



Regular Council Meeting

A G E N D A

September 27, 2022

7:00 p.m.

Administrative

Approval of Minutes
Report of Town Manager
Appearances before Council
Council Comments
Report of Council Committees
Revisions to Agenda

Public Hearings

1-P/CD-10-1-9-27

Conditional Use Permit at 1100 Moneta Road for Automotive Repair Garage

Consent Agenda

2-P/CD-13-1-9-27

Appointment of Member – Redevelopment and Housing Authority

3-P/CD-13-2-9-27

Appointment of Members – Economic Development Authority

Old Business

New Business

4-CC-15-1-9-27

Presentation – National D-Day Memorial – Capital Projects

5-CC-15-1-9-27

Presentation – Bedford Family YMCA – Capital Projects

6-P/CD-10-1-9-27

Resolution – Conditional Use Permit at 1100 Moneta Road for Automotive Repair Garage (roll call)

Closed session pursuant to Section 2.2-3711 (a) (3) of the Code of Virginia of 1950, as amended, for the acquisition or disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position for property at 305 East Main Street

Citizens may watch the meeting in real time via the Town of Bedford Live Stream website: <https://www.bedfordva.gov/1356/Live-Stream>



PUBLIC HEARING NOTICE

Notice is hereby given of a public hearing to be held by the Town Council at 7:00 p.m. on Tuesday, August 23, 2022, at the Town Municipal Building, Council Hall, 215 East Main Street for the purpose of hearing:

Consideration of a request for a conditional use permit in zoning district B-2 for an Automotive – mechanical/body repair garage for Crazy Rays located at 1100 Moneta Road, Bedford, VA (Tax Parcel 146-A-88A T). The requester is Ray Paltauf, 721 College Street, Bedford, VA 24523

Information is on file in the office of Planning and Community Development at 215 East Main Street. Anyone who is in favor of or opposed to the request will have an opportunity to express his/her views at this hearing.

By the Authority of Town Council

Publish: August 10, 2022
 August 17, 2022

**TOWN OF BEDFORD, VIRGINIA
TOWN COUNCIL
ACTION FORM**

ITEM: Consent Agenda

DATE OF COUNCIL MEETING: September 27, 2022

DATE: September 20, 2022

Appointment of Member – Redevelopment and Housing Authority

The term of Ms. Frances Coles on the Redevelopment and Housing Authority will expire on October 13, 2022. She has expressed a willingness to continue serving on the Board, if reappointed by Council. The vacancy has been advertised in the local newspaper, and no other citizens have volunteered to serve.

ACTION REQUESTED:

Council is requested to reappoint Ms. Frances Coles to serve on the Redevelopment and Housing Authority, said term to expire October 13, 2026.

		YES	NO	OTHER	<u>ROUTING</u>	
DATE: _____	BLACK	()	()	()	TOWN ATTY. ()	I.T. ()
	CARSON	()	()	()	COMM. DEV. ()	POLICE ()
APPROVED ()	HAILEY	()	()	()	ELECTRIC ()	PUBLIC SERV. ()
DENIED ()	HARTWICK	()	()	()	ENGINEERING ()	OTHER _____ ()
DEFERRED TO:	JOHANNESSEN	()	()	()	FINANCE ()	
_____	SHOEN	()	()	()	FIRE DEPT. ()	
	STANLEY	()	()	()	H.R. ()	

September 1, 2022

Mr. Bart Warner
Town Manager
215 East Main Street
Bedford, Virginia 24523

Dear Mr. Warner:

I, Frances B. Coles is interested in continue to serve on the Town of Bedford
Redevelopment Housing Authority for another term.

Thanking you in advance for your consideration.

Respectfully,

A handwritten signature in blue ink that reads "Frances Coles". The signature is written in a cursive style.

