

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 1

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Lynchburg Sesquicentennial Committee**

RECOMMENDATION: Adopt a resolution designating Mr. Kevin Shroyer to serve as the liaison between the Lynchburg Sesquicentennial Committee and The Virginia Sesquicentennial of the American Civil War Commission.

SUMMARY: In May 2008 City Council adopted a resolution establishing a Local Sesquicentennial Committee and designated Mr. Greg Starbuck, Executive Director of the Historic Sandusky Foundation, as the liaison between the local committee and The Virginia Sesquicentennial of the American Civil War Commission.

Mr. Starbuck is now ready to pass on the liaison role to another individual and Mr. Kevin Shroyer, who is President of the Lynchburg Civil War Roundtable, has agreed to serve. A bio of Mr. Shroyer is attached.

Mr. Shroyer will attend Council's meeting to be introduced.

PRIOR ACTION(S): May 13, 2008; establishment of local Sesquicentennial Committee and designation of Mr. Greg Starbuck as liaison.

FISCAL IMPACT: None

CONTACT(S): Kimball Payne, 455-3990

ATTACHMENT(S): Kevin Shroyer bio; Resolution.

REVIEWED BY: lkp

RESOLUTION

BE IT RESOLVED THAT the Lynchburg City Council does hereby designate Mr. Kevin Shroyer as liaison between the Lynchburg Sesquicentennial Committee and The Virginia Sesquicentennial of the American Civil War Commission, and

FURTHERMORE thanks Mr. Gregory Starbuck, Executive Director of the Historic Sandusky Foundation, for his service as liaison since May 13, 2008.

Adopted:

Certified:

Clerk of Council

030V

Kevin Shroyer Bio:

Kevin E. Shroyer was born and raised in York, PA. He graduated from William Penn Senior High School in 1978 before continuing on to York College of Pennsylvania to further his education. Kevin graduated from York College in 1982 with a BS in Criminal Justice. He was hired by the Lynchburg, VA Police Department in August 1982 and has lived in the Lynchburg area ever since. Kevin left the Lynchburg Police Department in March 1998 to join the Lynchburg Public Defender Office to serve as their Investigator, a position he still holds to this day.

Being born and raised a short distance from Gettysburg, PA, Kevin was naturally exposed to the Civil War at an early age. Being born into a family with a rich Civil War history only heightened his interest and has led to a life filled with visits to Civil War battlefields and museums. Kevin is a frequent attendee at Civil War seminars and conferences and is a voracious reader of anything pertaining to the Civil War era.

Kevin has identified three members of his family on his maternal side who were Gettysburg residents during the Civil War and subsequently fought for the United States. His great-great grandfather (George Washington Meals) served in the 4th United States Artillery throughout the war and was present at such notable battles as Antietam and Gettysburg, fighting in his hometown. Two other ancestors fought for the United States in the Pennsylvania cavalry (15th Pennsylvania Volunteer Cavalry) and the Pennsylvania infantry (209th Pennsylvania Volunteer Infantry, as a Sergeant). One ancestor also served in the United States Signal Corps. Kevin also had Confederate ancestors on his paternal side from the Winston-Salem/Forsyth County area of North Carolina. Kevin is actively engaged in learning more about his Confederate ancestors as his time permits.

Presently, Kevin is the President of the Lynchburg Civil War Round Table. He is a Past Commander of the Taylor-Wilson Camp #10 Sons of Union Veterans of the Civil War. Kevin currently serves as the Assistant Adjutant with the 11th Virginia Volunteer Infantry Go. G "Lynchburg Home Guard", a local reenacting unit dedicated to portraying the role of the Lynchburg men who served in the Confederate army during the Civil War. Kevin has served as an active member of the Lynchburg Civil War Sesquicentennial Committee since its inception.

Kevin is happily married to his high-school sweetheart, Kristie, and the proud father of two lovely daughters, Korinne, who passed away in May 2002, and Kolby, who will be graduating from Liberty University in May 2013 with a degree in Business Administration.

