



**Colonial Heights**  
**City Council Regular Meeting**  
**December 10, 2019**

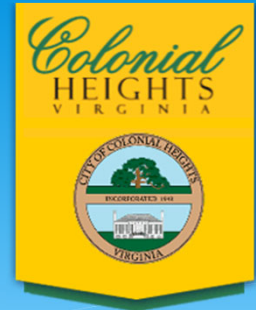
# Colonial Heights City Council Meeting

## December 10, 2019



- 1. Call to Order**
- 2. Roll Call**
- 3. Devotion – The Honorable T. Gregory Kochuba**
- 4. Pledge of Allegiance**
- 5. Adoption of Agenda**
- 6. Declarations of Personal Interest**

# Colonial Heights City Council Meeting December 10, 2019



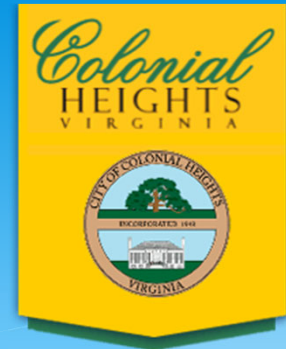
## **7. Commendations And Presentations:**

### ***A. Brief Presentation By The Mayor Kochuba Of Resolution No. 19-57***

#### *1. A RESOLUTION NO 19-57*

*Requesting that the General Assembly of the Commonwealth of Virginia refrain from taking any action which would restrict the citizens of Colonial Heights from exercising their rights under the Second Amendment of the United States Constitution.*

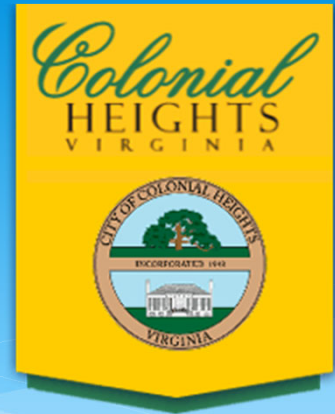
# Colonial Heights City Council Meeting December 10, 2019



## **7. Commendations And Presentations:**

***B. Presentation Of The FY2019  
Comprehensive Annual Financial Report  
(CAFR) By The Finance Director And  
Representatives From Brown, Edwards,  
And Company L.L.P.***

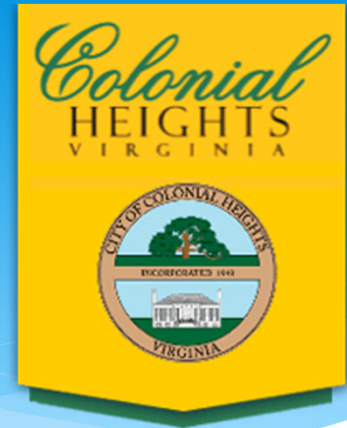
# Colonial Heights City Council Meeting December 10, 2019



## **8. Reading of Manner Addressing Council**

**ANY MEMBER OF THE PUBLIC addressing the Council shall approach the lectern, give his name and address in an audible tone of voice for the record, AND ADDRESS THE COUNCIL AS A BODY RATHER THAN SPEAK TO ANY MEMBER. Unless further time is granted by the Council, ANY MEMBER OF THE PUBLIC shall address the Council for a maximum of five (5) minutes, regardless of the number of issues he desires to discuss. PROVIDED however, that the main proponent of any application, petition, or plan that is the subject of a public hearing shall be allowed to address the Council initially for a maximum of ten (10) minutes and later in rebuttal for a maximum of three (3) minutes.**

# Colonial Heights City Council Meeting December 10, 2019



## 9. Written Petitions and Communications

***A. Gordon Robbins, 3623 Spruce Avenue - Requests To Address Council Regarding Virginia's Inclusion In The Convention Of States***

# Colonial Heights City Council Meeting December 10, 2019



## 10. Advertised Public Hearings

### **A. AN ORDINANCE NO 19-19**

*(First Reading) Amending § 244-14 of Chapter 244, Solid Waste, of the Colonial Heights City Code, by changing the required location of solid waste and recycling cans and containers, providing an exception for the location of solid waste and recycling cans and containers for the owners or tenants of certain multifamily housing, and providing an exception for those customers receiving certain assistance in rolling cans and containers to the street and rolling them back toward a residence.*

## § 244-14 SUPERVISION OF COLLECTION; CANS AND CONTAINERS PREVIOUS ORDINANCE

Except for the time period specified in this subsection that a can or container may remain in the City right-of-way, all solid waste and recycling cans and containers **shall remain in a location behind the front plane of the residence or business.**



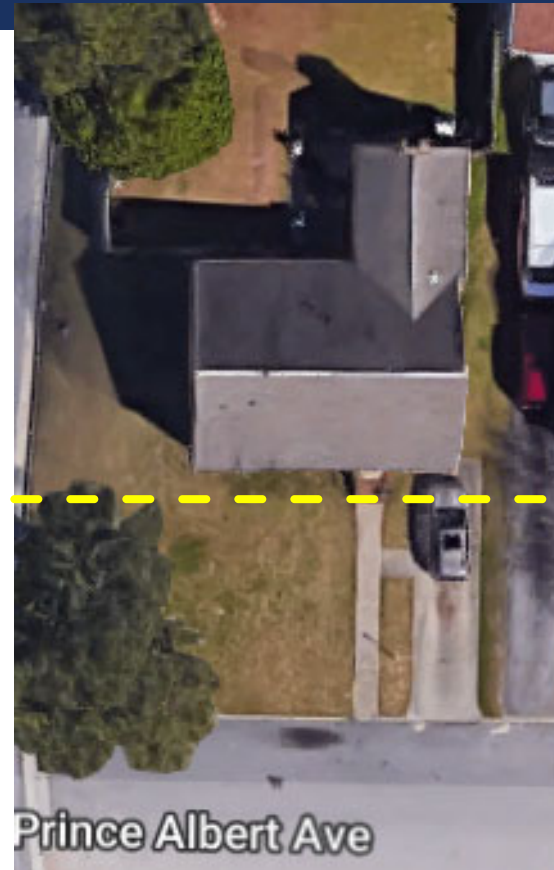
## § 244-14 SUPERVISION OF COLLECTION; CANS AND CONTAINERS NEW ORDINANCE

Except for the time period specified in this subsection that a can or container may remain in the City right-of-way, all solid waste and recycling cans and containers **shall remain in a location behind ~~the front plane of the residence or business~~ the part of the residence or business that is closest to the City right-of-way.**