Frances B. Coles

**TOWN OF BEDFORD, VIRGINIA
TOWN COUNCIL
ACTION FORM**

ITEM: Consent Agenda

DATE OF COUNCIL MEETING: September 27, 2022

DATE: September 22, 2022

PRESENTATION:

Appointment of Members– Economic Development Authority

Ms. Liz Brown and Mr. Ryan Kirkpatrick have requested reappointment to the Economic Development Authority, said terms will expire November 30, 2022. The positions have been advertised in the local newspaper, and no other citizens have volunteered to serve.

ACTION REQUESTED:

Council is requested to reappoint Ms. Liz Brown and Mr. Ryan Kirkpatrick to the Economic Development Authority, said terms to expire November 30, 2026.

		YES	NO	OTHER	ROUTING	
DATE: _____	BLACK	()	()	()	TOWN ATTY. ()	I.T. ()
	CARSON	()	()	()	COMM. DEV. ()	POLICE ()
APPROVED ()	HAILEY	()	()	()	ELECTRIC ()	PUBLIC SERV. ()
DENIED ()	HARTWICK	()	()	()	ENGINEERING ()	OTHER _____ ()
DEFERRED TO:	JOHANNESSEN	()	()	()	FINANCE ()	
_____	SHOEN	()	()	()	FIRE DEPT. ()	
	STANLEY	()	()	()	H.R. ()	

**TOWN OF BEDFORD, VIRGINIA
TOWN COUNCIL
ACTION FORM**

ITEM: Resolution - Conditional Use Permit at 1100 Moneta Road for Automotive Repair Garage

DATE OF COUNCIL MEETING: September 27, 2022

DATE: September 20, 2022

PRESENTATION:

The subject property is located at 1100 Moneta Road (Route 122) (identified as Tax Parcel 146-A-88AT). The property is zoned B-2 and is owned by Raymond, Jake and Luke Paltauf. The owner's agent is William Yeager, PE, LS.

The applicant proposes to expand an automotive and equipment repair garage. Expansion of the automotive repair use requires a conditional use permit (CUP) be granted in the B-2 district. The owner would like to build the smaller 50'x40' building at this time. The larger 50'x100' building would be built in the future based on the CUP concept, if approved for a permit. If the use of the future building will not be Automotive Repair Garage as shown on the concept and application, a conditional use permit would need to be amended for any use that is not by right in the zoning district at that time.

"Automotive, Bus and Truck Mechanical and Body Repair Garages" can be permitted in the B-2 zoning district with a conditional use permit with the following required standards (language in the ordinance was amended in 2021):

Section 609.03. c. Automotive, bus, and truck mechanical and body repair garages provided:

1. All operations shall be conducted within a building which shall not have an opening within 100 feet of a residential district other than a stationary window;
2. There shall be no storage or placing of any parts or waste material outside such building;
3. All vehicles located outside the building must be in operating conditions at all times;
4. All drives, parking, and service areas shall be paved in addition to the other site requirements of section 702.04;
5. All service and operation areas, other than customer parking, shall be screened from view from any abutting street in accordance with the standards set forth in [section] 705.03c, such screening shall be required at all side and rear yards, and all other landscaping requirements of section 705.03 shall apply, notwithstanding the provisions of section 705.01; and
6. Any towing may only be ancillary to the garage.

(Ord. of 8-8-2000; Ord. No. 21-7, § 4, 6-22-2021)

The Planning Commission held a public hearing on September 1, 2022. The owner's agent was the only person who spoke in the hearing. The concern expressed by Commission members was siltation from run-off from the site to the Town-owned pond at Liberty Lake Park. The agent assured members that the erosion and sediment (E&S) control issues are being addressed and would be fully corrected as part of the E&S plan and permit that would be issued by Bedford County following a conditional use permit issuance. Another comment was that the location was appropriate since the site was not visible from the road. The Commission voted 6-0 to recommend approval to Council with conditions.

In its recommendation, the Commission recommended the following conditions as drafted by staff. These may be accepted, rejected or modified by Council; however, the six minimum standards in the zoning ordinance listed above may not be altered (condition 1).

