WAYNESBORO, VIRGINIA  
CITY COUNCIL BUSINESS MEETING MINUTES  

Council for the City of Waynesboro, Virginia held a Regular Business Meeting on Monday, February 11, 2019, at 7:00 p.m. in the Council Chambers of the Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia, with Mayor Short presiding and calling the meeting to order:

PRESENT:  
Council Members:  
Terry Short, Jr., Mayor  
Bobby Henderson, Vice Mayor  
Bruce Allen, Councilman  
Elzena Anderson, Councilwoman  
Sam Hosicketer, Councilman  

City Staff:  
Mike Hamp, City Manager  
Jim Shaw, Deputy City Manager  
Julia Bortle, Clerk of Council  
Cameron McCormick, Finance Director  
Luke Juday, Planning Director  
Michael Wilhelm, Police Chief  
Greg Hitchin, Economic Development Director  

Outside Counsel:  
Melisa Michelsen, Esq., Litten & Sipe LLC  

ABSENT:
None

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA:

Mayor Short opened the meeting and asked Councilwoman Anderson to lead everyone in the Pledge of Allegiance to the Flag of the United States of America.

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CONSENT AGENDA:

Councilman Allen moved to adopt the consent agenda as presented. Having been seconded, the consent agenda was adopted 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.

a) Council Meeting Minutes: Consider approving the January 23, 2019 Budget Work Session minutes and the January 28, 2019 Council Meeting minutes, and dispense with the reading of the minutes.

b) Rezone 588 North Bayard Avenue: Second consideration/adoptions of an ordinance to rezone 588 North Bayard Avenue, City Tax Map No. 37-1-4-1 through 37-1-4-9 from L-I Light Industrial to RG-5 General Residential. (2019-14)

Second consideration/adoptions of the following previously-introduced appropriation ordinances:

b) Virginia Tourism Corporation Grant: ($14,047) (2019-15)

c) Schools – Unspent Appropriation Reserve: ($507,768) (2019-16)

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Regular Business Meeting  
Monday, February 11, 2019  
Adopted February 25, 2019

COMMENTS FROM COUNCIL MEMBERS:

Mayor Short thanked the Deputy City Manager, the Planning Director, and Council members Henderson and Hostetter for being part of the Neighborhood Meeting on January 30, 2019, held to have a conversation with citizens regarding future plans for Basic City and neighboring communities. He also attended the Central Shenandoah Planning District Commission Meeting on February 4, 2019. He met with the School Board Vice Chair to discuss mutual initiatives during the upcoming budget season.

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PUBLIC HEARING – REZONE 201 SHORT STREET REQUEST:
The Planning Director reviewed an application by Jim Coate to change the zoning of 201 Short Street, the current location of Free Range Electric, City Tax Map number 45-1-2-30, 31, & 32 from I-L Light Industrial to C-B Central Business, as attached to the official transcript of these minutes (attachment 46-45). It included an aerial view, current zoning of the area, the proposed use and potential occupants, and a conceptual site plan. The Planning Commission recommended approval on a 7-0 vote.

RESOLUTION AND RECOMMENDATION TO THE CITY COUNCIL  
FROM THE WAYNESBORO PLANNING COMMISSION  
REGULAR MEETING OF JANUARY 22, 2019 PER REZONING 18-323 FOR  
JIM COATE

WHEREAS, upon application of Jim Coate, owner, the Waynesboro Planning Commission finds that the aforementioned rezoning will meet or exceed all the requirements of state and local law, and further, that the request is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is in accord with the general goals and objectives of the comprehensive plan of this City;

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 7-0, that a recommendation be forwarded to City Council that the request of Jim Coate, owner, for rezoning from I-L (Light Industrial) District to C-B (Central Business) District a 0.258 acre site, located at 201 Short Street, Waynesboro, Virginia, Tax Map # 45-1-2-30, 31, & 32, be approved, in accordance with the application (#18-323), and the staff report dated January 22, 2019.

The public hearing was opened at 7:10 p.m. The applicant did not wish to address Council and with no one signed up to speak to the matter, the public hearing was closed. Councilman Hostetter moved to introduce an ordinance REZONING A 0.258 ACRE SITE LOCATED AT 201 SHORT STREET, WAYNESBORO, VIRGINIA FROM I-L (LIGHT INDUSTRIAL) DISTRICT TO L-B (LOCAL BUSINESS) DISTRICT. Having been properly introduced, this ordinance will be considered again at the February 25, 2019 Regular Business Meeting.