## BRIJADAN LANE



# PRINCE ALBERT AVENUE





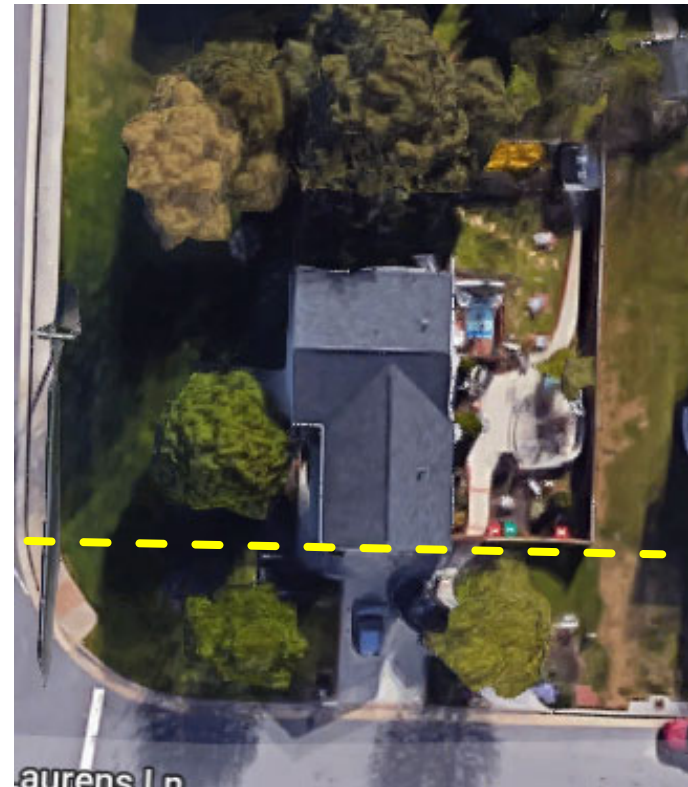
## WINDSOR AVE



# MAPLE AVE



# LAURENS LANE

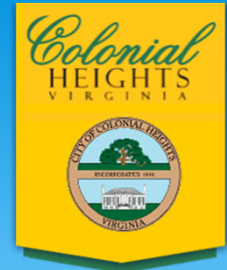




## WRIGHT AVE



# Colonial Heights City Council Meeting December 10, 2019



## **10. Advertised Public Hearings**

### ***B. AN ORDINANCE NO 19-23***

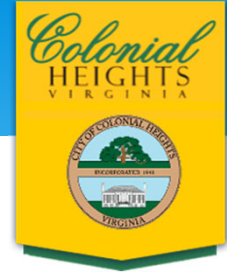
*(First Reading) Amending §§ 98-42 and 98-43 of Chapter 98, Animals, of the Colonial Heights City Code; adding new §§ 98-42.1 and 98-43.1 to Chapter 98; and amending § 258-500.04 of Chapter 286, Zoning, of the City Code, all relating to allowing up to three female chickens, and associated pens or coops, to be kept as an accessory use to a primary residential use type.*



## **Planning Commission Resolution 19-7**

Recommending the approval of **Ordinance 19-23**, to amend § 286-500.04 of City Code Chapter 286, “Zoning”, to allow the keeping of up to three female chickens as an accessory use on residentially-zoned property, subject to complying with various provisions in City Code Chapter 98, “Animals”. The ordinance specifies that: (i) all chickens shall be kept at all times within an enclosed area in a backyard; (ii) any structure, pen, or coop for the keeping of chickens shall be a minimum area of 10 square feet per chicken; (iii) roosters, ducks, and geese shall not be kept anywhere in the City; and (iv) an Animal Control Officer may inspect the area in which chickens are kept to ensure compliance with the law.

Planning Commission recommended disapproval (5-1-1).



