements that are targeted in a specific area. Current revenues are unable to fund infrastructure projects, though the revenue has enabled funding of planning and consulting costs for infrastructure improvements An increase in the special service district rate would need demonstrated support from the business community, which may come through clear links to specific benefits.

Business and neighborhood organizations should be active in purchasing strategically-located properties for economic development and neighborhood preservation Land inventories could be used to develop shared parking, establish commercial-residential buffers, or appropriate transitional land uses

Crossroads Mall Revitalization

Built in 1961, Crossroads is an aging shopping mall that still has some viable uses, but suffers from vacancies. Its viability for retail seems marginal and office uses have begun to occupy the building.

The large site has potential for a mixture of high density residential, commercial, and even some low-intensity industrial uses. Large expanses of underused parking could be developed as buildings around the perimeters of the site, with new streets developed on the interior for access.

Research reveals that there were numerous malls built around the United States similar in style and function of Crossroads . It is no coincidence that many were actually called "Crossroads" because they tended to locate at major intersections. Many have declined over the years and are now undergoing redevelopment or revitalization. Some strategies suggest that redevelopment start from the outside and work inward until replacement of the original building becomes viable (Eastgate Mall in Chattanooga, TN). Other strategies include a total redevelopment of the site (Crossroads Mall, Boulder, CO). Still others simply rework the business mix and scale so it responds to the consumer market (Crossroads Mall, Seattle, WA).

While the owner (and tenants) have the greatest stake in redevelopment, a successful strategy should be developed with the involvement of neighborhood groups, business groups, and the City of Roanoke, who also have interest in the success of this important site.

Industrial Redevelopment

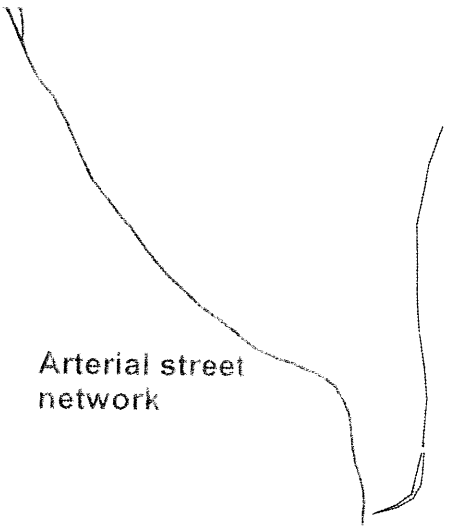
Vision 2001-2020 identified the area between Plantation and Hollins Roads north of Liberty Road as a future industrial development opportunity area. While the area has many active industrial uses, much of the land is underused. In addition, residential uses persist within industrial districts. Past policies to increase industrial land have been to simply rezone residential areas and allow economic forces to gradually convert areas over to industrial uses. However, time has proven this approach to be detrimental for both residential and industrial development. Residential uses that persist endure a low quality of life because of adjacent industrial uses. Residential lot platting patterns and diverse ownership result in awkward industrial development patterns and a lack of land that can be cohesively developed. When a decision is made to convert to industrial uses, the city should pursue proactive and comprehensive strategies to make the transition quickly and equitably. Accordingly, this plan recommends that the city designate these industrial districts as a Redevelopment Area.

Transportation

Street System

The Williamson Road area has transportation corridors that are important not just to the immediate area, but to the city and the region. Major streets create a transportation framework. Within this framework, there is a complex system of smaller streets that provide access to residences and businesses.

Orange Avenue, Hershberger Road, and Peters Creek Road are major east-west routes that run through the planning area. Major north-south routes include I-581, Williamson Road, Airport Road, and Plantation Road. Valley View Boulevard runs from the interchange at I-581 north to the airport. This arterial's main function is to provide access to Valley View Mall, but also provides access to the airport and to shopping centers in the Crossroads area. In general, few arterial streets have traffic levels that exceed their capacities. However, some intersections are heavily congested.



Arterial street network

I-581 and the Norfolk Southern rail line are major transportation corridors that define the east and west edges of the area. These edges also function as barriers that create broader access and circulation issues for this part of the city.

Plantation Road (south of Liberty Road) is an industrial corridor. Industrial uses appear to have developed along the rail line to take advantage of rail siding. However, few industries seem to actually use rail access in their operations.

Tenth Street, Liberty Road, and Airport Road are minor arterial streets. These streets tend to lack pedestrian accommodations and are priorities for sidewalk construction. Tenth Street is slated for improvements that will include turning lanes in selected locations, bike lanes, trees, and sidewalks.

Local and collector streets provide connectivity throughout the neighborhood. The street system is neither distinctly suburban nor urban, but a hybrid of the two. While there are few of the cul-de-sacs that typify suburban street systems, many streets end without connecting to arterial or collector streets. Still, streets are arranged in a loose version of the urban grid. Because of existing development, there are few, if any, opportunities for connecting streets without removing viable buildings. To help with wayfinding and make the street system more functional, this plan calls for formalizing some of the neighborhood collector streets such as Oakland Boulevard and Preston Road by striping parking lanes, installing trees, and installing sidewalk/curb where needed.

Transportation Planning

Many transportation corridors in the area are important to the city and the region. Transportation planning should focus on the following principles:

- Encouraging smooth traffic flows at appropriate speeds that support livability and commerce
- Maintaining a connected system that evenly distributes local traffic among many local streets
- Increasing capacity by improving intersection operations rather than by street widening
- Considering appearance and relationship to adjoining land uses
- Reducing the number of traffic signals where warranted

The Transportation recommendations outline proposed transportation improvements for arterial and collector streets.

Civic Center & Stadium/ Amphitheater Traffic

At the writing of this plan, the future of the stadium/amphitheater north of Orange Avenue is uncertain. If constructed on this site, it would combine with the Civic Center to create a major regional entertainment complex, which could create periodic traffic congestion particularly when major events are held simultaneously at both facilities. In response, the City of Roanoke commissioned the *Roanoke Civic Center and Stadium/Amphitheater Traffic Management Plan* by HSMM, Inc. and Wilbur Smith Associates (October 2002) to assess how traffic will be coordinated. The plan recommends management strategies rather than major investment in street widening. Such an approach is appropriate given that high demands will occur only periodically. Likewise, parking demand will be accommodated with new lots next to the stadium/amphitheater and shared facilities with the Civic Center. In addition, shuttles will allow the excess capacity of downtown parking garages and lots to be tapped as evening demands are lower.

Public Transit

Access to transit is very good. Valley Metro has regular routes throughout the neighborhood along arterial streets. Most areas are within 1/4 mile of a transit route and all of the area is within 1/2 mile (see map). As nodes are developed, public transportation routes should reinforce them as points for accessing public transportation. Bus shelters should be located in each designated node.

Pedestrian accessibility

Most residential streets lack sidewalks because they developed after WWII. Land developers discontinued the once-customary practice of installing sidewalks in neighborhoods as they developed. Cost would prohibit construction of sidewalks throughout the area, so priorities should be identified for new construction. Priority should be on ensuring that all arterial and collector streets as well as village centers and areas near schools have sidewalks and curbs. Liberty Road, Tenth Street, and Hershberger Road should be priorities for a complete sidewalk system. Safe crossings along Williamson, Hershberger, and Orange are needed.

Greenways and Bikeways

The *Roanoke Valley Conceptual Greenway Plan* identified greenway routes along all the major arterial streets in the area. The plan also identifies greenway routes along the Lick Run and Tinker Creek corridors. The Lick Run Greenway, which runs from Valley View to Downtown, is expected to be completed in 2004.

Conceptual plans for the Tinker Creek and the Carvin's Creek greenways run through the northeastern edge of the area. The *Tinker Creek Conceptual Master Plan* developed by Virginia Tech students and the Roanoke Valley Greenway Commission identified alternatives for greenway alignment along Tinker Creek. The plan also included a new park south of Palmer Road. This park would serve as a destination along the greenway as well as being an asset to the adjacent neighborhood.

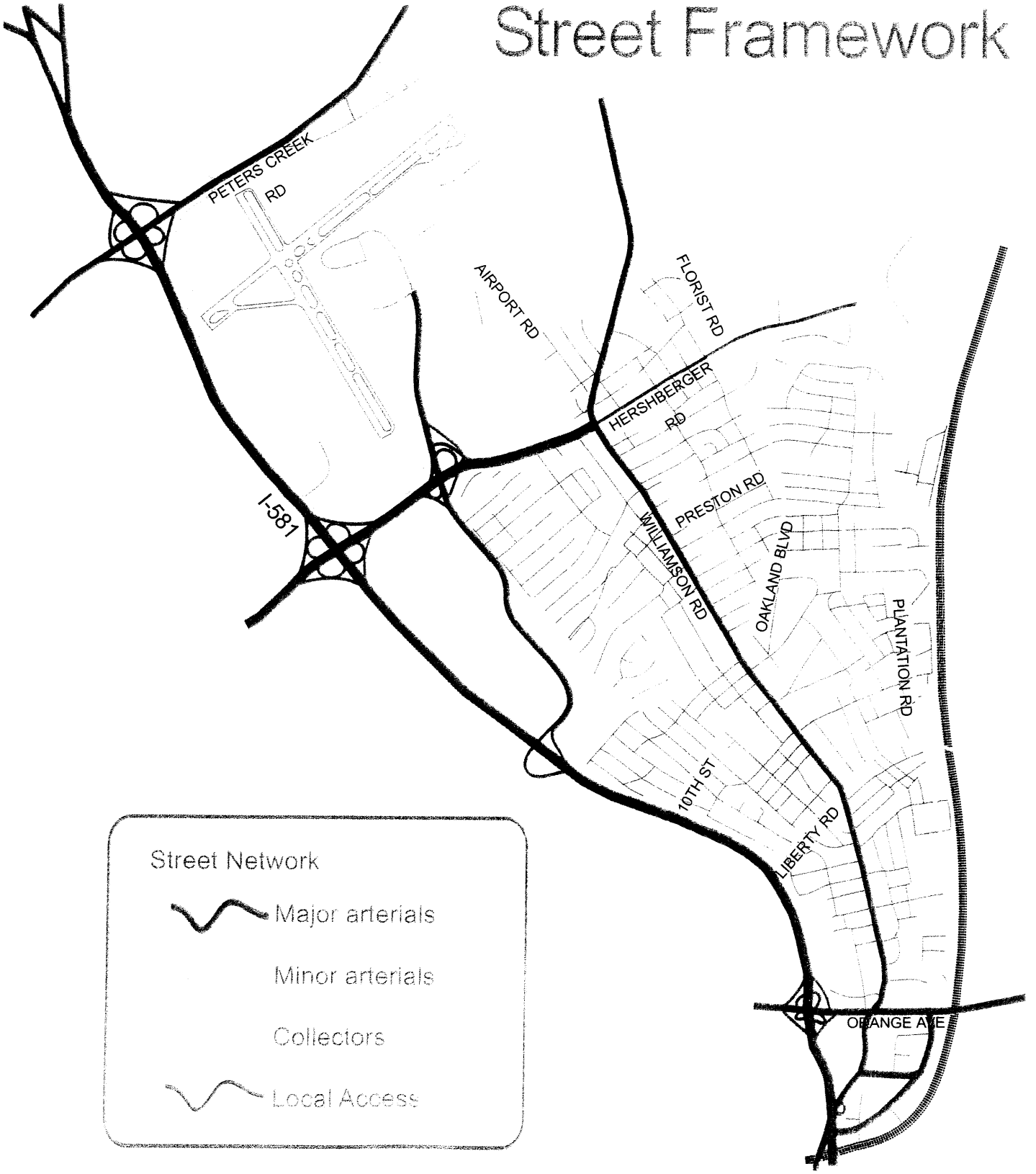
Greenway plans show a connection between Valley View Mall and Oakland Boulevard. Completing this connection would have multiple benefits. First, it would improve neighborhood access to the greenway system. Second, it would help address the limited pedestrian/bike connections to the mall. Finally, it would establish a connection to the Tinker Creek Greenway via Oakland Boulevard.

Oakland Boulevard is not currently identified in the *Roanoke Valley Conceptual Greenway Plan.* This on-street connection would connect the Lick Run and Tinker Creek greenways as well as provide access to Preston Park, two schools, and the library. This connection should be added to the regional plan as an on-street greenway.