1. The minimum standards required in Section 609.03.c. for Automotive, Bus and Truck Mechanical and Body Repair Garages shall apply.
2. Exterior storage of vehicles shall not be permitted on the site.
3. A towing business shall not be permitted.
4. The remaining undeveloped portion of the property shall be maintained as woods for stormwater management needs and shall provide a natural buffer to Liberty Lake Park (provided as the response to question 3 in the application).
5. The site shall be developed according to the "Erosion and Sediment Control Plan for Raymond Paltauf" dated November 16, 2021 as approved with the conditional use permit (prepared by Peace of Mind Property Services).
6. All required agency approvals shall be obtained, including Bedford Regional Water Authority, the Virginia Department of Health, Bedford County Natural Resources, or others for the final site plan as required.

Attachments:

- Staff Report for August 4 / September 5, 2022 Planning Commission meeting
- Application and Site Plan Sheet

ACTION REQUESTED:

Town Council is requested to consider adopting a Resolution to issue a Conditional Use Permit for Automotive, bus, and truck mechanical and body repair garage. As part of a Resolution approving the application for a Conditional Use Permit, Council may also impose recommended or new conditions. Council also has the option to not adopt the Resolution.

		YES	NO	OTHER	<u>ROUTING</u>	
DATE: _____	BLACK	()	()	()	TOWN ATTY. ()	I.T. ()
	CARSON	()	()	()	COMM. DEV. ()	POLICE ()
APPROVED ()	HAILEY	()	()	()	ELECTRIC ()	PUBLIC SERV. ()
DENIED ()	HARTWICK	()	()	()	ENGINEERING ()	OTHER _____ ()
DEFERRED TO:	JOHANNESSEN	()	()	()	FINANCE ()	
_____	SHOEN	()	()	()	FIRE DEPT. ()	
	STANLEY	()	()	()	H.R. ()	

RESOLUTION

PERMITTING AN AUTOMOTIVE, BUS AND TRUCK MECHANICAL AND BODY REPAIR GARAGE BY CONDITIONAL USE PERMIT

WHEREAS, the Planning Commission of the Town of Bedford held a public hearing on September 1, 2022 and recommended approval of the request with conditions; and

WHEREAS, the Town Council has held a public hearing after notice was given in the *Bedford Bulletin* once a week for two successive weeks as required by Virginia Code 15.2-2204; and

WHEREAS, Section 609.03.c. of the Land Development Regulations allows “Automotive, Bus and Truck Mechanical and Body Repair Garage” to be permitted with a conditional use permit in the B-2 zoning district; and

WHEREAS, the Town Council finds as a fact that the proposed use is consistent with the intent of the land development ordinance and the land use plan, and is in the public interest; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BEDFORD, VIRGINIA that a conditional use permit is granted to Raymond Paltauf at 1100 Moneta Road for property tax parcel 146-A-88AT to allow an “Automotive, Bus and Truck Mechanical and Body Repair Garage” with the following conditions:

1. The minimum standards required in Section 609.03.c. of the Zoning Ordinance for Automotive, Bus and Truck Mechanical and Body Repair Garages shall apply.
2. Exterior storage of vehicles shall not be permitted on the site.
3. A towing business shall not be permitted.
4. The remaining undeveloped portion of the property shall be maintained as woods for stormwater management needs and shall provide a natural buffer to Liberty Lake Park (provided as the response to question 3 in the application).
5. The site shall be developed according to the “Erosion and Sediment Control Plan for Raymond Paltauf” dated November 16, 2021 as approved with the conditional use permit (prepared by Peace of Mind Property Services).
6. All required agency approvals shall be obtained, including Bedford Regional Water Authority, the Virginia Department of Health, Bedford County Natural Resources, or others for the final site plan as required.

