

December 9, 2008

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., December 9, 2008.

Members present: Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard; Councilman C. G. Stanley, Jr.; Councilman James A. Vest; and Vice Mayor Robert T. Wandrei.

Members absent: Mayor W. D. Tharp and Councilman Thomas M. Padgett

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Vice Mayor Wandrei opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Vice Mayor Wandrei declared that the minutes of a regular Council meeting held on November 25, 2008, were approved as distributed.

City Manager Kolakowski reported on the following:

- The Christmas parade was held on December 6 and was very successful; prior to the parade the annual 5 K foot race was held – both events had good participation levels
- The Police Department reports that over 60 deer have been killed in the deer eradication program and 40 + deer have been killed by cars

Councilman Hubbard, Chairman of the Property Committee, reported that the Committee met earlier in the evening in closed session and also discussed a change in zoning of property owned by Frank Chervan, Inc.

Vice Mayor Wandrei stated an item will be added to the agenda regarding a change in zoning of property owned by Frank Chervan, Inc, as the last item under “New Business.”

Councilman Vest, Chairman of the Finance Committee, reported that the Committee met earlier in the evening in closed session regarding a request by the City Manager for input from Council members concerning the early preparation of the 2009-10 budget.

Clerk of Council Hatcher read aloud the following public hearing notice:

PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the Planning Commission at 5:30 p.m. on Thursday, December 4, 2008 and by City Council at 7:30 p.m. on Tuesday, December 9, 2008 at the City Municipal Building, Council Hall, 215 East Main Street for the purpose of:

December 9, 2008

- To consider an amendment to the City of Bedford Land Development Regulations, Planned Residential Development District (PRD), Section 606.02 Conditional Uses, by adding private clubs, fraternal or sorority orders or lodges on parcels of five (5) acres or more. The request is being made by the City of Bedford Department of Planning and Community Development.

Information regarding this request is on file in the office of Planning & Community Development.

Anyone who is in favor of or opposed to this request will have an opportunity to express his/her view at this hearing.

By the Authority of the Planning Commission and
City Council of the City of Bedford.

Vice Mayor Wandrei opened the public hearing at 7:32 p.m.

As there were no comments, the Vice Mayor closed the public hearing at 7:33 p.m.

The Consent Agenda consisted of the following item: Reappointment of Bruce Johannessen to serve a new term on the Bedford Joint Economic Development Authority, which will expire on February 1, 2013.

On motion by Councilman Vest, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the Consent Agenda. Roll call vote follows:

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| Councilwoman Flood | aye |
| Councilman Hubbard | aye |
| Councilman Padgett | absent |
| Councilman Stanley | aye |
| Councilman Vest | aye |
| Vice Mayor Wandrei | aye |
| Mayor Tharp | absent |

City Manager Kolakowski stated a public hearing was held earlier in the meeting to consider an amendment of Section 606.02 of the City of Bedford Land Development Regulations. The proposed amendment would allow private clubs, fraternal or sorority orders, or lodges on parcels of five (5) acres or more as a conditional use in the PRD, Planned Residential Development District. At its regular meeting on December 4, 2008, the Planning Commission recommended the proposed amendment. The City Manager stated that Council is requested to adopt the proposed ordinance recommended by the Planning Commission.

On motion by Councilman Stanley, seconded by Councilman Vest, voted upon and carried by a roll call vote, Council adopted the proposed ordinance amending Section 606.02 of the City of Bedford Land Development Regulations. Roll call vote follows:

December 9, 2008

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| Councilman Hubbard | aye |
| Councilman Padgett | absent |
| Councilman Stanley | aye |
| Councilman Vest | aye |
| Vice Mayor Wandrei | aye |
| Councilwoman Flood | aye |
| Mayor Tharp | absent |

The Ordinance follows as adopted:

ORDINANCE NO 08-24

**AN ORDINANCE AMENDING SECTION 606.02
OF THE CITY OF BEDFORD LAND
DEVELOPMENT REGULATIONS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
BEDFORD, VIRGINIA:**

Section 1. The Land Development Regulations of the City of Bedford, Virginia, are amended by adding the following new provisions:

Section 606 Planned Residential Development District, PRD

Section 606.02 Conditional Uses.

b. Private clubs, fraternal or sorority orders, or lodges on parcels of five (5) acres or more.

Section 2. This ordinance is effective upon enactment.

The City Manager stated that during discussions with representatives of Frank Chervan, Inc., concerning its consolidation efforts, they requested that the City consider changing the zoning of some of Chervan's vacate property. It is felt that the change in zoning may enable Frank Chervan to sell the property, thereby enabling the redevelopment of the property and possible attracting commercial or businesses to the location. City staff recommends that City Council initiate a change in zoning so that input from the Planning Commission and the public may be obtained.

On motion by Councilman Stanley, seconded by Councilman Hubbard, voted upon and carried by a roll call vote, Council adopted the proposed resolution initiating a change of zoning of property owned by Frank Chervan, Inc. Roll call vote follows:

December 9, 2008

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| Councilman Padgett | absent |
| Councilman Stanley | aye |
| Councilman Vest | aye |
| Vice Mayor Wandrei | aye |
| Councilwoman Flood | aye |
| Councilman Hubbard | aye |
| Mayor Tharp | absent |

The resolution follows as adopted:

**RESOLUTION
INITIATING A CHANGE OF ZONING
OF PROPERTY OWNED BY
FRANK CHERVAN INC.**

WHEREAS, Frank Chervan Inc. has asked that the city initiate a change of zoning of its property fronting on independence boulevard from industrial to commercial;

Be it resolved by the City Council of the City of Bedford as follows:

1. The City Council determines that convenience, general welfare and good zoning practice will be promoted by a change in the zoning from industrial (M-1) to commercial (B-2) of two parcels located on the northwest and southwest corner of Independence Boulevard and Dawn Drive, designated Tax Parcel 177-A-4, owned by Frank Chervan Inc.

2. The Council directs that the Planning Director prepare the required notices to be published in the Bedford Bulletin for presentation of the request to the Planning Commission and the City Council.

3. This resolution shall go into effect immediately upon passage.

Vice Mayor Wandrei adjourned the meeting at 7:36 p.m.