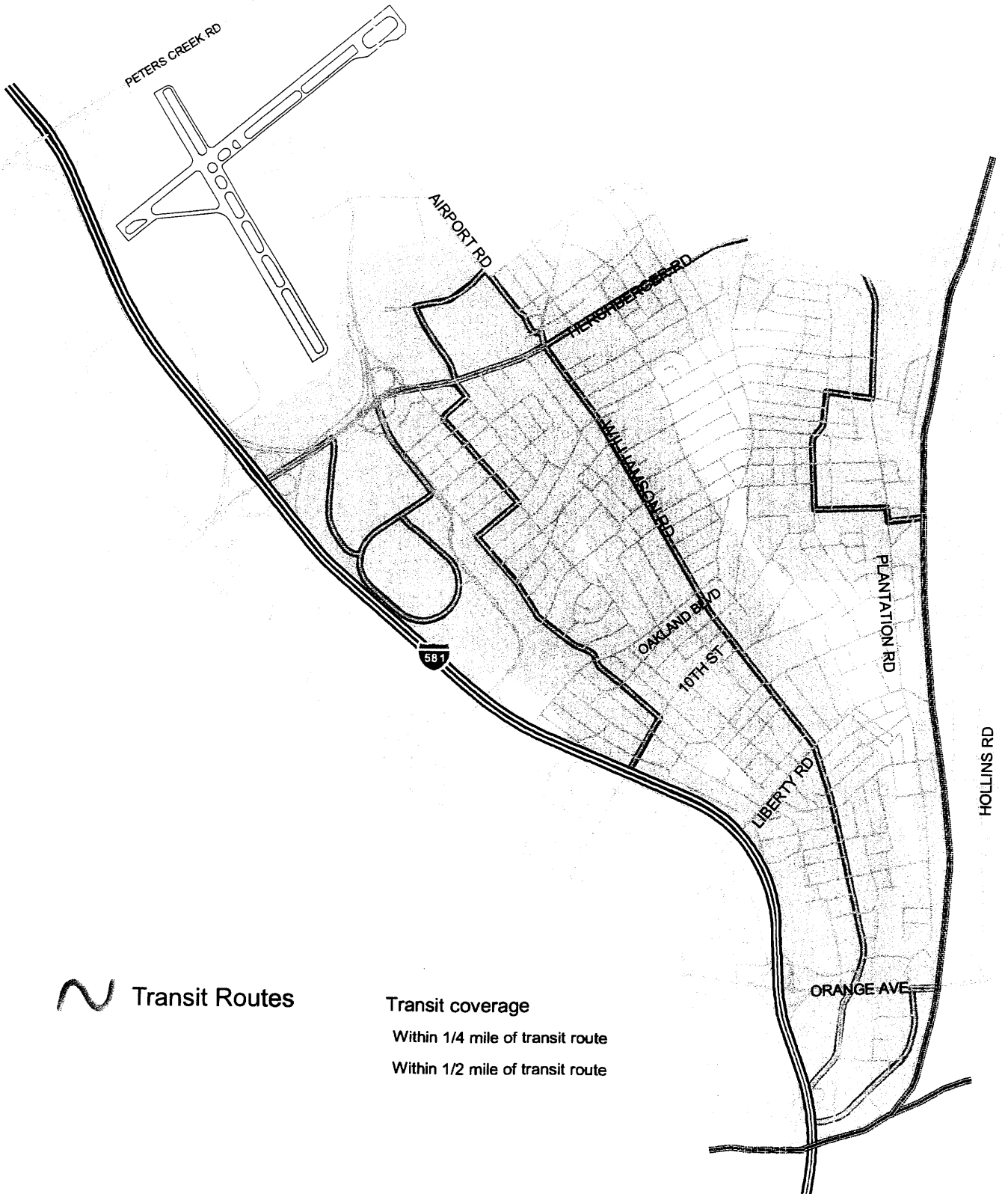
The *Roanoke Valley Regional Bikeway Plan* designates a number of routes through the neighborhood along arterial streets. The plan also designates parallel north-south routes on Oakland Boulevard and west of Williamson Road. The area has no designated bike lanes. Greenway routes shown on the map also serve as bike routes.

Designated on-street greenway routes should be evaluated for pedestrian/bike accommodations. Such routes should have features appropriate for an urban street and considered in street projects and repaving.

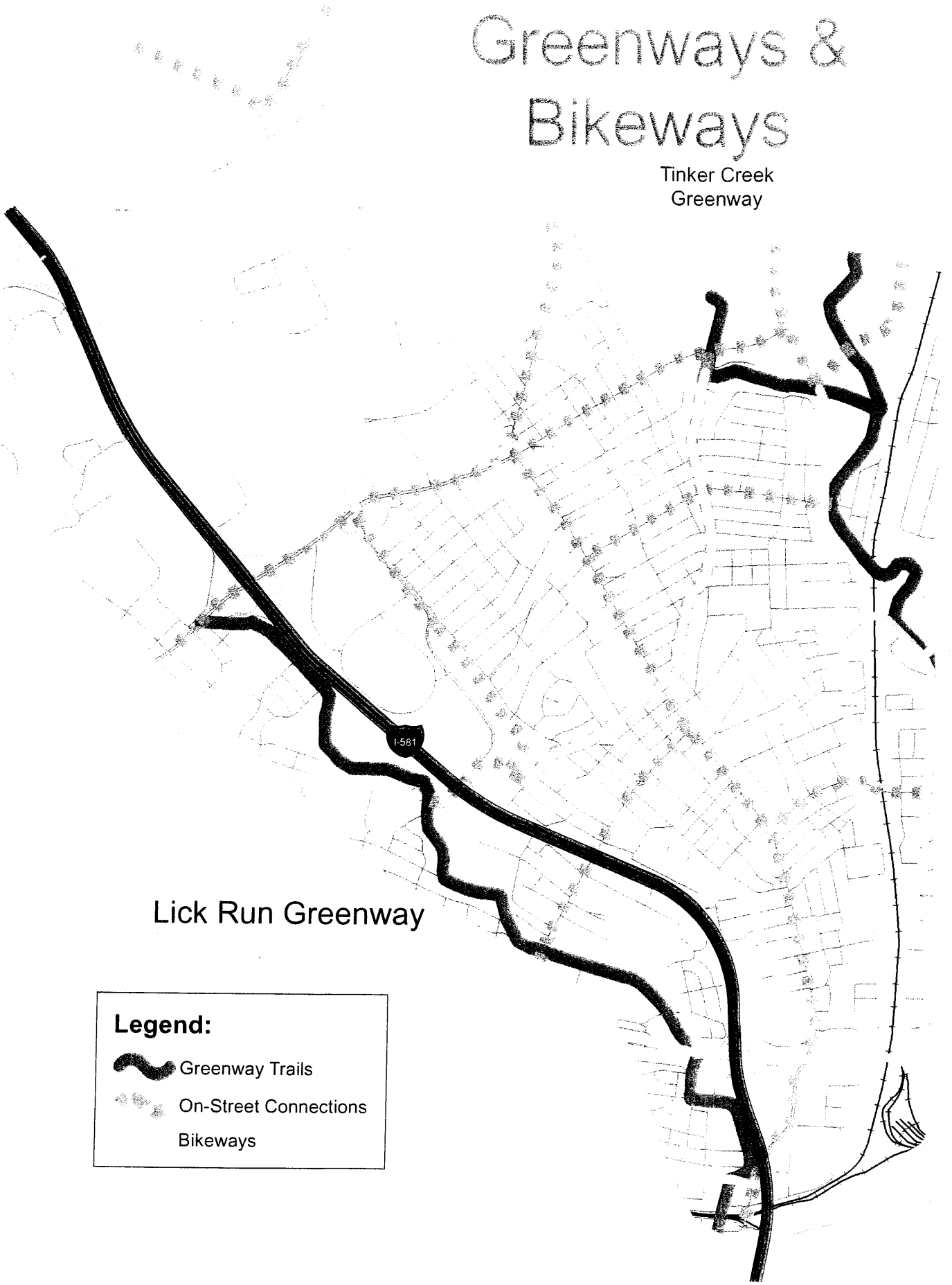
Street Framework



Transit Coverage



Greenways & Bikeways



Public Services & Facilities

Public Safety

Fire/EMS Station #2 is located on 55 Noble Avenue. It houses an aerial ladder truck, a fire pumper truck, and an ambulance. It also serves as the office for the Command Battalion Chief. Station #10 is located at the Roanoke Regional Airport and provides response at the airport and to the northern parts of the city. In addition to three airport rescue trucks, it houses a fire pumper, a tanker, and an ambulance that serve the surrounding area. This station also includes the regional Hazardous Materials unit.

As part of Roanoke's Fire/EMS plan, a new station will be located along the northern Williamson Road corridor. Ideally, this facility could replace a non-viable land use. Underused, abandoned, or deteriorated properties should be identified and considered as future locations for this facility. Some equipment will relocated from the Airport station to this new facility. Station #2 will remain in its current location.

The police department has a satellite office on Williamson Road in the Civic Mall building.

Schools

The Williamson Road Area has five elementary schools and one middle school:

- Huff Lane Micro Village Magnet Elementary
- Round Hill Montessori Magnet Intermediate
- Monterey Elementary
- Oakland Intermediate School
- Preston Park Primary School
- James Breckinridge Middle School

Students in the Williamson Road Area attend William Fleming High School.

Libraries

The area is served by the Williamson Road branch library located near Breckinridge Middle School. There was considerable discussion during the planning workshops about the library. Many cited the library as a major neighborhood asset and report that it is heavily used. Library patrons and employees reported that students, particularly those who attend Breckinridge, tend to go to the library after school. While some students go for traditional uses such as study, reading, or research, others use it as a gathering place. The role of this library seems to be expanding and it should be able to respond to such changes by ensuring that space and staffing are provided .

The library system will develop a strategic plan during 2004. This strategic planning process is the most appropriate forum for assessing needs and recommending the appropriate resources to respond to those needs. At the planning workshops, residents and business interests noted that the library is heavily used and expressed a strong desire to see the building expanded to accommodate existing and future demands.

Utilities

The entire area is served by public water, sewer, gas, telephone, and cable. Fiber optic coverage is very good; the only apparent gaps in service are along a small portion of Hershberger Road and a segment of Plantation Road.

Power, cable, and phone utilities are generally located above ground except in more recently-developed neighborhoods. Overhead utilities contribute to the visual clutter along streets and this problem is acute along the Williamson Road corridor. During the planning workshops, residents and the business community strongly advocated relocation of utilities underground. While planning staff also advocates underground relocation, past discussions with AEP have led to the conclusion that placing them all underground at once is a cost-prohibitive proposition, even when done in conjunction with a street project. As part of the Williamson Road Corridor Plan, Hill Studio obtained an estimate of $14 million for relocating utilities underground along the corridor. Planning for relocation of utilities underground remains a high priority for WRABA. AEP has indicated that it is unwilling to relocate utilities unless the City pays the expense.

Notwithstanding past conclusions that underground utilities are too expensive, some believe an independent study of the issue is warranted. Accordingly, this plan recommends independent study of strategies to reduce the impact of overhead utilities, including consolidation, screening, and undergrounding.

Other strategies besides underground relocation can reduce the visual impact of overhead utilities. Relocation to the rear of the properties is one option that is less costly and is effective at reducing visual impact along the street. Another strategy is to require service feeds to be located underground. Much of the clutter is caused by individual service feeds between poles and customers' meters. The new zoning ordinance proposes to require underground service feeds for all new development. A third strategy is to plant street trees. While trees do not remove or relocate lines, they are effective in masking transmission lines and poles. Locations and species should be carefully considered to ensure effective screening, while avoiding interference with utilities that would eventually require significant pruning.

Code enforcement

Code enforcement was cited as a priority issue, particularly junk storage and inoperative vehicles. There was also considerable discussion about abandoned business buildings that have blighting influences. Code enforcement functions are undergoing continuous improvement with better strategies, staffing levels, and strengthened ordinances. Housing maintenance may become an issue in the southern part of the neighborhood. Designation as a Rehabilitation District would allow expansion of the Rental Inspection Program into the area.

Solid Waste Management

Roanoke's Department of Solid Waste Management indicates there is a citywide problem with residents failing to remove trash containers from the street after collection. City code requires that containers be placed at the curb no earlier than 7:00 PM the day before collection and must be removed by 7:00 PM the day of collection. Complying with this law is important to maintaining neighborhood appearance.

Automated refuse collection and recycling collection are provided on-street throughout the neighborhood. No issues with solid waste management were cited by residents.

Roanoke's Department of Solid Waste Management has identified the need to begin the transition to automated collection of litter receptacles. Most collection is now performed with automated equipment, so there will be a need to replace refuse containers with those which are capable of being collected with automated equipment.

Stormwater Management

The Williamson Road area has suffered from chronic storm drainage problems. Research reveals that a remarkable 62% of the Williamson Road corridor is impervious surface (44% asphalt and 18% buildings). In most cases, drainage from impervious areas (typically parking lots) is not retained and flows quickly off individual sites. A project in the mid-1980s invested $10 million in storm drainage improvements along the southern part of the corridor. Despite this major investment, storm drainage problems persist in southern areas of Williamson Road.

Traditional engineering approaches fall short of solving the problem because new impervious surfaces continue to be created. In addition to addressing the capacity of storm drainage systems, it is crucial that the "upstream" part of the problem be addressed. Stormwater management regulations typically do not require controls when small lots are developed incrementally. The result is that new impervious surfaces are created without stormwater controls.

City and regional policies must limit impervious surfaces, encourage conversion of existing impervious surfaces to green space, and encourage tree planting. Policies should also set standards for the quality of runoff to reduce pollutants entering water courses. Additionally, policies should focus on infiltration systems that encourage stormwater to filtrate into groundwater.

A number of innovative strategies to address the amount and quality of stormwater runoff are available. Products like porous pavement and grass pavers allow stormwater to soak directly into the ground. Infiltration basins create areas that both filter and control runoff and can even become urban wildlife habitats. Rather than simply increasing stormwater drainage capacity, Roanoke should explore innovative techniques that promote sustainable and environmentally sound solutions for stormwater management.

Federal and state mandates are now requiring the City of Roanoke to manage the *quality* of stormwater runoff. The Virginia Pollution Discharge Elimination System (VPDES), and its federal counterpart (NPDES), require Roanoke to develop a five-year plan to improve the quality of water runoff through a combination of education, inspection, prevention and city policies. This program will ultimately result in a comprehensive stormwater quality management program that includes strengthened development regulations.

Quality of Life

Parks and Recreation

There are three parks in the area. Neighborhood parks range from two to ten acres and are intended to serve as the recreational and social focus of the neighborhood. Bowman Park, located on Meadow Street, is a 2-acre park that features new playground equipment. Preston Park is a 10-acre park located along Winsloe Drive and Preston Avenue. It is a major park with baseball fields, tennis courts, and basketball courts. Huff Lane Park has softball fields and playground equipment. Monterey School has a playground and park areas — including a great hill for winter sledding.

The Parks and Recreation department operates a fitness center at Breckinridge Middle School, which is available to residents for a nominal fee. There are two mini-parks in the study area. Williamson Road's mini parks are largely decorative and are not usable for recreational purposes. They are intended to provide passive green space. Andrews Park is located on Williamson Road between Hershberger Road and Curtis Avenue. Gateway Park is located on the corner of Orange Avenue and Williamson Road. It showcases three flags: the City of Roanoke, State of Virginia, and United States.

Most of the area has access to a park within one-half mile. The residential areas in the southeastern part of the area are underserved by parks. Bowman Park is fairly close, but practically inaccessible because children have to cross Williamson Road. A small pocket park is therefore needed in the Liberty Road area between Williamson and Plantation Roads.

Historic Resources

Though the Williamson Road area is a relatively newly-developed part of Roanoke, there are notable architectural/historic resources, including Huntingdon (c. 1820) and the Harshbarger house (c. 1800; located in Roanoke County just north of the city limits). Both houses are listed on the National Register of Historic Places and the Virginia Landmarks Register.