**Staff Memorandum – Conditional Use Permit Request
Town of Bedford Planning Commission – August 4, 2022**

Applicant: William Yeager, PE, LS for the owner
Property Owner: Ray Paltauf
Address of Subject Property: 1100 Moneta Road (VA Route 122)
Tax Map Numbers: 146-A-88AT
Lot Size: 10.8 acres
Existing Use: Automotive Repair Garage
Requested Use: Automotive Mechanical and Body Repair Garage
Zoning District: General Business District – B-2

Intent of B-2 Zoning District:

Section 601.02. *Intent of Business Districts B-1 and B-2.* The business districts have been designed to accommodate uses in a nodal development pattern. Provision is made for the conduct of general business to which the public requires direct and frequent access, but which is not characterized by either constant heavy trucking other than stocking and delivery of retail goods, or by any nuisance factors other than occasioned by incidental noise of congregation of people and passenger vehicles.

Request and Land Uses:

The property at 1100 Moneta Road is currently used for an automotive and equipment repair garage. Expansion of the automotive repair use requires a conditional use permit be granted in the B-2 district. The owner would like to build the smaller 50'x40' building at this time. The larger 50'x100' building would be built in the future based on this concept, if approved for a permit. If the use of the future building will not be Automotive Repair Garage, a conditional use permit would need to be amended for any use that is not by right in the zoning district at that time.

“Automotive, Bus and Truck Mechanical and Body Repair Garages” can be permitted in the B-2 zoning district with a conditional use permit with the following required standards (language in the ordinance was amended in 2021):

Section 609.03. c. Automotive, bus, and truck mechanical and body repair garages provided:

1. All operations shall be conducted within a building which shall not have an opening within 100 feet of a residential district other than a stationary window;
2. There shall be no storage or placing of any parts or waste material outside such building;
3. All vehicles located outside the building must be in operating conditions at all times;
4. All drives, parking, and service areas shall be paved in addition to the other site requirements of section 702.04;

5. All service and operation areas, other than customer parking, shall be screened from view from any abutting street in accordance with the standards set forth in [section] 705.03c, such screening shall be required at all side and rear yards, and all other landscaping requirements of section 705.03 shall apply, notwithstanding the provisions of section 705.01; and
6. Any towing may only be ancillary to the garage.
(Ord. of 8-8-2000; Ord. No. 21-7, § 4, 6-22-2021)

The property is behind Blossman Gas (on the left) and Ferguson Enterprises (on the right), and bounded by the Town of Bedford Liberty Lake Park at the rear. Land uses across Moneta Road / Route 122 include automotive-related uses, gas station/ convenience store and a restaurant.

Transportation:

The average daily vehicle traffic estimate on Route 122 at the location of the proposed expanded use is 6,700 vehicles per day (VDOT, 2019). One commercial entrance accesses the property and is shared by Blossman and Ferguson.

The use will generate relatively few additional vehicle trips based on the nature of the intended repair garage for “specialized vehicle modification and restoration” where traffic “will be mainly limited to employees, infrequent customers and deliveries of parts” according to the response to question 1 of the application.

Environment:

The site is subject to a Land Disturbance Permit for erosion and sediment control through Bedford County Natural Resources Division. Previous unpermitted land disturbance created a siltation issue into the pond at Liberty Lake Park (to the rear / east). This issue is being improved with various measures but has not been solved. Disturbance for development requires stabilization through the land disturbance permit, which has not been applied for with a plan.

Utilities and Other Site Considerations:

The site is not currently served by water or sewer. Water will be provided by the Bedford Regional Water Authority. A septic drainfield approved through the Virginia Department of Health or a connection to the BRWA sewer system will be required.

Conditional Use Permit Process:

If approved, the site plan will be the basis for the final site plan and include conditions, if any are placed by the Commission or Council. In evaluating the proposed conditional use, the Commission and Council should consider the following concerns from the zoning ordinance:

1. The effect of the proposed use on existing and projected traffic volumes and noise in the neighborhood;
2. The current and future need for the proposed use in the town and in the area; and
3. The character of the existing neighborhood and the effect of the proposed use on existing property values.