## **10. Advertised Public Hearings**

### **C. AN ORDINANCE NO 19-26**

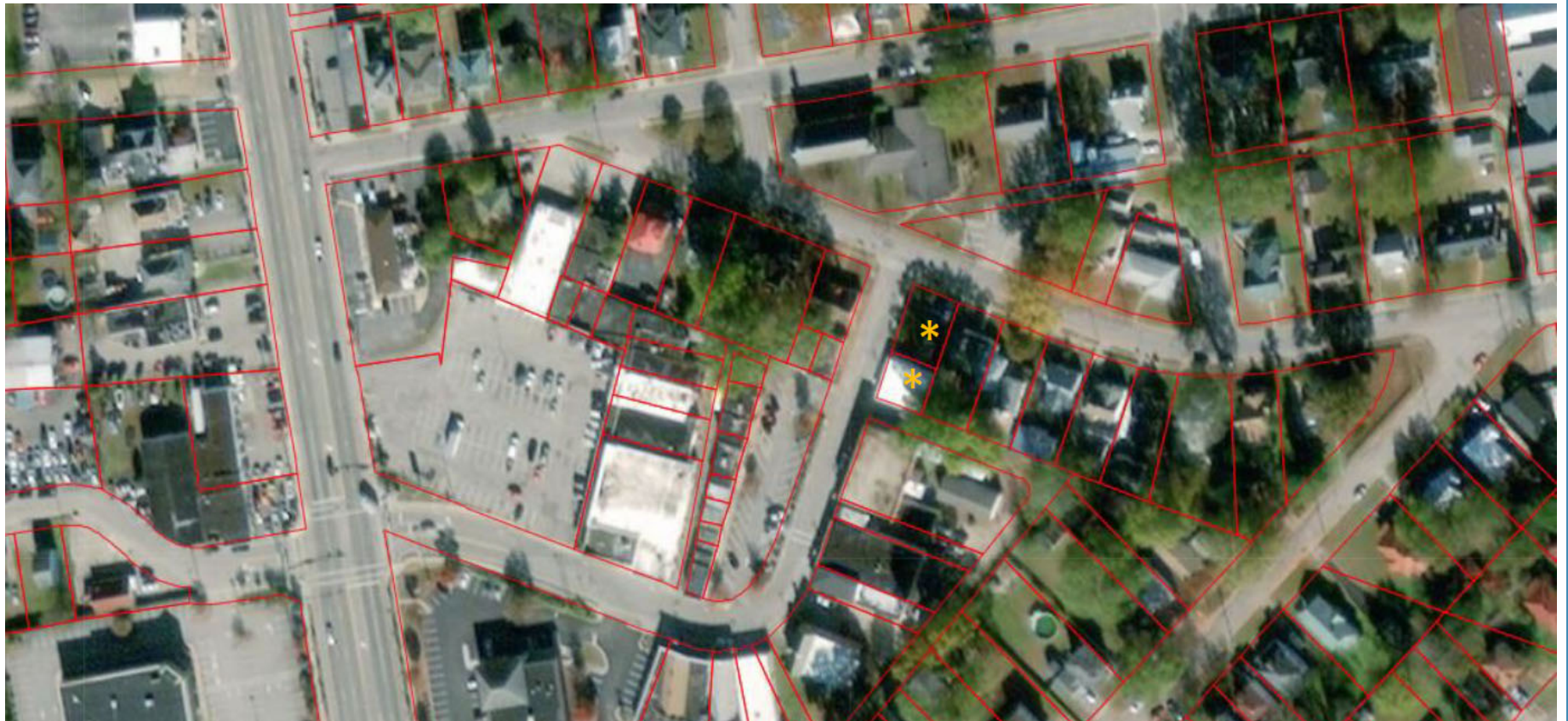
*(First Reading) To change the land use classification of a tract of approximately 0.1358 acre of real property on the Land Use Plan Map, which is part of the City Comprehensive Plan (i.e., Master Plan), from Transitional Office to Community Commercial. The approximate 0.1358 acre tract is known as Chesterfield Highlands, Block 5, Lots 19, 19A, 20, and 20A, parcel identification numbers 4000010520 and 4000010520A; with a physical address of 137 Pickwick Avenue.*

## **Introduction of Ordinance 19-26 and 19-27 Request for Land Use Amendment & Rezoning**

<b>Applicant</b>	Pickwick Development LLC Mr. Joseph “Joey” Cummings & Mr. Mark Cummings
<b>Location</b>	137 Pickwick Avenue 40000105020 and 4000010520A
<b>Request</b>	Change Land Use Plan Map from Transitional Office to Community Commercial (Ord 19-26) Change Zoning Classification from RO Residential Office to BB Boulevard Business (Ord 19-27)
<b>Proposal</b>	Mr. Joey Cummings proposes to turn his food truck business “SouthernSpun LLC” into a bricks-and-mortar restaurant and to use the attached vacant lot as parking for the business. The current classification in the Land Use Plan Map and Zoning does not permit a restaurant, the request amends to classifications that permit restaurant use.