Older neighborhoods appear to contain "pattern book" houses that were popular in the 1920s and 1930s. Pattern books were catalogs of house plans that could be ordered and constructed on site. Sears Roebuck and Aladdin were the most popular purveyors of kit houses. Many of the Foursquare brick houses found in the neighborhood were likely from pattern books (or were inspired by plans from pattern books). A notable architectural type found in the Williamson Road area is the "Cotswold Cottage," a Tudor Revival style that was also featured in pattern books.

Helen Prillaman's *A Place Apart* (1982) provides a detailed history of the northern part of Roanoke from the late 1600s through the 20th century.

Community Involvement

The Williamson Road area has three active community groups. The **Williamson Road Action Forum** was formed in 1980 and has been a very active group representing primarily the residential interests. The **Williamson Road Area Business Association** formed in 1981 to represent the business community. The organization has a full-time executive director. Its activities are funded by a special service district which assesses an additional tax on real estate along the corridor. The **Airlee Court Neighborhood Watch Association** represents a residential area north of Hershberger and both sides of Williamson. Formed in 1998, the association has been active in neighborhood watch and represents a balance of neighborhood and business interests. All three organizations are members of Roanoke Neighborhood Advocates.

Environmental Resources

Few, if any, undisturbed natural spaces remain in the area. Tinker Creek runs through the northeastern corner of the area. This resource should be protected by limiting development in its floodway. The Tinker Creek Greenway, when developed, will provide access along this waterway. The greenway should promote preservation of this stream.

Runoff from the area enters both Lick Run and Tinker Creek. Policies should promote improvements to the water quality of these streams by controlling stormwater quality and volume. Vegetated buffers should be established (or maintained) along these streams to filter runoff before it enters the waterway.

Increasing tree canopy coverage is crucial in the urban environment. Policies and programs recommended by the *Urban Forestry Plan* should be implemented to reflect the City's goal of increasing tree canopy coverage to at least 40% by 2013. Increases should come from both City tree planting in parks and along streets as well as on private properties.

Opportunities abound for adding to the neighborhood tree canopy. Open space areas created in the deep lot residential blocks discussed in the Residential Development chapter could create **80-100 acres** of new forested areas. In addition to the benefits of adding more trees to the neighborhood, such natural areas would add value to the properties and would require less maintenance than the current turf grass. Roanoke's urban forestry staff should work with neighborhood groups to introduce this idea to property owners and provide technical assistance on planting strategies. In addition, open areas along I-581 and within access ramps have the potential for adding many new acres of forested area.

Recommendations

Structure of Recommendations

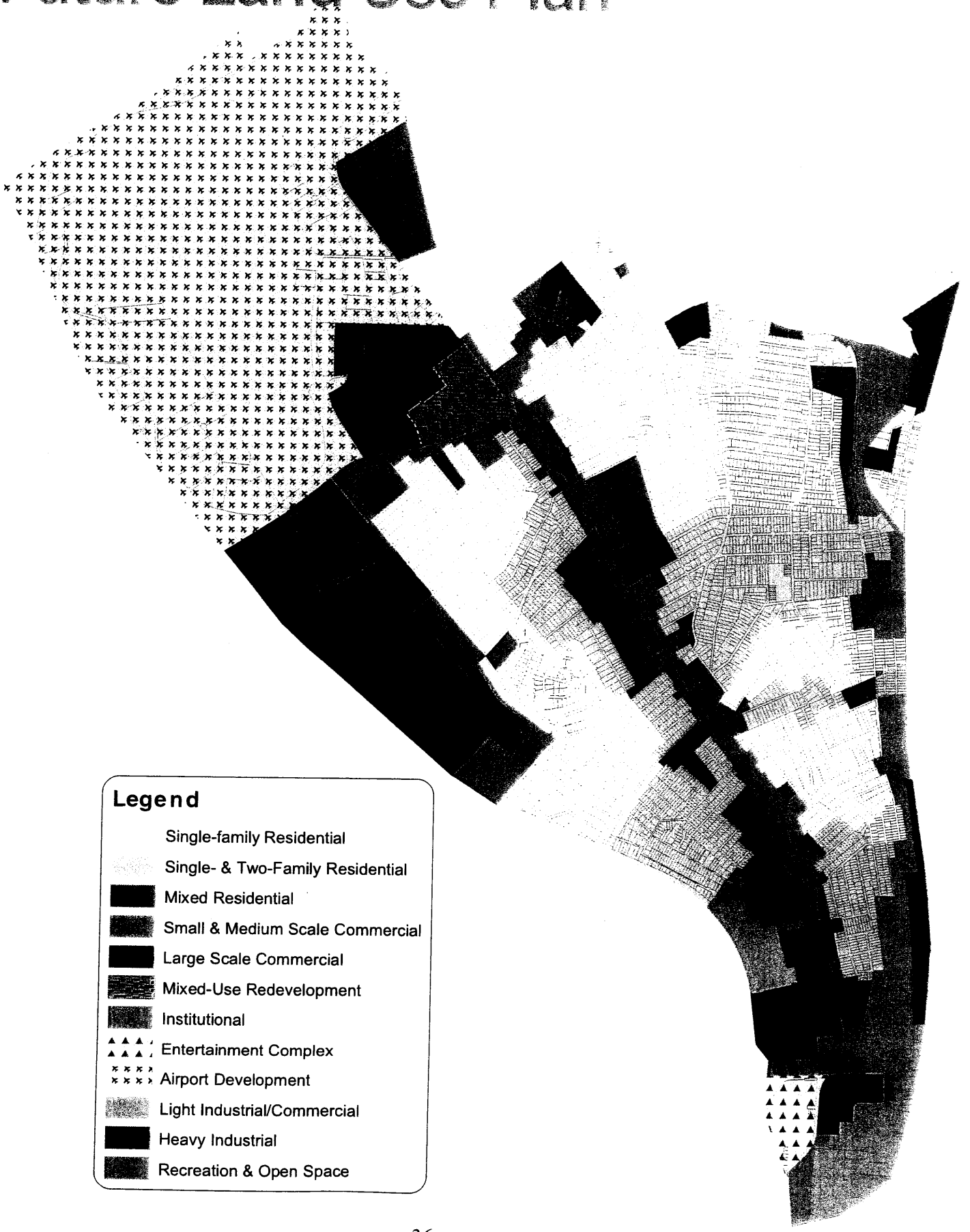
Recommendations are presented in the following components:

- **Future Land Use Plan**
- **Community Design**
  - Policies
  - Actions
  - Strategic Initiatives
- **Residential Development**
  - Policies
  - Actions
- **Economic Development**
  - Policies
  - Actions
- **Transportation**
  - Policies
  - Actions
  - Transportation Improvements
  - Street Design
- **Public Services and Facilities**
  - Policies
  - Actions
- **Quality of Life**
  - Policies
  - Actions

The **Future Land Use Plan** on the following page is the most important recommendation of this plan. It specifies how future development should take place. A description of each development pattern is included.

Other recommendations are organized by their respective Plan Elements (Community Design, Residential Development, etc.). Recommendations take the form of either ***policies*** or ***actions***. Policies are principles or ways of doing things that guide future decisions. Generally, policies tend to be ongoing. Actions are projects or tasks that can be completed and have a definite end.

Future Land Use Plan



Development Patterns: The following development patterns correspond to the **Future Land Use Plan**. Zoning should reinforce and encourage the development patterns identified by the Future Land Use map. The following general development patterns are identified:

- ***Single-family Residential:*** established to reinforce existing neighborhoods of single-family dwellings. Minimum lot sizes will range from 5,000 to 7,000 square feet, based on existing lot patterns. New development will be in the form of new houses on existing lots scattered throughout the area.

- ***Single & Two-family Residential Mix:*** primarily for single-family dwellings, but two-family dwellings will be interspersed throughout the neighborhood, especially on corner lots where more on-street parking is available due to side street frontage. Duplexes should take on the form and appearance of single-family dwellings.

- ***Mixed Residential:*** encourages a mix of dwelling types. This pattern is mapped in areas with an existing mix of dwelling types and near identifiable nodes. New multifamily dwellings should be integrated into the neighborhood development patterns, rather than isolated into complexes.

- ***Small and Medium Scale Commercial:*** used in village centers or lengths of a corridor where commercial uses serve surrounding neighborhoods, but also have some uses that draw from regional markets. This pattern will encourage vertical and lateral mixing of business types in small scale buildings 2-4 stories in height. Typical uses are retail, services, offices, and restaurants. Smaller scales and the nature of uses makes these areas ideal for mixing in residential uses, especially on upper floors. Such areas should be designated with neighborhood commercial, ~~zoning districts, but may include office and general commercial zoning~~, office-residential, and general commercial zoning districts as appropriate for the context, scale, and existing land use pattern.

This change expands the scope and application of "small and medium scale commercial" and deletes the "general commercial" category. Note changes to Future Land Use Map

- ~~***General Commercial:*** reinforces established development patterns and uses, especially along the southern portion of Williamson Road, where numerous auto-related businesses are clustered. The nature of land uses is generally not conducive to mixing in residential uses. These areas should be expected to contain a range of scales of commercial establishments. Accordingly, such areas should be designated primarily with general commercial, but may include large scale commercial zoning districts as appropriate for the context, scale, and existing land use pattern.~~

- *Large-scale Commercial:* encompasses Valley View Mall, Towne Square Shopping Center, and limited portions of Williamson Road. Commercial development within this pattern has a regional and super-regional market and includes shopping malls, big box retailers, and large-scale auto sales and service. Retail areas should be well-connected to one another to create a cohesive center. Access to surrounding neighborhoods must be balanced with the need to avoid spillover impacts. Regional commercial areas should primarily be designated with large scale commercial zoning, but may contain limited areas with general commercial districts.

- ***Mixed-use redevelopment:*** This pattern is applied to the Crossroads Mall site to encourage redevelopment with a variety of uses. A planned unit development zoning would be most appropriate as it would permit a broad range of uses organized in a master planned context.

- ***Entertainment/sports complex:*** encompasses the Roanoke Civic Center and surrounding areas. Land uses in this area should complement this major civic facility. Special attention must be given to traffic and parking management while improving overall conditions. This complex must be well-connected to downtown to encourage use of downtown parking structures and encourage commercial activity in downtown before and after events.

- ***Light industry/commercial:*** designates appropriate sites for light industrial and commercial uses. This pattern is used in the areas along Plantation Road and Kimball Avenue, where land uses tend to have characteristics of both commercial and industrial uses, such as contracting businesses and flex office-warehouses.

- ***Industrial:*** designates appropriate sites for either light or heavy industrial uses. The pattern is mapped in the limited places where there is separation from established residential uses— specifically, between Plantation Road and the rail line.

- ***Airport Development:*** encourages uses that relate to or benefit from close proximity to the airport. Developable land near the airport is a severely limited resource. Properties along Thirlane Road should be considered for future conversion to airport-related uses.

- ***Institutional:*** designates areas for assembly and public uses. Typical uses include schools, places of worship, community centers, and meeting halls.

- ***Open Space/Recreation:*** designates parks and passive open spaces. Also includes cemeteries.

Community Design Policies

WRABA comment: Zoning should remain as is currently is, with possible design controls related to parking and landscaping added to existing zoning categories

- **Neighborhood form:** Neighborhoods are the basic building block of urban form. The Williamson Road area will be a grouping of neighborhoods that integrate a diversity of residential, commercial, and industrial uses.

- **Commercial zoning:** ~~Roanoke will limit g~~ General commercial and light industrial zoning will be limited within the area to locations where existing land uses and scale of deveopment reflect the purpose of those zoning districts. In areas between identified nodes/clusters, zoning should be changed to less intense uses such as light commercial or residential. Future expansions of general commercial zoning will be discouraged except where they reinforce identified nodes or strategic initiatives.

- **Streets and public spaces:** Streets and public spaces must be well-designed both functionally and aesthetically. Parks and public squares will be established and preserved as part of the urban fabric. A public square should be included as an amenity of each village center.

- **Institutional buildings:** Institutional buildings such as schools and churches will serve as anchors for commercial centers.

- **Building scale:** Multiple-story buildings will be encouraged in commercial patterns to make efficient use of limited commercial land and to provide for diverse uses.

  Residential buildings sizes and types vary throughout the area. Height, number of stories, and width should be guided by the context of other housing within the block. Near commercial nodes, apartment buildings of 2-4 stories are appropriate.

- **Building location:** Zoning regulations will encourage a pedestrian environment and desirable streetscape by ~~requiring~~ allowing future buildings to be located close to the street, with the intent to set in motion a long-range transformation of commercial forms. Storefronts should be limited in width (25'-40') or broken into smaller units by changes in architectural features.

  Residential buildings should also be placed closer to the front property line to maximize rear yards. In contrast to commercial forms, residential patterns should be reinforced by using existing setbacks to guide placement of infill dwellings.

- **Parking:** Parking is recognized as a necessity, but must not be allowed to dominate any development. Parking lots should be located to the rear or side of buildings. The number of spaces provided should be limited to that which is needed for typical demands (rather than peaks) and consider the availability of on-street parking spaces. Street-side and shared parking arrangements are strongly encouraged.

- **Relationships between commercial and residential** uses can and should be harmonious. Businesses, as the more intense of the uses, should design their sites to ensure the necessary activities of commerce do not spill over to residential properties.

Community Design Actions

- **Zoning:** Implement zoning that will encourage land use patterns as illustrated by the **Future Land Use Plan** and will encourage positive relationships between commercial and residential uses.

- **Strategic Initiatives:** Develop site plans for identified Strategic Initiatives, with priority on the Oakland School and Crossroads Mall sites.

- **Streetscapes:** Initiate streetscape improvement plans for arterial streets.

- **Design Guidelines:** Communicate and promote the use of **Residential and Commercial Design Guidelines** in new development of buildings and sites. Incentive programs such as facade grants, real estate tax abatements for rehabilitation, or Enterprise Zone tax credits (if applicable) will be linked to conformance with design guidelines.

- **Explore ways to improve commercial-residential relationships:** Residential and business interests should begin discussion to identify a list of best practices that are conducive to both commerce and residential quality of life. Such practices should focus on strategies to deal with lighting and noise spillover.

- **Develop on-street parking:** Whenever new sidewalks and curbs are built along Williamson Road, assess opportunities for creating on-street parking areas.

- **Shared Parking:** Identify potential sites for shared "pocket" parking lots.