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APPOINT VIEWERS – VALLEY COVENANT CHURCH REQUEST TO CLOSE AND VACATE ALLEYS:

Vice Mayor Henderson moved to appoint Mr. Mark Snyder as Chair, Mr. Jeff Mellott, and Ms. Ellen Winter as viewers with Ms. Doris Hulvey as an alternate to consider the impact of a request by Mr. David Kirby, representative of Valley Covenant Church, to close and vacate alleys adjacent to Tax Map #42-12-7 in the Walnut Grove Farm subdivision. Having been seconded and with no objections, the viewers were appointed 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.
RESOLUTION OF SUPPORT:

The Economic Development Director reviewed the Industrial Revitalization Loan Fund grant, noting the applicant’s plan to return the property to a revenue-generating mixed-use facility. The application deadline is March 1, and the grant requirements include the City applying on behalf of the applicant. There is no financial obligation on behalf of the City. Councilwoman Anderson moved to adopt a Resolution in Support of an application to the Industrial Revitalization Loan Fund by River City Collective LLC in the amount of $600,000 to be applied to the redevelopment of the former Leggett Building, 320 W. Main Street, Waynesboro.

RESOLUTION OF SUPPORT (R19-04)
BY THE CITY COUNCIL OF WAYNESBORO, VIRGINIA
FOR A JOINT CITY/RIVER CITY COLLECTIVE LLC,
APPLICATION FOR AN INDUSTRIAL REVITALIZATION FUND LOAN

WHEREAS, the Waynesboro City Council supports a joint application between the City and River City Collective LLC, for an Industrial Revitalization Fund loan in recognition of the desire and need to revitalize the highly visible and blighted former Leggett’s Department Store at 320 West Main Street into a mixed use project which will spearhead the redevelopment of this and other properties in the central business district and will advance the City’s overall economic revitalization goals; and,

WHEREAS, the Waynesboro City Council recognizes that market forces and the current banking finance environment creates certain fiscal barriers to redevelopment of this property which can be overcome more readily through a private/public partnership and with the assistance of the Industrial Revitalization Fund in the form a loan that will be made to the developer, using matching funds which will be provided by the developer.

NOW, THEREFORE, BE IT RESOLVED that the Waynesboro City Council supports the redevelopment of the former Leggett’s Department Store and the application for a $600,000 Industrial Revitalization Fund loan; and,

BE IT FURTHER RESOLVED that the Waynesboro City Council acknowledges that the City’s role is to act as the sponsor for the former Leggett’s Department Store Redevelopment project and that matching funds will be provided by River City Collective, LLC, the developer of the former Leggett’s Department Store Redevelopment project; and,

BE IT FURTHER RESOLVED that the Waynesboro City Council is in full support of the joint City/River City Collective, LLC, application for an Industrial Revitalization Fund loan with the Virginia Department of Housing and Community Development this 11th day of February, 2019.

Signed: ____________________________
Mayor,
Waynesboro City Council

After reaffirming that there is no financial cost to the City, the motion was seconded and with no objections, the resolution was adopted 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.
RESOLUTION - COMMENDING THE CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION’S 50TH ANNIVERSARY:

Councilwoman Anderson moved to adopt a resolution commending the Central Shenandoah Planning District Commission on their 50th Anniversary. Having been seconded, the resolution was adopted unanimously with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter. Mayor Short read the resolution as follows:

RESOLUTION (HJ5-40)
COMMENDING THE CENTRAL SHENANDOAH PLANNING DISTRICT COMMISSION ON ITS 50TH ANNIVERSARY

WHEREAS, in 1966, the General Assembly created the Metropolitan Areas Study Commission (the Hahn Commission), which found that a holistic approach to solving local and regional problems needed to be taken, and recommended a new concept, the creation of Planning District Commissions (PDCs); and

WHEREAS, the Virginia Area Development Act, passed in 1968, created the PDC framework “to encourage and facilitate local government cooperation and state-local cooperation in addressing on a regional basis problems of greater than local significance;” and

WHEREAS, following passage of this Act, the State undertook an aggressive effort to establish PDC boundaries, and by 1969, the final district boundaries were announced; and