## **Introduction of Ordinance 19-26 and 19-27**

### **137 Pickwick Avenue**







Existing



Proposed Concept

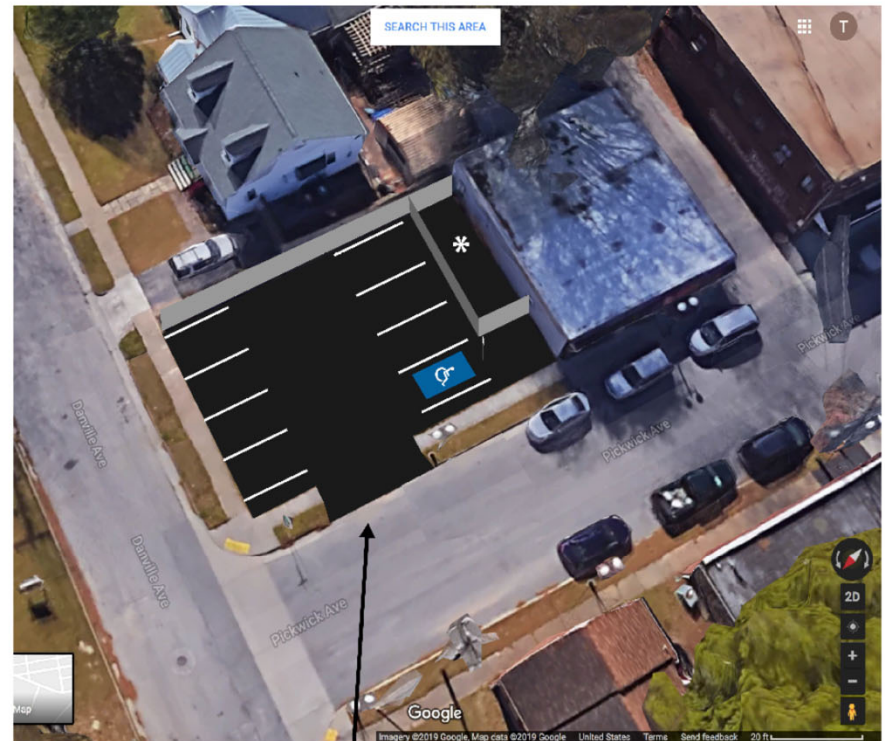
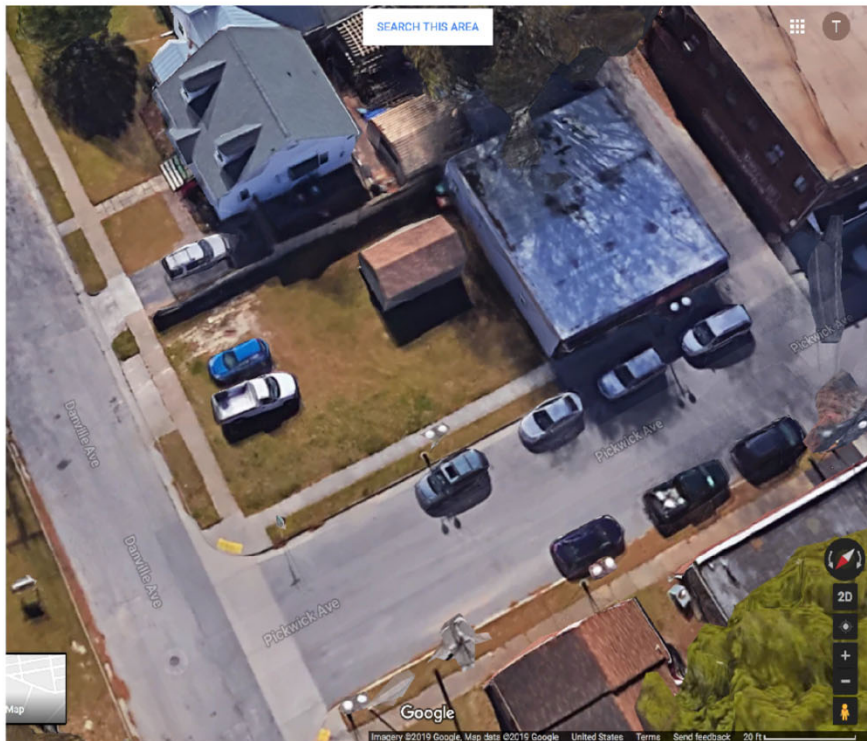


PICKWICK  
DEVELOPMENT, LLC

## Parking Lot & Facade Update

\*FENCED AREA  
-Trash cans/Grease Disposal

Proposed Entry  
2-Way



**Proposed Entry  
2-Way**

**\*FENCED AREA  
-Trash cans/Grease Disposal**

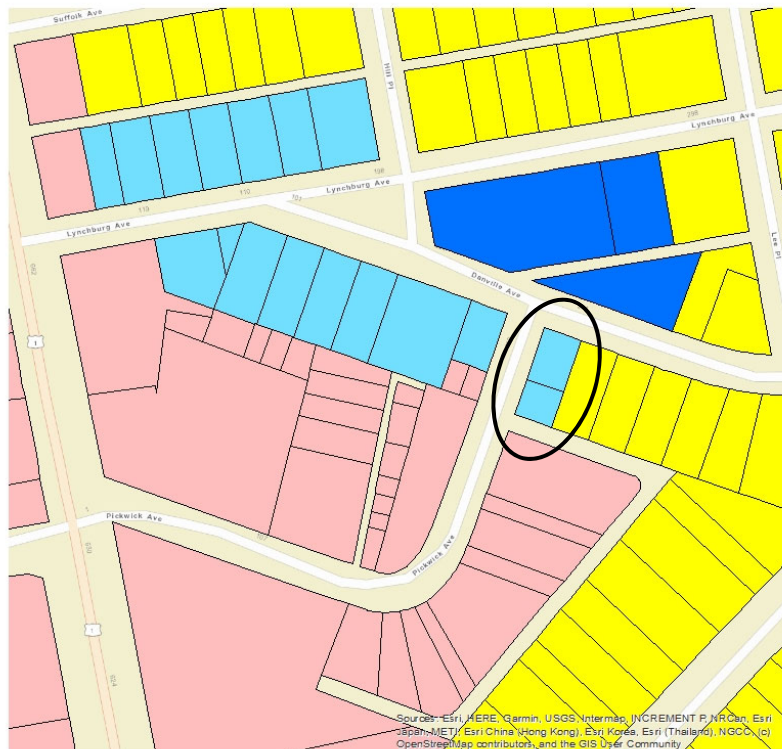
## **Planning Commission Resolution 19-5**

Recommending the approval of **Ordinance No. 19-26**, to change the land use classification of a tract of approximately 0.1358 acre of real property on the Land Use Plan map, which is part of the City Comprehensive Plan (i.e., Master Plan), from Transitional Office to Community Commercial. The approximate 0.1358 acre tract is known as Chesterfield Highlands, Block 5, Lots 19, 19A, 20, and 20A, parcel identification numbers 40000105020 and 4000010520A; with a physical address of 137 Pickwick Avenue.