Strategic Initiatives

The following sites are recommended for detailed study for design improvements or redevelopment. Strengthening these sites will create a network of special places that build on unique characteristics of the area.

Airport

Roanoke is unique in that its airport is located within the city. Land around the airport should be reserved for land uses that are dependent upon and complement the airport. The airport is an important gateway to Roanoke. Details such as fencing, trees, signs, and streetscapes should be well designed to create a good first impression of Roanoke. The airport is inherently an interesting destination. Site planning could identify observation points and opportunities for interpretive features related to aviation.

Roanoke Civic Center/Stadium/Amphitheater Complex

Regardless of whether the stadium/amphitheater project proceeds, the Civic Center complex remains a major regional center for entertainment. As a northern extension of downtown, it should have clear connections with the City Market area. Greenway and sidewalk systems should facilitate easy pedestrian access between facilities and to downtown. By its nature, this area will have periodic traffic stresses during events, so access, traffic management, and parking demands should be carefully considered. Surrounding land uses should be guided toward commercial uses that are both complementary and compatible.

Auto sales and service cluster

Berglund and Magic City Ford are large auto dealerships that have a regional draw. Auto dealers and service establishments benefit by clustering near one another rather than being randomly distributed along the length of the corridor. ~~This cluster should generally be limited to the area of Williamson Road between downtown and Tenth Street.~~ Within this cluster area, design features can build on Williamson Road's traditional automobile orientation with an emphasis on motion (as recommended by the Hill Studio plan).

Because auto dealerships tend to have buildings that are somewhat secondary to their display space, they generally have a weakly-defined orientation to the street. Design should work to strengthen the streetscape with landscaping, open structures, or other creative treatments.

Oakland School

All of the past plans for the Williamson Road Corridor have recognized this site's potential. This is an ideal location for continued village center development. Oakland School, along with other existing buildings and uses, create the framework for a strong center. Site planning should explore the establishment of a public square beside Oakland School.

Breckinridge

Breckinridge has potential for a strong center. A large park, two schools, and the library give this area an educational and recreational focus. A key land resource is the former Woodson Pontiac property. The City of Roanoke is installing a landscaped center median in this area to improve the streetscape.

Crossroads

A Strategic Initiative of *Vision 2001-2020* is to redevelop underused commercial and industrial sites. A design illustration showing redevelopment of an older commercial center was included in the plan. Crossroads Mall should be considered for revitalization/redevelopment efforts. Work needs to begin on a long-range strategy for revitalizing this important site. Nationally, there are many examples of revitalization efforts specifically related to 60s-era malls. As neighboring developments capture the market for larger-scale uses, the logical course for Crossroads is to transition to a small- and medium-scale land use pattern as designated in the **Future Land Use Plan**.

Valley View

Valley View is an important regional commercial center. It is a complex that clusters a major retail mall, big box retailers, and smaller restaurants and businesses. For the short term, planning strategies should seek to make better connections among regional attractions and provide better connections to surrounding residential areas without inducing cut-through traffic.

This center must be adaptive and diverse to ensure it has the ability to respond to changing markets over the long term. Future land use should consider a diversity of uses including residential and office uses. Because so much of the site is dedicated to surface parking, structured parking could be used to open up space for infill development as development demands warrant.

Plantation at Liberty Road

This area is recognized as ~~a small village center~~ a key intersection that should build on and improve existing development in support of surrounding residential commercial, manufacturing, and industrial areas.

Williamson at Liberty

Here, a turn in the street's alignment creates an identifiable transition point along Williamson Road. Existing development on the northwest and southeast corners establishes a foundation for future village center development.

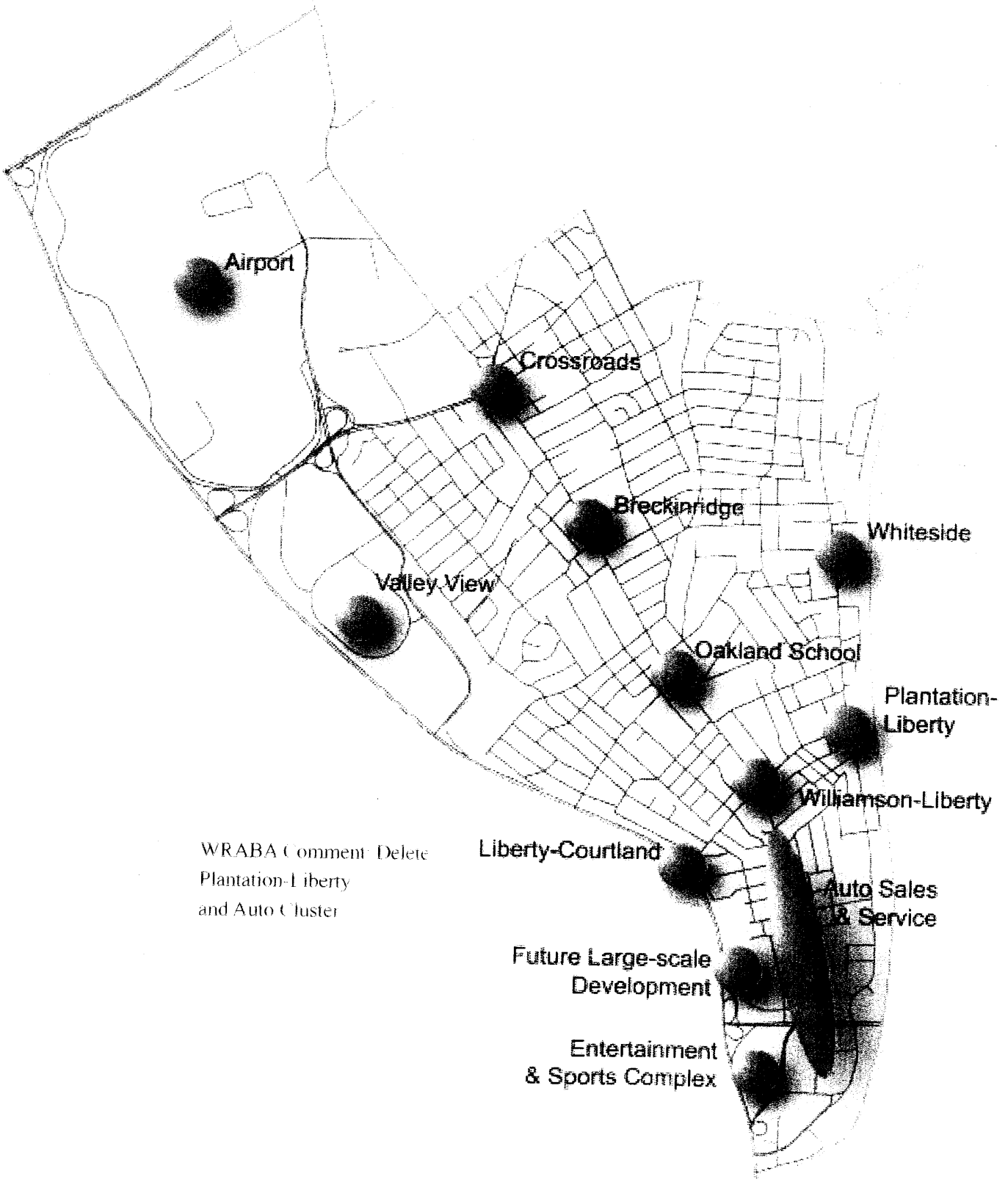
Whiteside

This is an established linear center along Plantation Road with potential for growth within its existing limits.

Liberty Road at Courtland Road

Elements of a small village center are already in place and a large market of high-density residential development is nearby.

Strategic Initiatives



WRABA Comment: Delete Plantation-Liberty and Auto Cluster

Residential Development Policies

- **Housing diversity:** An appropriate balance of diverse housing types will be encouraged. Residential uses will include single- and two-family dwellings, apartments, townhouses, upper floor residential (above business uses), and live-work spaces.

- **Residential density patterns:** Generally, residential densities in and around village centers and commercial nodes will be high. Between village centers, residential densities will be lower.

- **Neighborhood marketing** will be used to maintain a strong market for new and existing housing.

- **Housing conditions:** Roanoke will encourage continued housing maintenance and will take preventive action to ensure the housing stock is not allowed to deteriorate.

- **Infill housing design:** New structures must be well-designed and compatible with existing housing (see **Residential Design Guidelines** in Appendix).

- **Discourage haphazard development** of deep lot subdivisions by ensuring that subdivision regulations prohibit flag lots and permit cluster development patterns.

Residential Development Actions

- **Amend zoning map** as needed to implement residential density patterns as illustrated in the **Future Land Use Plan**.

- **Market the neighborhoods:** Develop materials to market the area's strong neighborhoods to Realtors and potential residents.

- **Survey housing conditions** in the southern neighborhoods and expand the Rehabilitation District into these areas as warranted to enable Rental Inspection Program, rehabilitation incentives, and Neighborhood Design District.

- **Implement Neighborhood Design District** in eligible neighborhoods. Conduct an informal survey of houses to identify intact groupings of historic pattern book houses.

- **Consider subdivision and zoning provisions** that encourage well-designed development of deep interior lots.

Economic Development Policies

- **A network of commercial nodes** will be established along major corridors. Areas between these centers will be encouraged to transition to lower intensity commercial uses, high density residential uses, or a mixture thereof.

- **Clustering:** Encourage clustering of related uses to create special destinations (i.e., auto sales and service, restaurants, ethnic shops)

- **General commercial zoning:** The supply of ~~general~~ commercial zoning along Williamson Road will be ~~reduced~~ limited to encourage more efficient use of Roanoke's scarce land resources. In conjunction, Roanoke will encourage increased lot coverage ratios, multistory buildings, and reduced setback requirements. Future expansion of commercial districts will be discouraged.

- **Industrial development and redevelopment** will be actively promoted in the industrial district along Plantation Road.

- **Public investment in infrastructure** will be linked, wherever possible, to private investment in improvements that are made in accordance with design recommendations of this plan.

- **Building and site design:** Zoning regulations and incentives will promote development of well-designed commercial buildings that encourage pedestrian activity. Roanoke will promote development in accordance with the Commercial Design Guidelines (Appendix). Incentive programs such as facade grants, real estate tax abatements for rehabilitation, or Enterprise Zone tax credits (if applicable) will be linked to conformance with design guidelines.

- **Signs:** Sign clutter will be reduced by encouraging signs to be located on buildings rather than on freestanding structures. Where freestanding signs are used, they will be limited to appropriate heights and sizes.

- **Parking:** encourage the development of on-street parking, street-side, and shared pocket parking lots as the preferred approach for supplying parking.

Economic Development Actions

- **Strategic Initiatives:** Implement site-specific planning for Strategic Initiative Areas.

- **Zoning:** Change zoning patterns along Williamson Road to encourage transitions to improved commercial development forms.

- **Industrial Redevelopment:** Consider designating the area between Hollins and Plantation Roads as a Redevelopment Area.

- **Marketing:** Continue and expand unified marketing of the Williamson Road area as a destination for unique goods and services.

- **Street design:** Implement streetscape improvements in strategic areas, especially where they support private investment.

- **Signs:** Implement sign regulations that reduce sign clutter. ~~Where necessary.~~ Enforce regulations that require removal of sign structures of abandoned and vacant properties ~~businesses.~~

- **Utilities:** Seek opportunities to reduce overhead utilities through relocation underground or to the rear of properties. Initiate an independent study of strategies for consolidation, screening or relocating utilities underground

- **Street identification and addressing:** Design and install street identification signs and address number signs as recommended by the Hill Studio plan.

- **Develop shared parking areas** and **create new on-street parking** along Williamson Road Corridor. Initiate projects to construct local access drives in blocks where existing buildings have setbacks of 50 feet or more.

Transportation Policies

- **Street design** will be carefully considered to ensure that design principles of *Roanoke Vision 2001-2020* are incorporated. Functionally, streets must be capable of accommodating pedestrians and bicycles. Trees should be used to create a canopy over streets, so large species of trees should be used whenever possible. Streets that carry higher traffic volumes will be priorities for improvements to pedestrian and bicycle accommodations.

WRABA Comment: Remove the phrase "...but should also discourage induced commuter traffic demand."

- A **street framework** with multiple routes will be developed and maintained. The overall street system should be designed to enhance connectivity, but should also discourage induced commuter traffic demand. The transportation network will consist of the following hierarchy of streets:

Major arterials
Orange Ave
Williamson Rd
Hershberger Rd
Valley View Blvd

Minor arterials
Tenth St
Plantation Road
Liberty Rd
Airport Rd

Neighborhood Collectors
Oakland Blvd
Preston Rd
Grandview Ave/Rutgers St
Florist Rd
Greenland Ave/Huff Ln

Local Streets
All others

- **Sidewalks and curbing** will be provided on all arterial and collector streets. Roanoke should work to ensure these streets will have a continuous system of sidewalks and curbing.

- **Public Transportation** will be a convenient and viable alternative. Transit routes and stops will focus on connecting destinations such as commercial centers and population centers. Transit routing will be maintained so that most residents are within a quarter mile of a transit route.

- **Bikeways and greenways** will provide pedestrian and bike connections to important destinations. While greenways are typically trails, some connections between greenways will necessarily be on-street accommodations designed in a manner appropriate to the existing functions of the street

Transportation Actions

- **Target arterial and collector streets** for streetscape improvements such as pedestrian crossings, sidewalks, street trees, and bicycle accommodations. Arterial streets, collector streets, village center streets, and streets near schools should be priorities for establishing continuous sidewalk and curb systems.

- **Neighborhood collector streets**: Formalize streets that serve as neighborhood collectors with design features that designate clearly-defined paths. These streets, by definition, will carry more traffic, so extra attention should be paid to the design so that traffic will travel at speeds that are appropriate for residential areas.

- **Review traffic signal locations** along Williamson Road to determine opportunities for minimizing the number of signals or relocating them to more appropriate locations (such as neighborhood collector streets).

- **Install transit shelters** and other transit accommodations in village centers and other commercial centers.

- **Greenways & Bikeways:** continue development of the regional greenway and bikeway systems.

- **Review curb cut policies** and amend as needed to encourage reduction in the number and size of curb cuts. Design standards for cuts should be reviewed to ensure that priority is placed on maintaining sidewalk grades.