The applicant provided answers to these required questions.

Possible Conditions for conditional use permit issuance:

Conditions in Article VI of the Land Development Regulations for the various conditional uses are minimums. For this request, Article VI lists six specific requirements for “Automotive, Bus and Truck Mechanical and Body Repair Garages”. These are not conditional but mandatory.

In approving a proposed conditional use, the Commission may recommend and Council may stipulate such additional requirements as are necessary to the public interest. Staff is providing the following conditions for consideration. These may be accepted, rejected or modified, except the six required standards in the zoning ordinance may not be altered.

1. The minimum standards required in Section 609.03.c. for Automotive, Bus and Truck Mechanical and Body Repair Garages shall apply.
2. Exterior storage of vehicles shall not be permitted on the site.
3. A towing business shall not be permitted.
4. The remaining undeveloped portion of the property shall be maintained as woods for stormwater management needs and shall provide a natural buffer to Liberty Lake Park (provided as the response to question 3 in the application).
5. The site shall be developed according to the “Erosion and Sediment Control Plan for Raymond Paltauf” dated November 16, 2021 as approved with the conditional use permit (prepared by Peace of Mind Property Services).
6. All required agency approvals shall be obtained, including Bedford Regional Water Authority, the Virginia Department of Health, Bedford County Natural Resources, or others for the final site plan as required.

Planning Commission Action:

The Commission has 60 days within which to submit a recommendation to Town Council. If the Commission fails to submit a report within a 60-day period, it shall be deemed to have approved the proposed conditional use.

Attachments:

Aerial Photograph 2019 – parcel highlighted in blue.

Site Photographs

Application with Site Plan



Photographs

View into the Site from Moneta Road – taken from between Blossman and Ferguson



View from the Site to Moneta Road



Photographs

Existing Building



Existing Site – looking to area of proposed parking and buildings





Town of Bedford, Virginia
 Department of Planning & Community Development
 215 E. Main Street
 Bedford, VA 24523
 (540) 587-6021 • cjohnson@bedfordva.gov

For staff use

Date received: _____ Received by: _____
 \$150 Fee: _____ 2 Site plan copies: _____
 Zoning District: _____
 Owner's Authority Letter if applicable: _____

CONDITIONAL USE PERMIT APPLICATION

Please print or type. If not applicable, write N/A.

APPLICANT INFORMATION

Property Owner Name: Ray Paltauf
Address: 721 College Street, Bedford VA 24523
Phone: 203-223-8756 **Email:** crazyrays71@gmail.com
Applicant Name: William Yeager, PE LS - Peace of Mind Property Services, INC
Address: 119 S. Bridge Street, Bedford VA 24523
Phone: 540-586-4710 **Email:** mail@pom-property.com
Primary Contact: Ray Paltauf
Address: _____
Phone: _____ **Email:** _____

PROPERTY INFORMATION

Location address: 1100 Moneta Road
Business Name (current or future): Crazy Rays
Zoning District: B2 - General Business
Current Use of Property: Garage/Storage
Tax Map Number: 146-A-88A T **RPC Number:** 14609400

APPLICATION INFORMATION

What specific land use are you requesting from the Land Development Regulations / Zoning Ordinance?

Automotive - Mechanical/Body Repair - Specialized vehicle modification and restoration

Please summarize the grounds upon which this request is based (attach additional sheets if necessary).
 The proposed conditional use for B2-General Business Section 609.03 (c) Automotive Mechanical/Body Repair garages is necessary for the
 continual operation and expansion of the owner's business and to become compliant with the Town's LD Regulations/Zoning Ordinance.

To evaluate the proposed conditional use, please address the following concerns:

1. List the effect of the proposed use on existing and projected traffic volumes and the increase of noise in the neighborhood.