Planning Commission Recommended Approval (6-0-1)



# City of Colonial Heights Comprehensive Plan 2044 Land Use Plan

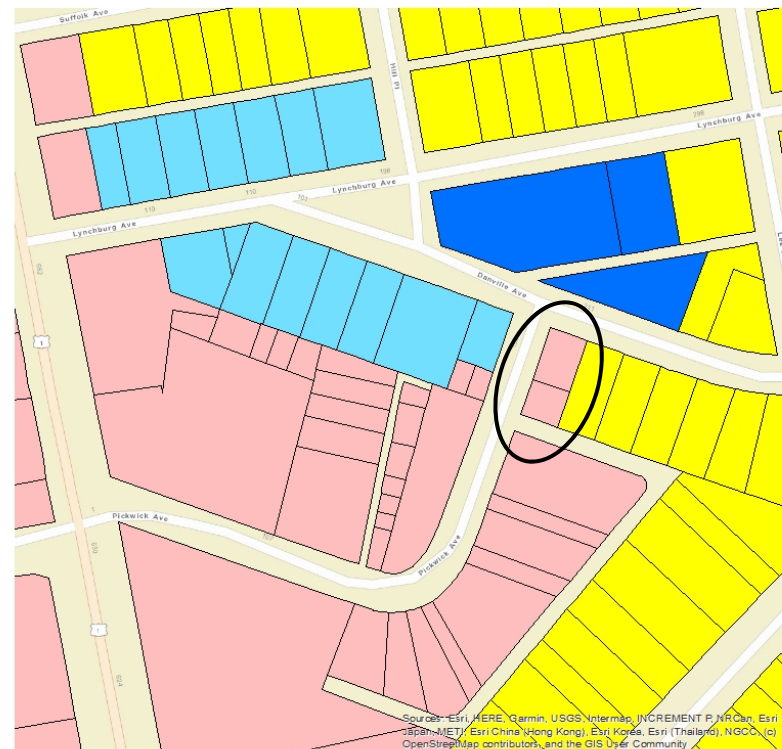


Map 2

<all other values>	Civic/Institutional	Industrial	Mixed Use
Comp_Plan1	Community Commercial	Low Density Single-Family	Multi-Family
	General Commercial	Medium Density Single-Family	Public and Open Space
		Transitional Office	

# City of Colonial Heights Comprehensive Plan 2044 Land Use Plan

Ordinance No. 19-26



Map 2

<all other values>	Civic/Institutional	Industrial	Mixed Use
Comp_Plan1	Community Commercial	Low Density Single-Family	Multi-Family
	General Commercial	Medium Density Single-Family	Public and Open Space
		Transitional Office	



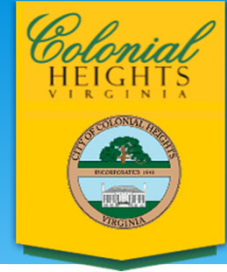
## **Transitional Office**

The primary use in the Transitional Office classification are low-to-medium intensity professional, business and administrative offices, and medical and dental clinics that are compatible with adjacent residential uses and serve as separation between residential areas and nearby commercial or other higher intensity land uses or features. The scale and intensity of such office uses may vary depending on the density and type of residential uses they are intended to buffer. The zoning district that would accommodate this land use category is RO (Residential Office) and PUD (Planned Unit Development).

## **Community Commercial**

Community Commercial - The primary uses in the Community Commercial classification include office, retail, personal service and other commercial and service uses, intended to provide the shopping and service needs of residents of a number of nearby neighborhoods and other City residents. This category includes a range of uses with vehicular access and orientation, but that are also compatible with nearby residential areas. The zoning district that would accommodate this land use category is BB (Boulevard Business) and in some instances GB (General Business).

# Colonial Heights City Council Meeting December 10, 2019



## 10. Advertised Public Hearings

### **D. AN ORDINANCE NO 19-27**

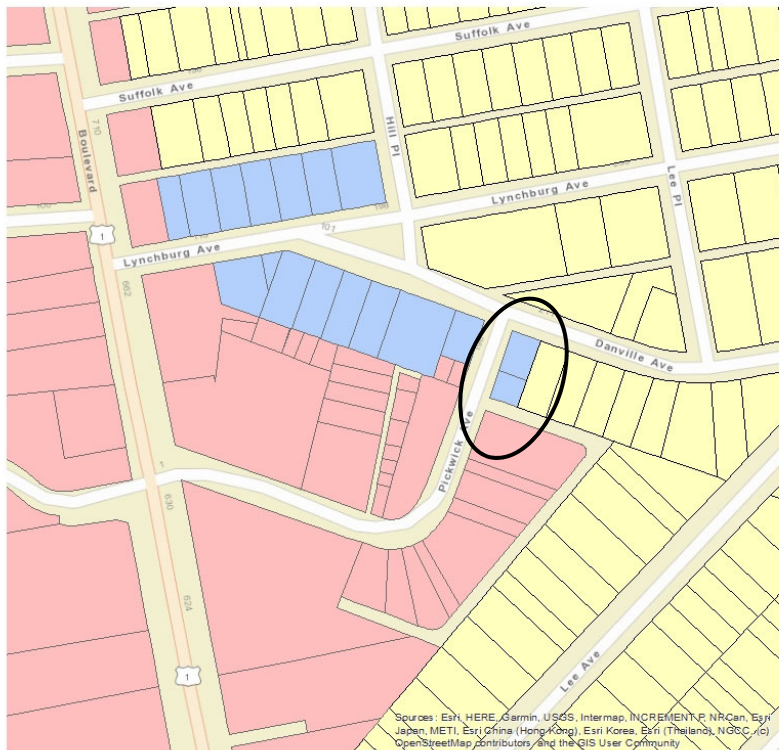
*(First Reading) To change the zoning classification of an approximate 0.0819 acre parcel with parcel identification number 40000105020, and of an approximate 0.0539 acre parcel with parcel identification number 40000105020A, collectively known as 137 Pickwick Avenue, from RO Residential Office District to BB Boulevard Business District; and to amend the Zoning Map accordingly.*

## **Planning Commission Resolution 19-6**

Recommending the approval of **Ordinance No. 19-27**, to change the zoning classification of an approximate 0.0819 acre parcel with parcel identification number 40000105020, and of an approximate 0.0539 acre parcel with parcel identification number 4000010520A, collectively known as 137 Pickwick Avenue, from RO Residential Office District to BB Boulevard Business District; and to amend the Zoning Map accordingly.