Transportation Improvements

The following improvements are supported for **arterial streets**:

- **Valley View Interchange** - This interchange should be completed to provide access to and from the north on I-581.

- **Landscaping along I-581** - some segments of this highway have vegetation that buffers adjoining land uses from noise and visual impacts. However, there are some sections where there is little or no landscaping. Both sides of the interstate have a 50-60' strip between the shoulder and the right-of-way line. These areas should be densely planted and allowed to become wooded to provide a vegetative buffer and reduce maintenance requirements. Open areas within exit/entrance ramps could also be landscaped, wooded, or converted to wetlands where they serve a storm drainage function.

- **Tenth Street** - Tenth Street between Gilmer Avenue and Williamson Road will be reconstructed to include turning lanes, curbing, and sidewalks. This project is obligated in the VDOT Six-Year Plan and engineering is under-way.

- **Orange Avenue Planning Analysis** - This project is a study of demand and capacity in the Orange Avenue corridor that will determine what long-range improvements are needed (new parallel routes, intersection improvements, or widening).

- **Williamson Road** (Orange Avenue to Angell Avenue) - This project is to improve the appearance, function, and safety of the southern portion of Williamson Road. This project is included in the recent *Roanoke Valley Long Range Transportation Plan*. Specific improvements are to be determined through further study.

- **Williamson Road** (Angell Avenue to Hershberger Road) - This project, completed in spring 2004, addressed the wider segment of the street by installing a landscaped center median to improve safety for turning vehicles and to improve appearance. The sidewalk and curb system should be completed along this segment.

- **Williamson Road** (All) - Traffic signals along the entire corridor should be evaluated to identify opportunities for relocation or removal. Signals should be coordinated for smooth traffic flow at appropriate speeds that promote livability and commerce.

- **Towne Square Boulevard** - Currently, there is eastbound access to this street from Aviation Drive, but westbound access to Aviation Drive is not available. This connection should be made to provide a more direct route to Valley View Mall.

- **Hershberger Road** (I-581 to Williamson Road) - Improvements on this congested street segment will focus on improving intersections and traffic signal coordination. Completing a westbound connection from Towne Square Boulevard to Aviation Drive will reduce traffic demands on Hershberger Road.

- **Hershberger Road** (Williamson Road to Plantation Road) - This arterial should be upgraded to an urban street with curb, sidewalks, and trees.

- **Peters Creek Road** (I-581 to Wood Haven Road) - Improvements along the length of Peters Creek Road should focus on pedestrian and bike accommodations. Landscaping is also needed.

- **Liberty Road** - Sidewalk and curb is installed along most of this street, but some areas are lacking. Steep terrain west of Williamson Road make this street a priority for pedestrian improvements.

- **Plantation Road** - Most segments of this street are sized to accommodate traffic demands well into the future. The narrow segment near Liberty Road should be upgraded to urban standards with curb and sidewalk. Turn lanes may be warranted at its intersection with Liberty Road.

  A bottleneck exists in the right-of-way near Mohawk Avenue in the blocks immediately north and south of Mohawk Avenue. To provide for a consistent right-of-way width, it is recommended that City Council adopt a setback ordinance for this two-block segment. Such an ordinance would prevent the building of new structures within the setback area.

All designated **collector streets** should be evaluated for sidewalk, curb, and landscaping needs. However, two neighborhood collectors merit special attention:

- **Huff Lane** - Roanoke's Transportation Division is working with Huff Lane School and nearby residents to explore strategies to address problems associated with high speeds and event parking along this street.

- **Oakland Boulevard** - A traffic signal at the intersection of Oakland Boulevard and Williamson Road may enhance the ability of Oakland Boulevard to function as a neighborhood collector street. The short segment of Oakland between Williamson Road and Birchwood Street is a weak linkage along the street and should be reconfigured to provide adequate width with sidewalk and curbing.

Street Design

General principles

- Street design should promote steady traffic flows at appropriate speeds. Where needed, traffic calming measures should be used.

- Streets should have green areas with large species street trees. Planting strips between sidewalks and curbs should be at least four feet wide to accommodate trees. Landscaped center medians should be used on major arterial streets.

- Street design should promote easy and safe pedestrian activity. Planting strips should be used to create separation zones between pedestrians and automobile traffic. Arterial and collector streets should have sidewalks, curbs, and street trees. Streets must be configured so they are easily crossed. Curb cuts should be configured so they maintain the grade of the pedestrian's path.

- Streets should accommodate bicycle traffic. Ideally, travel lanes should allow safe sharing with auto traffic, but traffic volumes and street configuration may warrant separate lanes for bikes.

Williamson Road

Because of its varying conditions, this street requires a block-by-block study of streetscape needs. Along its length, a sidewalk system must provide uninterrupted access along the street. Priority for new sidewalks should be on areas where pavement and parking lots meet.

A recently completed project created a landscaped center median from Oakland Boulevard to Hershberger Road. The median is discontinued near Hershberger to provide for turning lanes.

Street trees are a crucial part of a streetscape improvement strategy. Limited right-of-way and street configurations will make this a challenge in some segments.

Streetscape improvement strategies should work to improve the definition of the street's edges. Curb cuts should be reduced (or eliminated) where possible. Paved areas between sidewalk and outside of the right-of-way line should be replaced with landscaped strips.

Hershberger Road

The segment between I-581 and Rutgers Street needs sidewalks or a pedestrian/bike path on both sides. There is evidence of heavy pedestrian traffic. Because of higher traffic speeds and volumes, there should be considerable separation between pedestrians and auto traffic. Large species trees should be located between the street and the sidewalk/path. This street is a good opportunity to install large species trees in the center median.

The segment from Rutgers to Williamson has little opportunity for improvement because the entire right-of-way is occupied by high-traffic travel lanes and sidewalk. Priority should be on improving pedestrian crossings at intersections with crosswalks and safe haven medians.

The segment between Williamson to Plantation takes on a different character and handles considerably less traffic. This street should be upgraded to an urban two-lane or three-lane street with curb, sidewalk, and street trees.

Orange Avenue

The section of Orange Avenue between I-581 and Hollins Road is one of Roanoke's busiest streets, second only to Hershberger Road. As it exists, it is unattractive and is dangerous for both vehicles and pedestrians. The *Roanoke Valley Long Range Transportation Plan* recommends a detailed planning analysis of Orange Avenue. Potential streetscape improvements will hinge on the findings of the study and the improvements that are considered.

This street should be configured as a boulevard with center green space and trees. A 150' right-of-way width is the maximum for a major boulevard. Higher speeds, large amounts of truck traffic, and the lack of on-street parking combine to warrant extra separation between cars and pedestrians. Configuring the street to provide for safe pedestrian crossings is also an important design consideration.

Plantation Road

The segment between Orange Avenue to Kanter Road is used for industrial access for several trucking terminals and thus merits a wider street bed. However, the existing pavement width is excessive for its function (60-70 feet), with only one lane in each direction. Improvement strategies should focus on striping, using pavement for on-street parking, and adding green spaces.

Between Kanter Road and Webb Road, the pavement narrows to 20-22 feet. While this section experiences some congestion during peak traffic, the two-lane configuration is capable of handling projected traffic demand through 2025. The *Roanoke Valley Long Range Transportation Plan* designates this street section as a potential project for upgrade to an urban street with curb and sidewalks. In addition, the intersection with Liberty Road needs improvement.

The section north of Webb Road widens to a four-lane street with 60 feet of pavement. Traffic demands would likely allow for conversion of outside travel lanes to parking or bike lanes, or both.

Liberty Road

Liberty Road is a connection across I-581. Terrain is rolling and some segments lack sidewalks. There are signs of heavy pedestrian traffic. The most pressing need for this street is to complete the sidewalk system. The terrain presents a challenge to installing sidewalk—rock outcroppings are evident on the southern edge of the street.

Oakland Boulevard

This street functions as a neighborhood collector street - retaining a residential feel, but functioning to move traffic from local streets out to arterial streets. The configuration of this street varies. Following the street's path is confusing at times. The street should be formalized as a path through the neighborhood by striping parking lanes, infilling sidewalks/curbs, and installing street trees.

The 3000 block of Oakland Boulevard (just east of Williamson Road) is a weak link in this pathway. The right-of-way should be widened to 50 feet and the street redeveloped with 30' pavement, marked parking lanes, and street trees.

Some segments of Oakland Boulevard are excessively wide, which encourages speeding. The street needs traffic calming designs based on what is appropriate (or possible) for each block.

Fleming Avenue and Preston Avenue

Both streets function as neighborhood collector streets and as east-west connections between Williamson Road and Hollins Road. Both need to have this function formalized by infilling sidewalks/curbs and street trees.

Florist Road

This street connects Hershberger Road with Williamson Road north of the city limits. South of Hershberger, it is a connection to Oakland Boulevard via a short leg of Frontier Road. The traffic light at Hershberger Road encourages southbound traffic to continue through the neighborhood. To compensate for this additional traffic, this street warrants an upgrade to an urban form with sidewalks, curbs, and street trees.

Public Services Policies

- **Public Safety:** Roanoke will continue to provide excellent public safety services to the area and will seek opportunities to improve effectiveness of its services.

- **Schools:** The existing system of schools will be maintained as important centers for education, recreation, fitness, and community life.

- **Libraries** are an important neighborhood resource. Facilities will be responsive to community needs.

- **Overhead utilities:** Roanoke will work in partnership with community interests to reduce the visual impact of overhead utilities.

- **Code enforcement:** Roanoke will provide responsive and effective code enforcement services to the area.

- **Stormwater runoff** will be managed with effective and environmentally responsible approaches.

Public Services Actions

- **Construct a new Fire/EMS station** along the northern Williamson Road corridor to improve response and service to residential commercial areas. Preference in site selection should be given to abandoned or underused commercial properties.

- **Assess library facilities and staffing** as part of the Library Strategic Plan and take necessary measures to ensure they meet needs for traditional functions and future community needs.

- **Assess overhead utilities** to identify strategies and costs for reducing their visual impact along major streets.

- **Continue code enforcement** efforts to eliminate junk storage, weeds and trash, inoperative vehicles, and commercial vehicle parking in residential areas. In addition, a proactive sweep should be conducted to compel removal of abandoned sign structures, ensure that parking lots are properly landscaped, ensure that sales display areas do not encroach into the right-of-way, and compel property owners to keep fences in good repair.

- **Implement automated collection** of litter receptacles along the Williamson Road corridor. This project will require coordination between the City of Roanoke and the Williamson Road Area Business Association to identify a container design that meets the needs for automated collection and contributes to the corridor's appearance.

- **Explore and implement innovative stormwater management** strategies that address both the volume and quality of runoff:
  - Identify and promote best management practices recognized by the US Environmental Protection Agency.
  - Provide incentives to encourage individuals to participate in improved management approaches.
  - Initiate a demonstration project for pervious paving systems that reduce runoff.
  - Initiate a commercial demonstration project for bioretention of stormwater.

Quality of Life Policies

- **Recreational areas** will be accessible throughout the neighborhood.
- **Neighborhood and business groups** will be important resources for information sharing, volunteerism, and community involvement.
- **Tree canopy** will be increased to 40%, which consistent with the overall goal for Roanoke as established by the Urban Forestry Plan.

Quality of Life Actions

- **Develop a small pocket park** in the Liberty Road area between Williamson Road and Plantation Road.
- **Initiate private and public tree planting programs** along arterial and collector streets. Consider incentives and public-private partnerships to leverage purchasing power for planting trees and related vegetation on private properties.
- **Maintain open lines of communication** with neighborhood and business groups. Continue neighborhood review of zoning and development changes through the Neighborhood Development Review Team program. Through this program, notices of zoning changes are sent to neighborhood and business groups for review and comment.
- **Initiate a forestation project** to encourage owners to establish forested areas in centers of deep lot blocks. Tax incentives, such as through conservation easements, could provide financial rewards for property owners who preserve (or reforest) portions of their land that would otherwise be unused.
- **Explore forestation of I-581**. Areas along the highway and within entrance ramps are opportunities for reforestation. In addition to improving the appearance of this major transportation corridor, it would help mitigate some of the noise and pollution impacts of the highway.

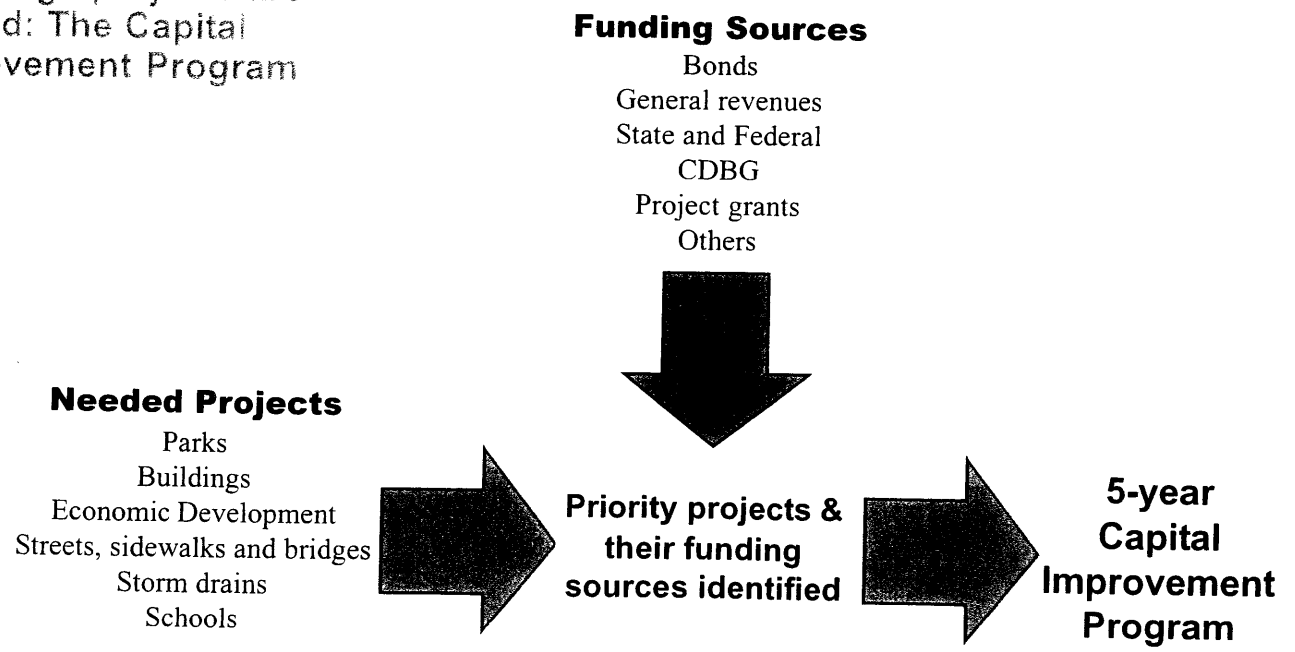
Implementation

Funding

Funding for major infrastructure projects is generally provided through the city's Capital Improvement Program. Funding can come from a variety of sources, including Community Development Block Grants, transportation funding, state and federal funds, and general revenue. The Capital Improvement Program is developed by identifying needed projects and matching them with potential funding sources. Each project is reviewed and ranked in terms of priority.