The existing and proposed expansion of the business will not have any negative effect on traffic volumes or excess noise. The business which specializes in automotive modification and restoration is not a high turn-over type of operation. Daily vehicle trip generation will be mainly limited to employees, infrequent customers, and deliveries of parts.

2. Will the conditional use affect the current and future need for the proposed use in the town and in the area?

The conditional use for this particular proposal will not have a negative affect on the area and will actually be a benefit for those needing their services.

3. How will this conditional use affect the character of the existing neighborhood and existing property values?

The approval of the conditional use will not affect the character of the neighborhood or the existing property values and will generally be an appropriate land use for the parcel and for the area. The remaining undeveloped portion of the property will be maintained as woods for stormwater management needs and will provide a natural buffer to Liberty Lake Park.

CERTIFICATION

I hereby certify that this application is complete and accurate to the best of my knowledge. I authorize staff for the Town of Bedford to enter the property for purposes of reviewing this request and for placing a sign as notice of public hearings. I have provided a site plan and the required application fee. I understand that I am responsible for all advertising fees associated with placing required legal notices in newspapers or other media.

Applicant Signature: _____

Date: July 1, 2022

Print Name: William Yeager

Staff Use Only:

Planning Commission meeting date(s) _____

Recommendation from Planning Commission _____

Town Council public hearing date(s) _____


Action taken by Town Council (Approval/ Denial) _____

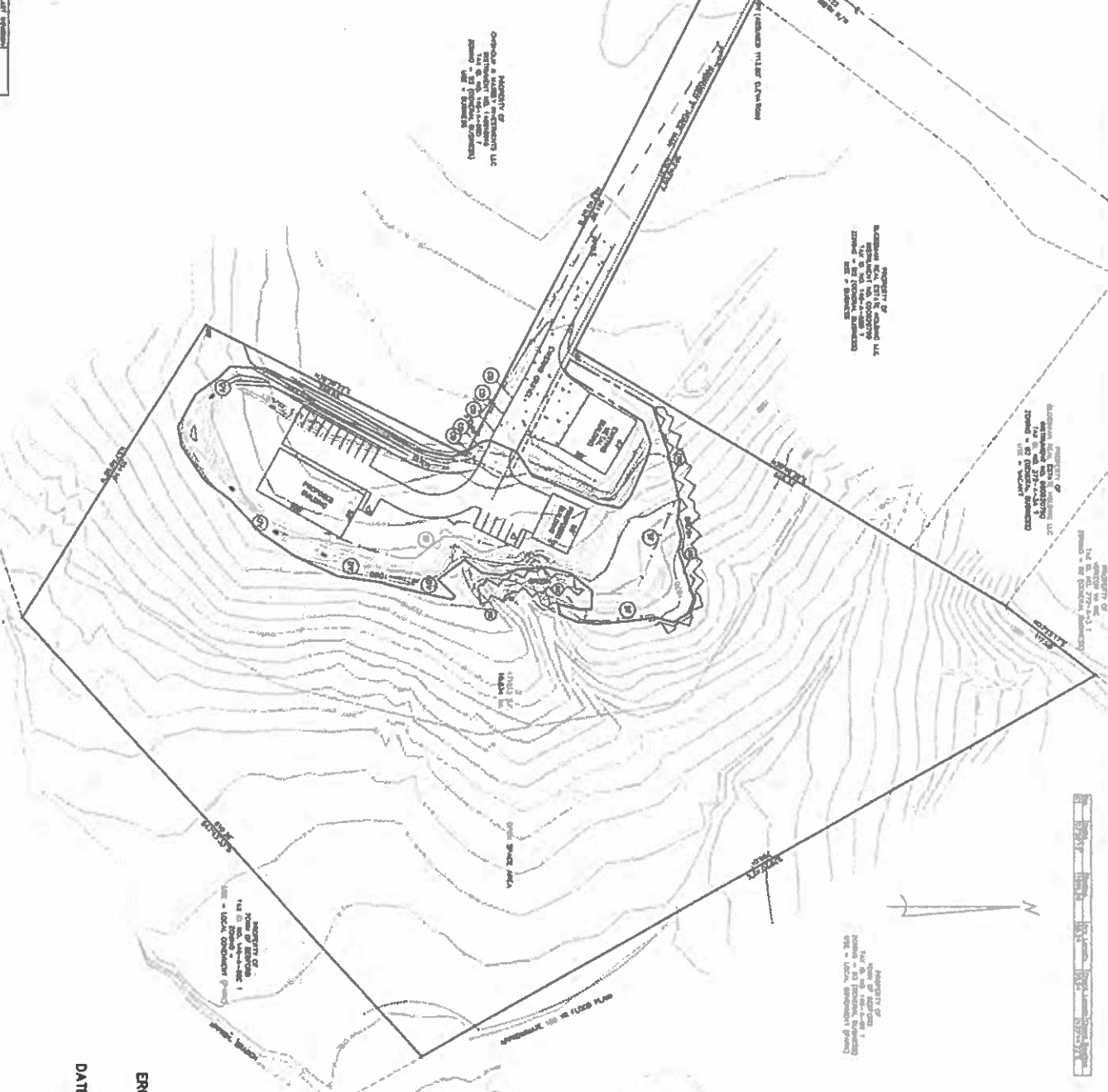
Were conditions placed on the Conditional Use? _____