Planning Commission Recommended Approval (5-1-1)

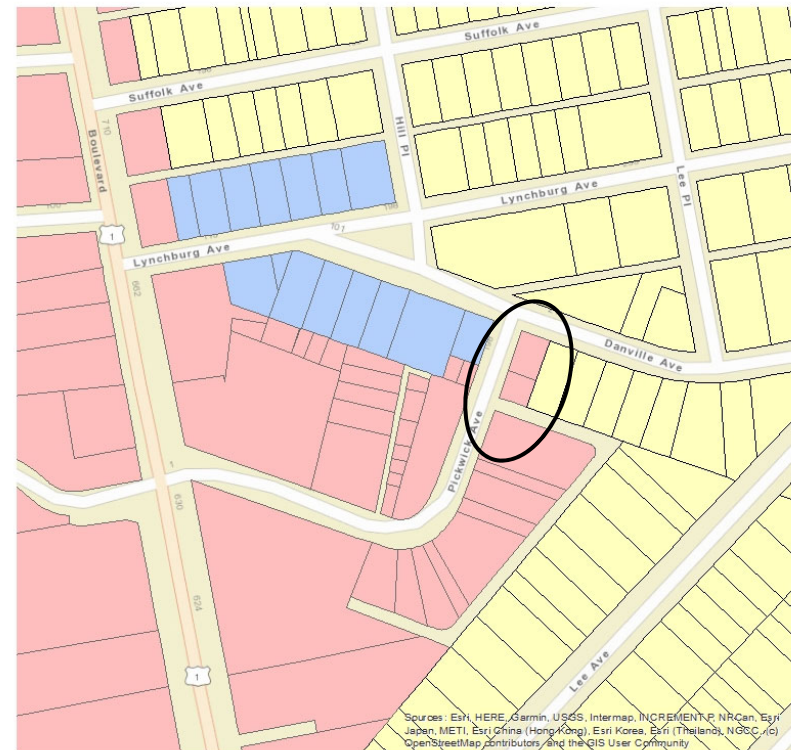
## City of Colonial Heights Zoning Districts



### Legend

RH	BB
RL	GB
RM	I
RO	PUD

## City of Colonial Heights Zoning Districts Ordinance No. 19-27



### Legend

RH	BB
RL	GB
RM	I
RO	PUD

## **RO Zoning – Permitted Uses**

### **Residential use types:**

Accessory apartment\*  
Duplex\*  
Family day care home\*  
Group home  
Home occupation\*  
Single-family dwellings, attached\*  
Single-family dwellings, detached

### **Civic use types:**

Governmental service  
Guidance service  
Park and ride facility\*  
Post office  
Religious assembly\*  
Safety service\*  
Utility service, major (S)\*  
Utility service, minor

### **Office use types:**

Financial institution  
General office  
Laboratory  
Medical office

### **Commercial use types:**

Day care center\*  
Studio, fine arts

### **Miscellaneous use types:**

Amateur radio tower\*

## BB Zoning – Permitted Uses

### Residential use types:

Duplex\*  
Home occupation\*  
Multi-family dwelling (S)\*  
Single-family dwellings, attached (S)\*  
Single-family dwellings, detached

### Civic use types:

Assisted care residence  
Club\*  
Crisis center  
Cultural service  
Educational facilities, college/university (S)\*  
Governmental service  
Guidance service  
Halfway house (S)  
Life care facility  
Nursing home  
Park and ride facility\*  
Post office  
Public assembly (S)  
Public parks and recreational areas\*  
Religious assembly\*  
Safety service\*  
Utility service, major (S)\*  
Utility service, minor

### Office use types:

Financial institution  
General office  
Laboratory  
Medical office  
Substance abuse clinic (S)

### Commercial use types:

Agricultural service  
Antique shop  
Automobile dealership, new\*  
Automobile dealership, used\*  
Automobile parts/supply, retail  
Automobile rental/leasing  
Automobile repair service, major\*  
Automobile repair service, minor\*  
Bed and breakfast\*  
Business support service  
Business/trade schools  
Car wash\*  
Commercial indoor sports and recreation  
Communications service  
Construction sales and service\*  
Consumer repair service  
Convenience store

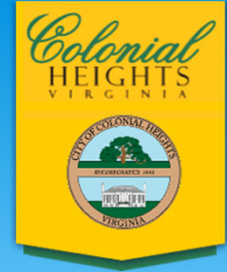
### Commercial use types (continued):

Day care center\*  
Equipment sales and rental\*  
Extended stay lodging  
Flea market (S)  
Funeral service  
Garden center\*  
Gasoline station  
Hotel/motel/motor lodge  
Itinerant merchant\*  
Laundry  
Mobile food unit\*  
Personal improvement service  
Personal services\*  
Private farmers' market\*  
Recreational vehicle sales and service\*  
Restaurant, family  
Restaurant, fast food or drive-in  
Restaurant, general  
Retail sales  
Studio, fine arts  
Veterinary hospital/clinic\*

### Miscellaneous uses:

Amateur radio tower\*  
Parking facility, surface/structure (S)\*  
Tower (S)\*

# Colonial Heights City Council Meeting December 10, 2019



## 10. Advertised Public Hearings

### ***E. AN ORDINANCE NO 19-28***

*(First Reading) Amending § 286-200 of Chapter 286, Zoning, of the Colonial Heights City Code by adding a definition of “donation collection bin” and adding a § 286-530.26 to Chapter 286, prohibiting the placement or location of donation collection bins anywhere in the City.*



## **Ordinance No. 19-28**

### **History**

#### **October 15, 2019 City Council Special Meeting**

Planning Staff presented an overview of donation bins in the City, a list of localities that regulate donation bins and the typical regulations associated with donation bins. City Council voted (5-2) to move forward on an ordinance to prohibit donation bins.