WHEREAS, on October 1, 1969, the Central Shenandoah Planning District Commission (CSPDC) was established and includes the counties of Augusta, Bath, Highland, Rockbridge, and Rockingham, the cities of Buena Vista, Harrisonburg, Lexington, Staunton, and Waynesboro, and 11 incorporated towns; and

WHEREAS, in 2019, the CSPDC is celebrating 50 years of promoting and supporting regional collaboration; and

WHEREAS, the CSPDC serves to foster intergovernmental cooperation by bringing together elected and appointed officials and citizens to discuss common needs and develop solutions to regional issues; and

WHEREAS, over the years, the CSPDC has conducted studies and identified solutions in the areas of transportation, economic development, infrastructure, housing, the environment, disaster education and mitigation, and community development, among many others; and

WHEREAS, the CSPDC also implements services and provides technical assistance to its member local governments; and

WHEREAS, the CSPDC often serves as a liaison between local and state governments, partnering with the State to carry out state initiatives at the local and regional level; and
WHEREAS, most recently, the CSPDC has been instrumental in bringing in over $66 million in new investments to the region. For every dollar the CSPDC receives in local dues, it has leveraged $36 in average in state and federal funds; and

WHEREAS, the CSPDC is committed to promoting opportunities for regional collaboration and expanding the types of services they provide to their member governments; and

WHEREAS, the CSPDC takes great pride in their history and accomplishments, while recognizing the importance of looking ahead to the challenges of the future; and

NOW, THEREFORE, BE IT RESOLVED, the City of Waynesboro hereby commends the CSPDC on the occasion of their 50th Anniversary and the City Council of Waynesboro expresses its appreciation for the vital support provided by the CSPDC to each of its member jurisdictions and the region.

Signed this 11th day of February, 2019.

Signed: ___________________________ Mayor,
Waynesboro City Council

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APPLICATIONS:

Fund a Friend 5K Race: Councilman Hostetter moved to approve an application from Mental Health America for a partial street closure of Race Ave on Saturday, March 30, 2019 from 8:45-10:45am. Having been seconded and with no objections, the application was approved 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.

South River Music Festival: Councilman Allen moved to approve an application approving the request from the Wayne Theater Alliance for the sale and consumption of alcohol on City property in association with the South River Music Festival on Saturday, June 1, 2019 from 3:00 p.m. until 9:00 p.m. Having been seconded and with no objections, the application was approved 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter.

Blue Ridge Soap Box Derby: Councilman Hostetter moved to approve an application from Mr. Joe Kaminski, Blue Ridge Soap Box Classic Derby President, to close a portion of Main Street and adjacent streets, place necessary barricading, and for amplified sound on Saturday, June 15, 2019 from 5:00 a.m. until 5:00 p.m., for the purpose of holding the annual Blue Ridge Soap Box Derby. Having been seconded and with no objections, the application was approved 5:0 with affirmative votes from Council members Short, Henderson, Allen, Anderson, and Hostetter. It was the consensus of Council that staff make efforts to take advantage of social media to further promote this event.

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COMMUNICATION, CORRESPONDENCE, AND CALENDAR:

Budget Work Session: The next budget work session will be held on Thursday, February 21, 2019 at 6:00 p.m. in Council Chambers.

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CITIZEN COMMENT PERIOD:

Mr. Tom McDonald, 1117 Club Road: as Waynesboro has been designated as the best city in Virginia to reside, he provided the City Manager with the application to nominate Waynesboro as an All American City.
Regular Business Meeting  
Monday, February 11, 2019  
Adopted February 25, 2019

Mr. Mark Stevens, 2549 Belvue Road: requested that Council consider the proposed ordinance regarding banning roosters and limiting chickens within the City. There should be reasonable guidelines in place due to the sights, sounds, and smells from barnyard animals. Mr. Steven’s full comments are attached to the official transcript of these minutes (attachment 46-46).

Ms. Sarah Leach, 700 Walnut Avenue: asked Council to consider adopting an ordinance regulating roosters and chickens being kept in the City. She remarked on the odor caused by them, the noise from the roosters, their roaming at large, and the sanitation issues, and she also asked they consider regulations on beehives kept in the City.

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With no further business to discuss, the meeting was adjourned at 7:33 p.m. on a motion Councilwoman Anderson.