The chart on the following page identifies major projects, their time frame, the lead agency or department, and potential sources of funding. The cost of most projects such as streetscape improvements cannot be determined until more detailed planning is completed.

How large projects are funded: The Capital Improvement Program



ACTION	TIME FRAME	POTENTIAL FUNDING	PARTICIPANTS
Zoning changes (CD,RD,ED)	1 year	Operating budget	Planning Building & Development
Strategic Initiatives (CD, ED)	2-10 years	Operating budget	Planning Building & Development
Streetscape improvements (CD, ED, TR)	2-10 years	Capital Improvement Program; Special Service District	Transportation Division
Link incentives to design guidelines (CD)	Ongoing	Operating budget	Planning Building & Dev., Econ Dev.
Identify best practices for commercial-residential relationships (CD)	2 years	n/a	Business/neighborhood groups; Planning Building & Development
Developalternative parking arrangements (CD,ED)	10 years	Private development, public infrastructure funding	WRABA, Transportatation Division
Business and neighborhood marketing (RD, ED)	1 year	Community group operating budgets, project grants	Neighborhood and business groups
Expand Rehabilitation District as warranted (RD)	1 year	Operating budget	Planning Building & Development
Implement Neighborhood Design District (RD)	2 years	Operating budget	Planning Building & Development
Industrial redevelopment	10 years	Capital improvements, redevelopment funds	Economic development, RRHA
Sign regulations and enforcement	2 years	Operating budget	Planning Building & Development
Overhead utility reduction study (ED, PS)	2 years	Operating budget, project grants	WRABA
Street identification and addressing (ED)	5 years	Individuals, operating budgets, project grants	WRABA; Transportation Division

ACTION	TIME FRAME	POTENTIAL FUNDING	PARTICIPANTS
Street improvements (incl. pedestrian and bike accommodations) for arterial and collector streets. (TR)	10 years	Transportation funding	Transportation Division, Planning Building & Development
Review traffic signal locations (TR)	5 years	Transportation funding	Transportation Division
Install transit shelters (TR)	5 years	VDOT funds, individual sponsorship, capital improvements	Transportation Division, Valley Metro
Greenway connection and bikeway development (TR)	10 years	Capital improvements, project grants	Parks & Recreation, Transportation Division, Reg. Greenway Commission.
Review curb cut policies (TR)	1 year	Operating budget Individual businesses	Transportation and Engineering Divisions, Planning Building & Development
New Fire/EMS station (PS)	5 years	Capital improvements	Fire/EMS Department
Assess library facilities (PS)	2 years	Operating budget	Library
Code enforcement sweep (PS)	5 years	Operating budget	Housing & Neighborhood Services
Automated collection of litter receptacles (PS)	5 years	Operating budgets	WRABA; Solid Waste Management Division
Improve stormwater management	10 years	Capital improvements	Engineering Division
Develop a new park (QL)	10 years	Capital improvements	Parks and Recreation
Initiate tree planting and forestation projects (QL)	5 years	Operating budget, project grants, individual sponsorship	Parks and Recreation, Neighborhood and business groups

Appendix:

Design Guidelines

Residential Design Guidelines

The following design recommendations should be considered in the design of new residential structures:

- ***Align the front of residential structures with existing structures***; where no adjoining structures exist, structures should be located as close to the front property line as is permitted by zoning.

- ***Include a porch.*** Front porches are not universally found in the Williamson Road area; however they are appropriate for any new single- or two-family dwelling. Porches are an important transition between public space of the street and the private space of the house.

- ***Hide the garage.*** If the dwelling will have a garage, de-emphasize it by recessing it behind the front facade of the house or locating the entrance on the side or rear. Parking areas, if any, should be located to the side or rear of the structure.

- ***Make roof overhangs at least 12".*** Ample roof overhang not only gives the dwelling a more finished look, but also shades windows in the summer to reduce cooling demands.

- ***Break up the facade of a larger multifamily structure into smaller units*** of 30 feet or less. This helps make the larger scale of the building compatible with smaller structures.

- ***Align the foundation*** of a new structure with those of existing structures.

- ***Face the front entrance toward the street.*** The relationship to the street is very important; the front door is a crucial element in establishing this relationship.

- ***Windows on the front should be vertically-oriented.*** That is, taller than wide.

- ***Windows and doors should relate*** with respect to alignment, sizing, or both. A good rule of thumb for window and door coverage on the front is 15-20%.

- ***Make porch and deck elements look like part of the house.*** Use top and bottom rails on porch and deck railings and make sure baluster ends are not

exposed. Paint or stain wooden elements that are part of the front facade—even if pressure-treated wood is used. In addition to being good construction practices, these design features will ensure that the porch looks like an integral part of the house rather than an addition.

- ***Install trim around windows and doors.*** At least 3 1/2" wide is recommended. This does not apply to houses with brick or stucco siding. Shutters should not be substituted for trim work.

- ***Size and install shutters correctly:*** Shutters should be 1/2 the window's width. They should be installed so that they appear as functioning shutters even if they're just for looks. Omit shutters if the window is too wide to be covered by them.

Commercial Design Guidelines

The following design recommendations should be considered in the design of new commercial structures.

- ***Locate ~~your building~~ new buildings on or near the front property line.*** Recalling traditional patterns, there should be a close relationship between commercial buildings and the street. A well-designed building close to the street becomes the business's sign - therefore reducing expense, reducing street clutter, and improving overall appearance. Past zoning regulations have forced commercial buildings to the back of the building lot. New regulations should permit development at the front property line.

- ***Create a street in front.*** Existing buildings with deeper setbacks can be improved by creating a "street" in front, complete with curbing, sidewalk entry, and trees. Configure parking as it would be on a street (angle or parallel). This is especially effective when done with larger buildings or in conjunction with adjoining businesses. This concept was illustrated in the Williamson Road Corridor Plan.

- ***Break large building fronts up into smaller modules.*** The character of the Williamson Road corridor is one of small scale businesses that people can easily relate to. This scale is not just height, but also the width of the storefront. Large building widths should be broken into modules of 30 feet or less with changes in material, texture, mass, or by offsets in the building face.

- ***Go vertical.*** In urban areas such as Roanoke, commercial buildings should range from two to four stories, with upper floors being dedicated to less intense uses such as offices and high-density residential. Vertically mixing uses adds to the vitality of an area and consumes less of the city's limited land resources.

- ***Seek opportunities to connect buildings.*** Clustering uses in close proximity encourages patrons to visit multiple businesses during a single stop. Connecting buildings also uses land efficiently.

- ***Use durable materials.*** Businesses should use durable materials such as masonry – especially the front. Permanent materials send a message about stability and commercial buildings are expected to transcend generations. Metal can be used as a component of a glass storefront. Corrugated metal shell buildings have the appearance of being temporary.

- ***Include lots of glass on the front of the first floor.*** This usually goes without saying with retail establishments, but should be universal for business buildings. Glass helps the building's relationship to the street, improves pedestrian friendliness, and provides for display of the business's products. In addition, it increases the real and the perceived sense of security by providing for natural surveillance. Blank walls should be avoided.

- ***Limit the number of parking spaces.*** Base the number of parking spaces on typical, rather than peak, demands. A portion of the lot can be reserved for expansion if there is higher demand. Overflow parking areas can be paved with grass paving systems. In addition to improving appearance, minimizing parking spaces will reduce expense, reduce heat buildup, and reduce stormwater runoff.

- ***Locate parking to the side or rear of buildings.*** While parking is a necessity, it should never be allowed to dominate a commercial site.

- ***Use on-street parking whenever possible.*** There are few areas along Williamson Road with on-street parking. However, there are usually opportunities for using on-street parking on side streets when the site is a corner lot.

- ***Share parking and maneuvering lanes.*** Much of a parking lot's area is dedicated to access lanes. Look for opportunities to share access lanes.

- ***Put trees within and around parking areas.*** Successful businesses, large and small, spend considerable resources on creating a pleasant environment for their customers (and employees). Strategically planting large trees is the most cost-effective way to improve the typically unpleasant environment of an asphalt parking lot. In addition to improving appearance, trees shade asphalt on hot days and reduce stormwater runoff. Shrubs and landscaped areas can complement trees, but should not be substituted for them.

- ***Avoid fencing the front.*** In most cases, business properties should not be fenced in the front. Creating a welcoming atmosphere for customers is the priority. Where fencing is used, it should be a sturdy metal material. Consider "living fences" of plant material to limit access, especially where the business adjoins residential uses to the rear. Security should be managed with appropriate lighting and access control.

- ***Control vehicular access.*** With no on-street parking available, it is expected that businesses along Williamson Road will have vehicular access to their parking areas. Curb cuts should be limited in number and size. Seek opportunities for shared access points (see illustration). Improve overall safety of corridor. Customers appreciate safe, well-defined access points.

  There are several businesses that have paved parking that directly abuts street pavement. These areas are dangerous and unsightly and should be reconfigured to define the transition between the street and the parking area. *The City should make these areas priorities for installing curb and sidewalk with a landscaped area.*

"Buildings and trees should shape the City's image rather than asphalt and signs."
Vision 2001-2020

Actions that can be taken for existing buildings and sites:

- **Remove fencing** in front to present a welcoming image and improve appearance. Alternative means should be used for security. Chain link fencing and barbed wire creates the image of an unsafe place.

- **Expand buildings toward the front or upward**. Getting closer to the street has many advantages, including more visibility and a better business relationship with the street. Multistory buildings "frame" the street and make efficient use of land.

- **Plant trees.** Trees are an inexpensive and immediate way to make a positive impact on the appearance of any site.

- **Remove asphalt** and replace it with landscaping or buildings. Many businesses have far more paved area than is necessary for typical parking demands. The result is that asphalt becomes the dominant element of the landscape rather than actual business operations.

October 11, 2004

The Honorable Mayor
and Members of Roanoke City Council
Noel C. Taylor Municipal Building
Roanoke, VA 24011

Subject: Williamson Road Area Plan

Dear Mayor Harris and Members of City Council:

At its October 9, 2004 meeting the board of directors of the Williamson Road Action Forum voted to endorse the Williamson Road Neighborhood Plan. We believe that the plan establishes a credible and useful framework for the future development of the Williamson Road corridor. It addresses some of the most persistent concerns of neighborhood residents. At the same time it takes an appropriately broad view of Williamson Road's assets and set out a comprehensive strategy for using those assets to achieve our neighborhood's full potential.

In particular, the plan lists the following four high priority themes.

1. Create a network of unique and identifiable places

   The identified strategic initiatives offer hope that we can deemphasize strip development and promote more sustainable forms of commercial development in our neighborhood.

   Williamson Road should be a neighborhood-oriented commercial area. This does not mean that businesses cannot have regional appeal since regional does not mean highway strip commercial. The Grandin Theater and the Roanoke Natural Foods Co-op are regional attractions that are successfully located in a neighborhood-oriented commercial area.

   The most successful neighborhood-oriented commercial settings are characterized by neighborhood pride, loyalty, and sense of ownership. They are easily accessible to neighborhood residents, including those who do not or cannot drive. It short, they are main street areas – in fact and not just in name.

2. Change land use patterns to respond to emerging commercial development patterns

   Small and medium scale commercial is the appropriate land use designation for Williamson Road. Large-scale and intrusive commercial developments have contributed to a loss of the business diversity that historically characterized Williamson Road.

   Since the neighborhood plan specifically notes that small and medium scale commercial can be mapped for zoning purposes as general commercial, neighborhood commercial, or office commercial, this designation in no way prejudices development of the zoning map.

   Strictly limiting future commercial zoning and refusing piecemeal expansion of general commercial zoning will increase the value and encourage more efficient use of existing commercial property. It will also address the marginalization of residential property through incremental expansion of commercial developments into adjoining neighborhoods. (We note that spillover effects from large public facilities, such as ball fields and the proposed stadium and amphitheater, can also damage neighborhoods and expect that the city will in such projects hold itself to the same standards that it applies to commercial developments.)

3. Improve the appearance and function of streets

   Streets are critical public spaces that connect neighbors with their neighborhood and with each other. Thus streets must be safe, inviting, and practical places for non-motorized users. The plan correctly notes that Williamson Road must not be an exception to this rule.

Streets with high traffic volumes, streets in village center locations, and streets near schools will be priorities for sidewalks, curbs, street trees, and other accommodations for pedestrians and bicyclists. The result will be better customer access to businesses, more children walking to school, and more routine meetings between neighbors on the streets.

Connected networks of streets promote accessibility and reduce traffic congestion but often at the price of cut through traffic. The plan correctly calls for maintaining the network of streets and extending it where possible but designing streets so as to provide access without encouraging speeding.

4. Improve the design of new buildings and sites

Winston Churchill is credited with saying, "We shape our buildings: thereafter they shape us." Better buildings make better communities.

The design of institutional buildings, like schools and churches, and public spaces, like parks and squares, is critical because they will anchor Williamson Road's village centers.

Better design, scale, and location of commercial buildings and associated parking will strengthen business. Therefore, the plan correctly calls for linking business development incentives to commercial design guidelines as part of an economic development strategy for Williamson Road.

Good design is the key to maintaining and expanding housing choice and diversity. The plan encourages well-designed infill housing through a catalog of design guidelines. The recommendation that the area south of 10th Street be designated a rehabilitation district is welcome and long overdue. Liberalized tax abatement, rental housing inspection, and eligibility for a Neighborhood Design District overlay are important tools for strengthening that part of our neighborhood.