#### **November 5, 2019 Planning Commission Meeting**

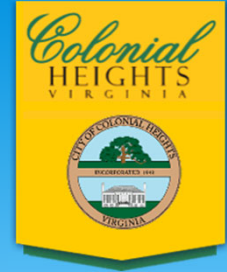
Planning Commission recommended (6-0-1) the approval of Ordinance 19-28, amending § 286-200 of Chapter 286, Zoning, of the Colonial Heights City Code by adding a definition of “donation collection bin” and adding a § 286-530.26 to Chapter 286, prohibiting the placement or location of donation collection bins anywhere in the City.



**Ordinance No. 19-28**  
**October 2019 Donation Bin Field Survey**

	Number	Sites
Citywide	26	15
Boulevard Business	11	8
General Business	15	7

# Colonial Heights City Council Meeting December 10, 2019

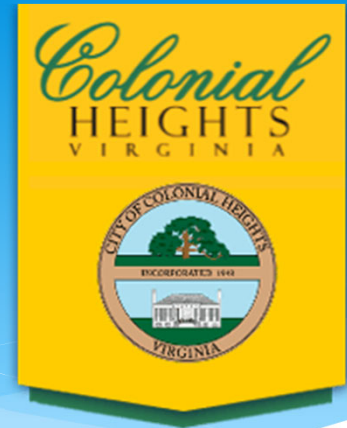


## 10. Advertised Public Hearings

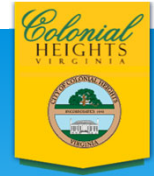
### ***F. AN ORDINANCE NO 19-30***

*(First Reading) Approving the Chief Elected Officials Consortium Agreement as part of the Crater Regional Workforce Development Board for Local Workforce Area 15 and authorizing the Mayor to execute the Agreement.*

# Colonial Heights City Council Meeting December 10, 2019



## **11. Hearing of Citizens Generally on Non-Agenda Items**



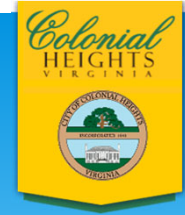
# Colonial Heights City Council Meeting December 10, 2019

## **12.Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

### ***A. AN ORDINANCE NO 19-22***

*(Second Reading) To grant a special use permit, with conditions, to the Colonial Heights School Board to upgrade existing signage to allow for a 16 square foot internally illuminated sign and a 17.9 square foot electronic message board on the existing freestanding sign structure at Tussing Elementary School, 5501 Conduit Road.*

# Colonial Heights City Council Meeting December 10, 2019

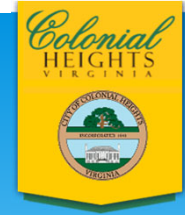


## **12.Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

### ***B. AN ORDINANCE NO 19-24***

*(Second Reading) Adding Article IV to Chapter 273, Vehicles and Traffic, of the Colonial Heights City Code to regulate electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards, and motorized scooters.*

# Colonial Heights City Council Meeting December 10, 2019



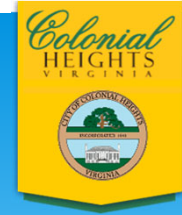
## **12. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

### ***C. AN ORDINANCE NO 19-29***

*(Second Reading) Awarding the City Clerk a 5% bonus.*

# Colonial Heights City Council Meeting

## December 10, 2019



### **12.Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

#### ***D. AN ORDINANCE NO 19-FIN-20***

*(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, by appropriating \$292,009, which consists of: 1) \$3,602 in Byrne JAG Grant funds for police equipment; 2) \$100,000 from assigned fund balance for equipment on the new Fire Department Ladder Truck; and 3) \$188,407 in anticipated SAFER grant funds and transfer \$107,965 from contingency for the Fire Department in the current fiscal year.*

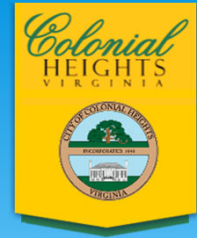
## **12.Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

### ***D. AN ORDINANCE NO 19-FIN-20 continued...***

*To amend the Capital Projects Fund Budget for the fiscal year beginning July 1, 2019 and ending June 30, 2020, by appropriating \$45,927, which consists of: 1) \$47,665 transferred from development projects to technology projects for the replacement of video equipment in Council chambers and mobile data computers in public safety vehicles; 2) \$33,904 transferred from the facilities master plan and \$20,169 transferred from the redevelopment project to the Violet Bank restoration Phase I project; 3) to reduce anticipated Cameron Foundation Grant funds from \$98,561 to \$43,715 and appropriate \$773 in interest earnings for the Violet Bank restoration Phase I project; and 4)\$100,000 transfer from the general fund assigned fund balance to the fire apparatus project for equipment for the new ladder truck.*



# Colonial Heights City Council Meeting December 10, 2019

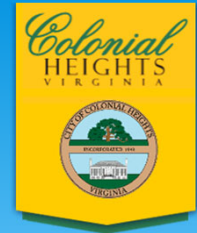


## **12.Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

***E. October 8, 2019 Special Meeting Minutes***

***F. October 15, 2019 Special Meeting Minutes***

# Colonial Heights City Council Meeting December 10, 2019

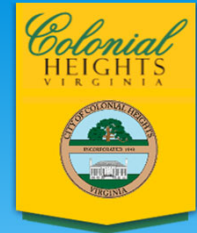


## **13. Introduction And Consideration Of Ordinances And Resolutions:**

### ***A. A RESOLUTION O 19-60***

*Approving a Special Project Service Agreement with the Central Virginia Waste Management Authority for Appliance and Scrap Metal Delivery and Recycling Services, and the First Amendment to such Agreement.*