Julia Bortle, MMC, Clerk of Council  Terry Short, Jr., Mayor
201 Short Street Rezoning
Free Range Electric, LLC
ZMA 18-323
January 22, 2019
Rezoning request

- Currently zoned L-I (Light Industrial)
  - Allows various light industrial uses and some more noxious commercial uses

- Proposed zoning: C-B (Central Business)
  - Allows a variety of commercial uses and upper story residential
  - Restricts most industrial uses
Proposed use

- Divide existing building into 2 parts;
- Primary tenant – Blue Ridge Children’s Museum (potential)
- Secondary tenant
Conceptual site plan

- Minor site plan required
- Added parking and paved driveway
- New plantings at the entrance
- Replant grass
Site photos
Façade improvements

There are many possibilities for this building. It could be split lengthwise or, as in the version shown, the building could be split front and back for two separate uses. The portion towards the park would be for the primary tenant with high visibility from Race Ave (2100 SF +/−). The rear portion would be for use by Free Range Electric or a secondary tenant (1700 SF +/−).

In this example, both existing roll-up doors facing Race Ave are replaced with a bank of windows and a glass entry door. The existing stone ramp could be revamped with new railings and used to provide ADA access to the front door, or an all new entrance porch with steps & ramp added. Additional windows could potentially be added along the south wall facing Short Street and/or along the north wall. A fresh coat of paint with an updated color scheme and modest (or more extensive) landscaping completes the new look.

- Eligible for City façade and landscaping grants;
Block A

- Redevelopment opportunity in the future when economically viable
- Potential location for major residential or mixed use project downtown
- Rezoning consolidates zoning in the block and makes City vision more possible long term
Analysis

- "Downzoning"
  - Reduced entitlement
  - Reduced impact on neighbors

- Consistent with the Comprehensive Plan Designation
  - "Downtown Core": encourage mixed-use development and attracting destination uses such as restaurant, retail, art galleries, and other entertainment uses.

- Consistent with the trend in the area
Recommendation

- Planning Commission recommends approval on 7-0 vote
February 11, 2019

Waynesboro City Council

I am requesting that the city council consider the proposed ordinance from the city manager regarding banning roosters and limiting chickens within the city.

My interest in this ordinance is my personal experience with a residence beside my home that has at least one rooster, although I am not certain there isn’t another, and several chickens.

The rooster in doing his job creates a noise nuisance daily. It begins just before dawn and continues periodically throughout the day. It makes it impossible to open windows or leave a patio door open without hearing the rooster crowing loudly and clearly. Spending time working, visiting or playing in the yard is impacted by the continued crowing noise.

While I might expect to hear the noise of roosters crowing if I lived in the county near farms, I wouldn’t expect to hear roosters crowing from backyards in the middle of an established city of 22,000 with more than 10,000 housing units. Within the city of Waynesboro, it seems to me that it would be a reasonable expectation that one is not going to experience roosters crowing or an unreasonable number of chickens roaming in yards.

I would hazard a guess that the average lot size in Waynesboro neighborhoods is somewhere around 8 or 9 thousand square feet. You can drive through any of the established neighborhoods in Waynesboro and see the similarities in lot sizes and the proximity to neighboring
homes. It is clear from a drive through any of the neighborhoods within the city that we all live VERY close to each other. Close enough that the sights, sounds and smells from our yards can be and likely are experienced by our neighbors.

Just for the record, I would consider myself pro chicken and I don’t hold any animus to the rooster. But, a person living in a community where we are so closely connected in our neighborhoods by the proximity of our homes and yards, should be able to expect that there are reasonable guidelines in place to eliminate disagreement between neighbors on the keeping of barnyard animals.

I would suggest that the city manager in defining reasonable guidelines to be included in the needed ordinance consider the ordinance in Staunton regarding the same. 18.153.030 and 18.153.040.

In closing, I would like to state that very likely based on the hospitality you find throughout Waynesboro, the folks that have roosters and chickens in their yards today are good people and good neighbors. But the absence of a reasonable ordinance providing clear guidelines places folks in the sometimes awkward position of having to broker difficult conversations that can lead to strained relationships.

Folks should be able to maintain a reasonable number of chickens that are maintained in coups. Roosters should be living in wide open spaces where they can diligently fulfill their calling without disturbing the peace.

Thank you for your time and consideration.