The neighborhood plan's high priority themes and the policies and actions that support them are the foundation of a better future for the residents and businesses of the Williamson Road area. The Williamson Road Action Forum board encourages adoption of the plan by city council.

Sincerely,

Doug Trout, President
Williamson Road Action Forum

RBG
ROANOKE BUSINESS GROUP

October 6, 2004

Mayor Nelson Harris
City Council
215 Church Avenue SW
Roanoke VA 24011

Dear Mayor Harris & Council:

The Roanoke Business Group has reviewed the changes made to the Williamson Road Area Plan since last presented to council on August 16. While there have been improvements to the plan since then, we find it is still unacceptable to our business organization members.

The primary reasons are:

1. This plan is presented as though it comes from input from the residents and businesses in the neighborhood, the "stakeholders". It is largely a planning staff plan imposed by the city on the neighborhood. Numerous changes have been requested by the stakeholders, and while some have been granted, many have been denied. When the copy reads, "This plan identifies the following high priority themes:", it ought to read, "**Planning staff** identifies the following….". It is a plan presented under false pretenses.

2. Examples of building placement and how trees might mask utilities were to be part of the plan. Staff now wants to include these items in the printed final plan. The purpose of the illustrations or photos was to show the neighborhood how they might look before the neighborhood and council adopted the plan, not afterwards. We have yet to see these examples.

3. The Village Center concept was not requested by the neighborhood and lacks sufficient research to include in the plan at this time. These centers should be developed one at a time with great care and involvement from the community at all levels. Much attention should be given to the specific application at the specific site. This has not been done.

   The worst was proposed for the intersection of Plantation and Liberty, which we now understand has been modified. It should be deleted from the map.

   We have not had the resources to research each proposed village center site, but we believe the proposed center at Courtland and Liberty is also poorly chosen. We recommend this location be deleted from the plan as well, or relocated to the Villages at Lincoln, a far more appropriate location.

4. The plan continues to promote a downzoning of C-2 to CN along Williamson Road. We believe the new zoning designation should be CC, if limited to the choices given by the Planning Department.

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We continue to feel that a new "hybrid" zoning district category, incorporating the positive elements of CN and CC would be superior to CN or CC as currently proposed.

The validity of our objections is best illustrated by the fact that planning staff has recognized that the "nodes" need more flexibility than CN, and therefore, they are designated for "general commercial" (CC), rather than CN. This will help their chances of developing. The need for flexibility is even more critical for the areas **between** nodes.

5. The approach to parking in the plan is still inadequate. The plan should include a stronger recommendation for small public parking areas along Williamson Road. The city uses the term "public access" parking, which is unclear. We mean that some of the parking should be "public" as in publicly owned.

   We are also opposed to additional parallel parking or angled parking on Williamson Road. We believe the act of stopping to back into a parking space on Williamson Road is an unnecessary and undesirable risk to life and limb, and in addition, will further congest and constrict traffic on a major thoroughfare.

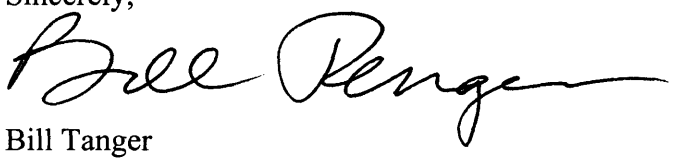
   The plan should also include substantial park-and-ride parking areas along Williamson Road to better utilize the bus lines and reduce the need for more parking downtown.

6. City planners should move the issue of the Plantation Road bottleneck forward so that it is on the Long Range Transportation Plan's "Vision List". The Area Plan should call for the city to take that action.

7. Under "Strategic Initiatives" the copy still reads, "The city of Roanoke is installing a landscaped center median in the area to improve the streetscape." This should not be listed as though it were a part of the plan, since it is not part of it. In addition, it is already completed.

For these and other reasons we must remain opposed to the Area Plan as presented. (See our comments of August 11 to Council for additional detail).

Sincerely,



Bill Tanger
Director

Attachments:
RBG comments to council of 8-11-04

Rbg-points-10-6-04.ltr

RBG
ROANOKE BUSINESS GROUP

August 11, 2004

Mayor Nelson Harris
Members of City Council
215 Church Avenue SW
Roanoke, Virginia 24011

Hon. Mayor Nelson Harris and Council Members:

There are good elements in the Williamson Road Neighborhood plan, most of which came from the neighborhood business leaders and residents at the public meetings. For example, we have suggested more tree plantings along the interstate, the elimination of the Plantation Road Bottleneck and a study of strategies to reduce utility line clutter. These are at least mentioned in the plan, although we would like to see more emphasis than the plan contains.

In addition, there were numerous issues brought up by the community that were not adequately addressed in the plan. These include addressing the need for services for the newly arriving immigrants in the neighborhood (described by some as Roanoke's "diversity corridor" or melting pot), better code enforcement and an expanded library and library services.

Problem areas:

1. First of all, we are not in agreement with **the timing of the approval of this plan**. With the imminent arrival of a brand new Zoning Ordinance, we believe it makes logical sense to delay the neighborhood plan until the zoning plan is approved first. By this action, the neighborhood will know with more certainty the impacts of the ordinance on the neighborhood plan. That seems to us to be the proper order of things. Therefore, we request the neighborhood plan be tabled until the Zoning Ordinance is approved and the neighborhood plan can then be seen more clearly in light of the new ordinance.

There are still unanswered questions and unresolved issues that would preclude a rational decision on support or opposition to the Small and Medium Scale Commercial (plan name) or Commercial Neighborhood CN designation (zoning name). This includes a reconsideration of the extent of application of CN to the section between Hershberger and Liberty Roads (now 80%). It includes a review of the description and list of uses allowed or disallowed in CN.

In addition, on June 22, the Williamson Road Enterprise Zone was renewed. Neither WRABA nor RBG has had time to meet to discuss the potential impacts of this action on the Neighborhood Plan. Again, we are not aware of any ticking clock that necessitates a hurry-up approval of the N-Plan. We urge council to not approve the plan.

2. A primary concern stems from **the Future Land Use map**. We equate the "small- and medium scale commercial" designation along the corridor as shown in the plan with what we understand will eventually be Commercial Neighborhood (CN) zoning in the new zoning ordinance.

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The zoning plan and the neighborhood plan are directly connected through the future land use map and future zoning plans as a function of the law. When this neighborhood plan is adopted as a part of the comprehensive plan and the zoning ordinance is the legal document for enforcing the comprehensive plan, how can the neighborhood plan and the zoning ordinance not be related?

3. A special comment is needed in **response to the Planning Commission**. The Commission has put forth some specious arguments that the N-Plan should come before the Zoning Ordinance. The reasons are incomprehensible to the community. What of all future neighborhood plans? Will they all be deficient because they came after the Zoning Ordinance? We find this argument preposterous. The Commission makes no sense.

The Commission stated, as described by Mr. Manetta in his letter to you regarding this matter, that *"...The Commission felt that completion of the neighborhood planning process, and the resulting recommendations as they pertain to future land use in an adopted plan, are an imperative prerequisite to future zoning decisions that will be associated with the adoption of a new Zoning Ordinance..."* This circumlocutious argument is a fine example of city bureaucratic doublespeak.

If it is the case that future decisions will be made that will change the "Future Land Use Map", then let's change them now so the plan is acceptable to the community. If there is truly latitude to adjust zoning later, then let the community start with the zoning closest to the existing C-2, which would **not** be CN.

In fact, the Commission goes on to say, *"... the land use plan should be structured as a guide to future zoning decisions, and should provide a general policy framework around which zoning determinations could be made based on specific circumstances..."*. Again, if this is true, then the Future Land Use Map should not be 80% CN from Hershberger to Liberty. It should remain closest to the existing C-2, as a "general policy framework".

4. As you know, Williamson Road serves a market beyond the neighborhood. It is a four-lane, major arterial through the valley. To attempt **to bring this extensive commercial corridor down to anything less than general commercial is absurd.**

The types of businesses not permitted in CN will unfairly restrict business growth and health along Williamson Road. Motor vehicle related businesses are excluded, yet these are viable businesses and should be allowed in the Williamson Road area. In addition, approximately 40% of the non-automotive business types currently prohibited or forced to apply for special exception status under CN should also be allowed on Williamson Road.

What is CN like? It would be much more restrictive for property owners than C-2 in many ways, even though it might be more permissive in a few aspects. CN would prohibit many types of businesses from starting up on Williamson Road in the future, although existing businesses would be grandfathered.

For example, CN would prohibit almost anything to do with automotive business, including auto repair, auto sales, auto rental, RV sales or rental or even a car wash. It would also prohibit things like broadcasting studios, business schools, contractors, funeral homes, nurseries, greenhouses, building supply stores, etc.

It would allow only by special exception things like artist studios, bakeries, lodges, civic organizations, restaurants serving alcohol, schools for the arts, gas stations, meeting halls, museums, movie theatres, etc. As you can see, this would greatly narrow the possibilities for new business activity. CN zoning could potentially affect over 50% of the business types currently on Williamson Road.

On any current bare property, **appraisers have said this would cause a devaluation of property.** (On any property that is not used for the current grandfathered use for two years, that use is lost to that property, as well.) **For the neighborhood as a whole, this would slow down development.**

5. The business community is not asking for additional areas along Williamson Road to be designated commercial. We are simply asking that Williamson Road commercially zoned areas be left as is. Most of the **problems of Williamson Road can be solved with building codes and standards along with economic incentives, creative ideas, hard work and strong enforcement.**

Designating the corridor as small- and medium-scale commercial (CN) instead of general commercial (CC) will not solve the on-going conflict. Appropriate buffers and building locations are good solutions to this conflict, addressed in the plan as "thoughtful site design" and "being conscientious about business practices" (page 13).

The creation of small village centers may also serve the neighborhood. But to attempt to make the whole commercial corridor a smaller scale is not realistic or beneficial to the neighborhood, which does not need that much CN land designation. Such an approach would slow down development, not improve it.

6. As we address the small scale commercial/CN designation, we run into a list of types of businesses allowed under the new CN and types no longer allowed or only allowed by special exception. We have serious heartburn over this list. We support the concept of a more restrictive zoning district that will act to reduce and/or prohibit certain types of undesirable business activities. However, the list proposed under CN is detrimental to the long-term health of the business community and therefore the entire community.

When we broached the subject of this list with staff, they too were at a loss to explain the rationale behind many of the banned business types. If we are addressing the health of business in the neighborhood, this list goes much too far with prohibitions and becomes an overall negative drag on the business community. This list needs to be modified. **We understand from staff that it is under review. Approval of the N-Plan should wait for that to occur.**

Another alternative is to consider specific lot-by-lot reductions in the numbers of CN designated businesses. This would require a more deliberate, time consuming approach, but it is one that RBG would support for consideration. We have plenty of time to do this in order to develop an N-Plan that would be acceptable. This plan is not.

Staff agreed to revisit with the advisory committee approximately 16 of the 38 categories outlawed (we include those categorized as requiring special exception as well as those banned outright). That is over 42% of the types listed on the city's list. If we add in automotive, we find we object to about 52% of the outlawed categories. This makes CN unsupportable by most businesses in the neighborhood.

Many of the real problems of Williamson Road, like the decrepit Roma Restaurant, or the sheer difficulty of getting off Williamson Road and to an interstate, or the elimination of many badly run businesses, will not be solved by this plan. Many of our neighborhood problems need to be creatively addressed problem-by-problem, rather than by a broad-brush approach using downzoning.

7. Since the original draft of the Future Land Use map, even more general commercial land use patterns have been changed on the map to small- and medium-scale in the neighborhood (future CN). This latest land use map shows one block of Noble Avenue as small- and medium scale. We do not agree with the location of this land use as a means to buffer residential uses from the commercial uses across the street.

Staff agrees, as do most of this commission, that **the place to buffer residential from commercial is in the backs of homes**. Why then is the front of homes designated? We have heard the absurd argument that this will allow the city to tie up applicants so as to obtain more proffers. This is one way to handle development. It might be called the "proffers by extortion" approach. There are other, better ways to approach a neighborhood problem of this sort. They ought to be promoted and used by the city and staff.

8. Another perception we have is one we would categorize as swimming against the tide, or possibly swimming against a rip-tide. The nationwide trend is towards businesses building **with parking in front of the building**. The plan would have us go against that. We can understand the intention, but we believe Williamson Road is precisely the wrong place for it. An example might be the relocation of Fink's to a place with parking in front and on one side (but not in the back).

Banks are no longer building with parking in the rear. Safety is primary. Restaurants will go elsewhere if parking is not available, at least in part, in the front of the building. Many buildings in downtown are empty above the first floor (as well as some on the first floor). Occupancy of upper floors peaked in 1960, according to commercial realtors. In our opinion, the primary reasons are access and parking. We mean quick, easy, safe access to parking that does not cost the customer or resident a fortune.

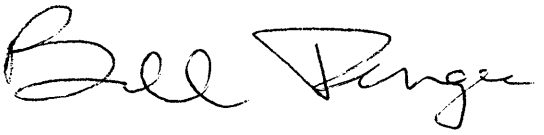
In the neighborhood meetings we suggested pocket parking lots. We think this is a better way to start. Perhaps if pocket parking lots existed, it would be more feasible to have no parking in

the front of the building. But first should come a pocket parking lot demonstration project to see what works. The neighborhood plan is very weak on this, suggesting that along with pocket parking lots the city "encourage the development of on-street parking…" as well. We do not think this is appropriate for Williamson Road.