# Colonial Heights City Council Meeting December 10, 2019

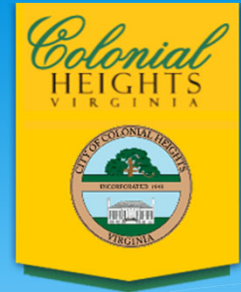


## **13. Introduction And Consideration Of Ordinances And Resolutions:**

### ***B. A RESOLUTION NO 19-61***

*Approving three Water Connection Agreements, whereby the City will furnish a supply of public water to serve three residences in Chesterfield County; and authorizing the City Manager to execute the Agreements.*

# Colonial Heights City Council Meeting December 10, 2019



## **14. Unfinished Business, Contested Ordinances And Resolutions, And Items Removed From The Consent Agenda:**

***None***

# Colonial Heights City Council Meeting December 10, 2019



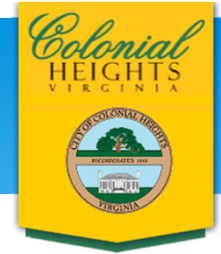
## **15. Reports of Officers and Documents Related Thereto:**

### ***A. City Manager (continued):***

#### ***1. Updated Draft Agenda For City Council Retreat***



# Colonial Heights City Council Meeting December 10, 2019



## **15. Reports of Officers and Documents Related Thereto:**

### ***A. City Manager (continued):***

#### ***2. General Activity Report***

##### *➤ Dates of Interest*

<u>January</u>	<u>February</u>	<u>March</u>
<u>January 7<sup>th</sup> (7:00 pm) – Tentative Planning Commission Meeting – Council Chambers</u>	<u>February 4<sup>th</sup> (7:00 pm) – Planning Commission Meeting – Council Chambers</u>	<u>March 4<sup>th</sup> (7:00 pm) – Tentative Planning Commission Meeting – Council Chambers</u>
<u>January 14<sup>th</sup> (7:00 pm) – City Council Regular Meeting – Council Chambers</u>	<u>February 11<sup>th</sup> (7:00 pm) – City Council Regular Meeting – Council Chambers</u>	<u>March 10<sup>th</sup> (7:00 pm) – City Council Regular Meeting – Council Chambers</u>
<u>January 17-18<sup>th</sup> (2:00 pm) City Council Retreat – Smithfield Plantation</u>	<u>February 18<sup>th</sup> (6:00 pm) City Council Special Meeting – Council Chambers</u>	<u>March 17<sup>th</sup> (6:00 pm) City Council Special Meeting – Council Chambers</u>

# Community Events

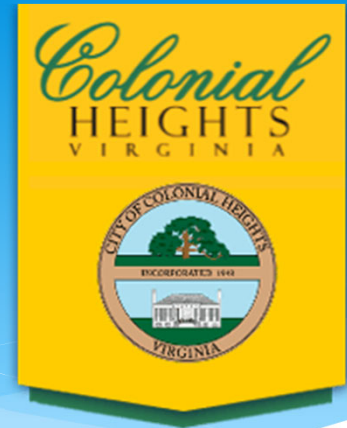
- Violet Bank Museum Candlelit Open House: 6:00-8:00pm on December 13, 14, and 15<sup>th</sup>, 2020.
- Democratic Presidential Primary Election: 6:00am-7:00pm on March 3<sup>rd</sup>, 2020.

## HOLIDAYS



- December 24<sup>th</sup> & 25<sup>th</sup>, 2019: City Holidays – Christmas (Government Offices Closed.)
- January 1, 2020: City Holiday – New Year's Day (Government Offices Closed.)
- January 20, 2020: City Holiday – Lee-Jackson-King Day (Government Offices Closed.)
- February 17, 2020: City Holiday – President's Day (Government Offices Closed.)

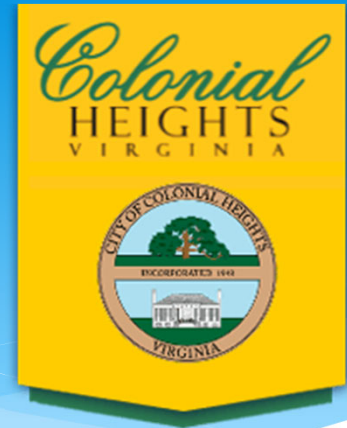
# Colonial Heights City Council Meeting December 10, 2019



## **15. Reports of Officers and Documents Related Thereto cont.:**

### ***B. City Attorney***

# Colonial Heights City Council Meeting December 10, 2019

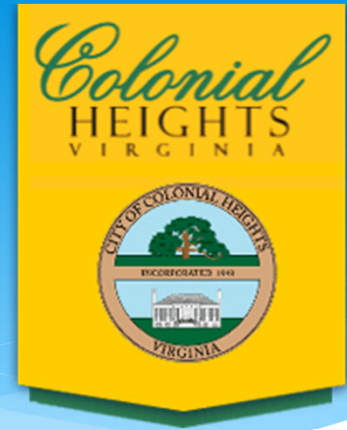


## 15. Reports of Officers and Documents Related Thereto cont.:

### ***C. Director of Planning and Community Development***

***1. December 2019 Planning Department Summary Monthly summary of activities completed by Planning Commission.***

# Colonial Heights City Council Meeting December 10, 2019



## **16. Adjournment**





**Colonial Heights**  
**City Council Regular Meeting**  
**December 10, 2019**