Zoning permit issuance date _____

Building permit issuance date _____

Business license issuance date if commercial _____


PALTAUF & ASSOCIATES, INC.
 CONSULTING, ARCHITECTURAL, PLANNING & SURVEYING
 148 S. BRIDGE ST.
 BEDFORD, VA 24521
 PHONE (540) 426-1110 FAX (540) 426-1127
 WWW.PALTAUF.COM



- LEGEND**
- 1" = 10' ROAD
 - 2" = 20' ROAD
 - 4" = 40' ROAD
 - 6" = 60' ROAD
 - 8" = 80' ROAD
 - 10" = 100' ROAD
 - 12" = 120' ROAD
 - 14" = 140' ROAD
 - 16" = 160' ROAD
 - 18" = 180' ROAD
 - 20" = 200' ROAD
 - 22" = 220' ROAD
 - 24" = 240' ROAD
 - 26" = 260' ROAD
 - 28" = 280' ROAD
 - 30" = 300' ROAD
 - 32" = 320' ROAD
 - 34" = 340' ROAD
 - 36" = 360' ROAD
 - 38" = 380' ROAD
 - 40" = 400' ROAD
 - 42" = 420' ROAD
 - 44" = 440' ROAD
 - 46" = 460' ROAD
 - 48" = 480' ROAD
 - 50" = 500' ROAD
 - 52" = 520' ROAD
 - 54" = 540' ROAD
 - 56" = 560' ROAD
 - 58" = 580' ROAD
 - 60" = 600' ROAD
 - 62" = 620' ROAD
 - 64" = 640' ROAD
 - 66" = 660' ROAD
 - 68" = 680' ROAD
 - 70" = 700' ROAD
 - 72" = 720' ROAD
 - 74" = 740' ROAD
 - 76" = 760' ROAD
 - 78" = 780' ROAD
 - 80" = 800' ROAD
 - 82" = 820' ROAD
 - 84" = 840' ROAD
 - 86" = 860' ROAD
 - 88" = 880' ROAD
 - 90" = 900' ROAD
 - 92" = 920' ROAD
 - 94" = 940' ROAD
 - 96" = 960' ROAD
 - 98" = 980' ROAD
 - 100" = 1000' ROAD

EROSION AND SEDIMENT CONTROL PLAN

FOR
RAYMOND PALTAUF
 TOWN OF BEDFORD, VA.
 DATE: NOVEMBER 16, 2021 SCALE: 1"=50'
 TAX ID. NO. 146-A-98A T
 A-88ADWC FB302