9. RBG would also like to see **greater emphasis** on the following:
   a. expansion of the library, regardless of the results of a city-wide study;
   b. a utilities study to determine the feasibility and costs of phased in undergrounding;
   c. adoption of the traffic and parking plan in case a stadium is built;
   d. a permeable pavement demonstration project;
   e. LID alternatives to curbing, guttering, etc.
   f. Programs for addressing the needs of immigrants

10. As mentioned in our oral comments, we find it reprehensible that this plan includes the development of a center turn lane, including medians with landscaping. That project is already completed, not projected for the future. It is a project that was started 12 years ago by members of WRABA and is an example of solving a problem without a zoning change or neighborhood plan. **It should be removed from the plan.**

11. The process has been a concern to RBG and to WRABA. We ask ourselves where the impetus to change to CN came from? We note that the business community was not consulted about nor is it supportive of such a need. We note that there is certainly no consensus on the plan. We find the process poorly done, at best. So again, for a variety of reasons **we recommend council not approve this plan.**



Bill Tanger, Director

W-Plan-RBG to Council-8-11.ltr

Williamson Road Area Business Association

P.O. Box 5892 ✧ 4804 Williamson Road, NW ✧Roanoke, VA 24012-0892

October 13, 2004

Mayor Harris
Members of Roanoke City Council
Darlene Burcham, Roanoke City Manager

RE: Williamson Road Area Plan
(Draft for City Council Public Hearing, October 18, 2004)

Dear Mayor Harris, Members of the Roanoke City Council, and Mrs. Burcham:

On Monday evening, August 16, 2004, the Williamson Road Area Business Association (WRABA) was asked by the Roanoke City Council to prepare specific suggested changes to the *Williamson Road Area Plan* to reflect the position of neighborhood and business interests along this corridor. At WRABA's regular meeting on Tuesday, August 17, 2004, our Board formed a committee to review the proposed plan and recommend changes to the plan.

Our committee has met numerous times to review and recommend changes to the plan. We reviewed the plan very carefully and prepared ten (10) pages of proposed changes. We submitted our proposed changes to Mr. Brian Townsend on September 16, 2004 with copies to you. We then met with Brian and Chris Chittum on two occasions to try to resolve any differences of opinion.

Five (5) Guiding Principles guide our proposed changes to the plan, as follows:

Guiding Principles:

1. **Williamson Road is regional – not local.** The businesses along Williamson Road serve primarily a regional market, not just adjacent neighborhoods.

2. **WRABA recognizes nodes of special development along Williamson Road.** WRABA will work with the City to identify these nodes and assist in developing them as models and anchors for Williamson Road development. Implementation tools may include special zoning and financial incentives to developers and businesses.

3. **There should be few new commercial areas designated or zoned in the planning area, unless there are special circumstances requiring new commercial areas.** The emphasis should be on redevelopment of existing commercial areas, not development of new ones.

FAX (540) 362-5789 ✧ EMAIL wraba@roava.net ✧ WEB www.wraba.org ✧BUS (540) 362-3293

4. **There should be a new way of thinking about parking in the Williamson Road area.** There should be no reduction in thru-lanes on Williamson Road. WRABA supports parking along Williamson Road in "sheltered", off-street parking areas.

5. **There should be no designated bicycle lanes on Williamson Road.** We recognize that bicyclists have the right to use Williamson Road, but we believe bicycling on this street is too dangerous. Having bike lanes is an invitation to bikers; with the current traffic and lane widths, it would be a potential disaster. Instead, we encourage the use of less traveled back streets and bike paths.

WRABA supports the plan, as it has been modified through our conversations with Brian and Chris. It is a positive step in improving our business and residential areas. While there are minor wording changes, which we still would like to see, we feel that the overall Plan represents the interests of residents, businesspeople and others interested in seeing Williamson Road develop appropriately.

We are taking the plan very seriously. We want to strongly support the plan when it is adopted and be very active participants in its implementation. To that end, we want to be very involved in reviewing and recommending any changes in zoning, which may affect businesses on Williamson Road. Please ask the City staff to continue to work closely with us on implementation.

We would like to thank Mayor Harris and the members of City Council for the opportunity to work closely with the City regarding this plan. We look forward to joint efforts in the future. Our Board could not be more enthusiastic about this opportunity!

Sincerely,

Linda B. Plunkett

Linda B. Plunkett,
Executive Director

Committee Members:

Ed Armentrout, Chair	Warren Via, President
John Leftwich	Ben Burch
Gene McGuire	Mike Conner
Wendy J. Jones	Mike Bailey

Cc: Brian Townsend, Director of Planning, Building and Development
Chris Chittum, City Planner II

SJT
10/12/04

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE approving the Williamson Road Area Plan, and amending Vision 2001 - 2020, the City's Comprehensive Plan, to include the Williamson Road Area Plan; and dispensing with the second reading of this ordinance by title.

WHEREAS, the Williamson Road Area Plan (the "Plan") was presented to the Planning Commission;

WHEREAS, the Planning Commission held a public hearing on July 15, 2004, and recommended adoption of the Plan and amending Vision 2001 - 2020, the City's Comprehensive Plan (the "Comprehensive Plan"), to include such Plan; and

WHEREAS, in accordance with the provisions of §15.2-2204, Code of Virginia (1950), as amended, a public hearing on the proposed Plan was held before this Council on Monday, August 16, 2004, which proposed Plan was tabled for consideration until October 18, 2004, at which hearing all citizens so desiring were given an opportunity to be heard and to present their views on such amendment.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. That this Council hereby approves the Williamson Road Area Plan and amends Vision 2001- 2020, the City's Comprehensive Plan, to include the Williamson Road Area Plan as an element thereof.

2. That the City Clerk is directed to forthwith transmit attested copies of this

ordinance to the City Planning Commission.

3. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

October 18, 2004

Honorable C. Nelson Harris, Mayor
Honorable Beverly T. Fitzpatrick, Jr., Vice Mayor
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Sherman P. Lea, Council Member
Honorable Brenda L. McDaniel, Council Member
Honorable Brian J. Wishneff, Council Member

Dear Mayor Harris and Members of City Council:

Subject: Revisions to the Tax Exemption Requirements for Rehabilitation of Real Property

Background:

In 1981, the City of Roanoke established a program allowing tax exemptions for the rehabilitation of residential, commercial, and industrial real property. It has received applications from approximately 650 property owners since that time. The goals of the program are to encourage the renovation of real property, to revitalize aging and deteriorating structures, and to improve the conditions of the City's neighborhoods. Revisions to the program were made in 2000. From that point up through today, the City has seen a steady increase in the "before" and "after" assessed values of the properties that have entered the program. For instance, in 2000, the average value of residential properties prior to rehabilitation was $24,565; by the end of 2003, that figure had increased to $39,312. The average assessed value of residential properties after rehabilitation has risen from $64,913 in 2000 to $105,960 in 2004.

Over the past several months, there has been a review of the City's current eligibility requirements for this program. The intent of this review has been to develop recommendations to modify the requirements by which a property owner can participate in it. On September 7th, City Council was briefed by the Director of Real Estate Valuation, Susan Lower, on the proposed changes for participation. The recommendations include:

- Establishing a cap on the assessed value of residential real property, prior to rehabilitation, of no more than $200,000. Currently, no cap exists.

- Eliminating the restrictions on increased square footage on residential, commercial, and industrial real property. Currently, total square footage must not be increased by more than 15%.

- Increasing the application fee when a change in use will result in additional tax parcel numbers being created to $50 for each additional tax map number created. Currently, the application fee is $50 for each property.

- For multi-use properties, requiring the residential portion to meet the eligibility requirements for residential real property and requiring the commercial or industrial portion to meet the eligibility requirements for commercial or industrial real property. Currently, any property, the use of which is partially residential and partially commercial or industrial, is treated as residential in its entirety for purposes of this division.

- For a residential structure with an assessed value below $5,000, allowing an exemption if the structure is demolished provided that the replacement structure is a single-family residence with an assessed value of at least 120% of the median value of other dwelling units in the neighborhood. The exemption shall not apply, however, when any structure demolished is a registered Virginia landmark or is determined by the Department of Historic Resources to contribute to the significance of a registered historic district. Currently, an exemption shall not apply when any existing structure is demolished or razed and a replacement structure is constructed.

- It was discovered after the briefing session that the current program shall terminate on July 1, 2005, unless reenacted. An additional recommendation is to extend that expiration date to July 1, 2010. The proposal to extend this date out five years will allow the City the opportunity to monitor and assess whether the program's goals continue to be met as a result of these changes.

Recommended Action:

Adopt the attached ordinance amending and re-ordaining Division 5, Exemption of Certain Rehabilitated Real Property, consisting of sections 32-93 through 32-101, of Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended, by amending the eligibility requirements for tax exemption based on the recommendations noted above.

Respectfully submitted,

Rolanda B. Russell for

Darlene L. Burcham
City Manager

DLB:rbl

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Susan S. Lower, Director of Real Estate Valuation
R. Brian Townsend, Director of Planning, Building, and Development

CM04-00173

WMK

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining Division 5. Exemption of Certain Rehabilitated Property, consisting of §§32-93, through 32-101, of Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended, by amending the eligibility requirements for tax exemption pursuant to this Division; establishing a cap on assessed value of residential real property prior to rehabilitation; eliminating the restrictions on increased square footage on residential, commercial, and industrial real property; increasing the application fee when a change in use will result in additional tax parcel numbers being created; making certain other changes to the City's tax exemption program for rehabilitated real property; and dispensing with the second reading by title paragraph of this ordinance.

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

1. Division 5. Exemption of Certain Rehabilitated Property, consisting of §§32-93, through 32-101, of Chapter 32, Taxation, Code of the City of Roanoke (1979), is hereby amended and reordained to read and provide as follows:

DIVISION 5.
EXEMPTION OF CERTAIN REHABILITATED REAL PROPERTY

§32-93. Generally; termination of exemption program.

(a) The director of real estate valuation shall, upon application made and within the limits as hereinafter provided, order exemption of real property tax on real property substantially rehabilitated for residential use and on real property substantially rehabilitated for commercial or industrial use.

(b) This division shall terminate and no new applications for exemption shall be accepted on and after July 1, ~~2005~~ *2010*, unless reenacted. This provision

shall not affect applications filed before that date, or the continued eligibility for exemption of properties approved before that date.

(c) As used in this Division, the term "substantial rehabilitation" shall include the substantial rehabilitation, renovation, or replacement of real property.

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§32-95. Eligibility of residential real property.

(a) In order to qualify for the exemption from real property taxation for real property substantially rehabilitated for residential use, a structure shall meet all of the following criteria:

(1) Be no less than twenty-five (25) years of age;
(2) Be improved so as to increase the assessed value of the structure by no less than forty (40) percent;
(3) ~~Be improved without increasing the total square footage of such structure by more than fifteen (15) percent;~~ *Have an assessed value, prior to substantial rehabilitation, of no more than $200,000;*
(4) Be designed for and suitable for residential use, at least in part, after completion of such improvement; and
(5) Be improved without increasing the current number of dwelling units.

(b) Residential use shall include single-family dwellings, duplexes, multifamily dwellings *units*, ~~apartments~~ and town houses. Any property, the use of which is partially residential and partially commercial or industrial~~, shall be treated as residential in its entirety for purposes of this division.~~ *must meet the eligibility standards for each such applicable use. The director of real estate valuation shall determine the respective value of each such use prior to commencement of the substantial renovation.*

§32-96. Eligibility of commercial or industrial real property.

(a) In order to qualify for the exemption from real property taxation for real property substantially rehabilitated for commercial or industrial use, a structure shall meet all of the following criteria:

(1) Be no less than twenty-five (25) years of age;
(2) Be improved so as to increase the assessed value of the structure by no less than sixty (60) percent; *and*
~~(3) Be improved without increasing the total square footage of such structure by more than fifteen (15) percent; and~~

~~(4)~~ *(3)* Be designed for and suitable for commercial or industrial use after completion of such improvement.

(b) If an exemption is granted for commercial or industrial properties pursuant to this Division, no other exemption, including one pursuant to Division 5A and 5B, pertaining to enterprise zones, will be granted, even if the use of the property changes.

§32-97. Amount of exemption.

The amount of the exemption from real property taxation provided for by this division shall be an amount equal to the difference in the appraised value of the qualifying structure immediately before *substantial* rehabilitation and immediately after *substantial* rehabilitation, as determined by the director of real estate valuation. This amount only, on a fixed basis, shall constitute the exemption, notwithstanding subsequent assessment or reassessment. The exemption resulting from substantial rehabilitation of a qualifying structure shall commence on July 1st of the tax year following completion of the rehabilitation and shall run with the real estate for a period of five (5) years, and only one (1) exemption under this division may be applicable to any structure at any point in time. If the qualifying structure has been designated with either H-1, Historic District, or H-2, Neighborhood Preservation District, zoning overlay designations, or is located within an area designated as a conservation area or a rehabilitation district by the city, then the exemption shall run with real estate for a period of ten (10) years. An additional five-year period shall apply to any residential structure that will have at least a fifty (50) percent net reduction in the number of dwelling units after rehabilitation.

§32-98. Application.

(a) Application for exemption of substantially rehabilitated real property from taxation under this division shall be filed by the owner of such property with the director of real estate valuation prior to commencement of any rehabilitation work for which exemption is sought. Each application for such exemption shall be accompanied ~~by a processing~~ fee in the amount of fifty dollars ($50.00). *If a property is being converted, and new and additional tax parcels will be created, the application fee shall be fifty dollars ($50.00) for each tax parcel.* No property shall be eligible for such exemption unless all appropriate building permits have been acquired and the director of real estate valuation has verified that the rehabilitation indicated on the application has been completed. Furthermore, no property shall be eligible for such exemption if the director of real estate valuation has been denied access to the entire premises either before or after the rehabilitation work for which exemption has been applied, for purposes of determining whether the required rehabilitation has been completed and for appraising the property.

(b) The burden of proof shall be on the applicant to show that the property for which exemption has been filed complies with all the eligibility criteria established by this division. The director of real estate valuation may require documentary proof of eligibility, and, in such cases, documentation satisfactory to the director shall be presented.

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§32-100. Demolition.

The exemption provided in this division shall not apply when any existing structure is demolished or razed and a replacement structure is constructed~~.~~, *unless it is a residential structure and the assessed value of the existing structure is less than $5,000. The replacement structure must be a single-family residence, and it must have an assessed value of at least 120% of the median value of other dwelling units in the neighborhood, as determined by the director of real estate valuation. Such exemption shall not apply when the structure to be demolished is a Virginia registered landmark, or is determined by the Division of Historic Resources to contribute to the significance of a registered historic district.*

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2. Pursuant to §12 of the Roanoke City Charter, the second reading by title paragraph of this ordinance is hereby dispensed with.

ATTEST:

City Clerk.