When Kevin is not pursuing his Civil War interests, he can usually be found running and training to stay in shape for the numerous races he runs on a yearly basis, everything from 5Ks to the marathon. Kevin is currently the Vice President of the Lynchburg Road Runners Club. He also serves as Race Director for the Point of Honor 5K & Youth Mini-Mile, an annual April race dedicated to his late daughter's memory that supports organ donation education and awareness with the race proceeds dedicated to that worthy cause.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 2

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **Update on Rivermont CSO Construction Projects**

RECOMMENDATION: No action required.

SUMMARY: At Council's last meeting Council Member Cary asked that an update on the Rivermont Avenue construction projects be provided at the next meeting.

Mr. Jim Talian, Water Quality Manager-CSO, has provided the following and will be at the meeting to answer any questions:

The CSO 1D3 Project in lower Rivermont Avenue, between Jones Street and Cabell Street, is nearing completion. All water line work on the project is complete. All sanitary sewer line work on the project is complete. Storm sewer work is progressing uphill toward completion at Cabell Street. The current contract completion date is January 15 which has of course passed. The contractor is in the process of asking for a time extension based on City constraints requiring early shut down of work each day to avoid work during the afternoon rush hour. If granted, the time extension will move the contract completion date to March 1st. We currently anticipate that pipe laying work will be completed in Rivermont Avenue around that March 1st date. Paving will follow as soon as spring weather allows, most likely around mid-April.

The CSO 1D3.2 Project in Rivermont Avenue between Hawes Street and the western intersection with Bedford Avenue is on schedule. One way traffic through the construction site will continue until near the end of the contract. The current contract completion date is July 15. The contractor anticipates finishing by then or a little sooner.

PRIOR ACTION(S): None

FISCAL IMPACT: N/A

CONTACT(S): Jim Talian, 455-3953

ATTACHMENT(S): None

REVIEWED BY: lkp

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**LYNCHBURG CITY COUNCIL
Agenda Item Summary**

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 3

CONSENT: REGULAR: WORK SESSION: **X** CLOSED SESSION:
(Confidential)

ACTION: INFORMATION: **X**

ITEM TITLE: **Community Code Compliance Team Annual Report**

RECOMMENDATION: Review the prior year's activities of the Community Code Compliance Team.

SUMMARY: The City's Community Code Compliance Team was created by City Council to develop and implement "a proactive, coordinated and focused long-term strategy to improve living conditions through consistent code compliance, thereby facilitating a positive impact on the quality of life in Lynchburg." The CCCT includes representatives from the neighborhood, as well as the City Manager's Office, Community Development, Billings and Collections, Fire Marshal, Public Services, Police, City Attorney's Office, Social Services, Commissioner of the Revenue, Lynchburg Redevelopment and Housing Authority and City Council. Team representatives conduct neighborhood walkthroughs as part of the mission to work proactively with residents to identify concerns and raise awareness of local codes and public maintenance needs.

Although the number of issues addressed by the Community Code Compliance Team is a fraction of the complaints City departments receive annually, the walk-throughs afford department stakeholders with an opportunity to focus within a specific neighborhood. This approach provides for a comprehensive assessment of the issues that are important to the residents and allows departments to coordinate their response – ultimately improving efficiency, follow-up and reporting.

In 2012 the Community Code Compliance Team coordinated six meetings, four of which were conducted in neighborhoods at the request of residents. Staff will provide a brief overview of last year's initiatives.

PRIOR ACTION(S):

February 28, 2012: City Council reviewed the Community Code Compliance Team's activities and requested an annual update on its neighborhood initiatives.

November 22, 2011: City Council changed the name of the "Code Enforcement Task Force" to the Community Code Compliance Team" and endorsed its purpose.

February 22, 2011: City Council reviewed the Code Enforcement Task Force's activities and requested an annual update on its neighborhood initiatives.

FISCAL IMPACT: None

CONTACT(S): Keith Wright, Neighborhood Programs Manager/CCCT Facilitator, 455-3900
Kent White, Director, Department of Community Development, 455-3900

ATTACHMENTS:

Annual Report on the Activities of the Community Code Compliance Team
Community Code Compliance Team Charter

REVIEWED BY: lkp

024V

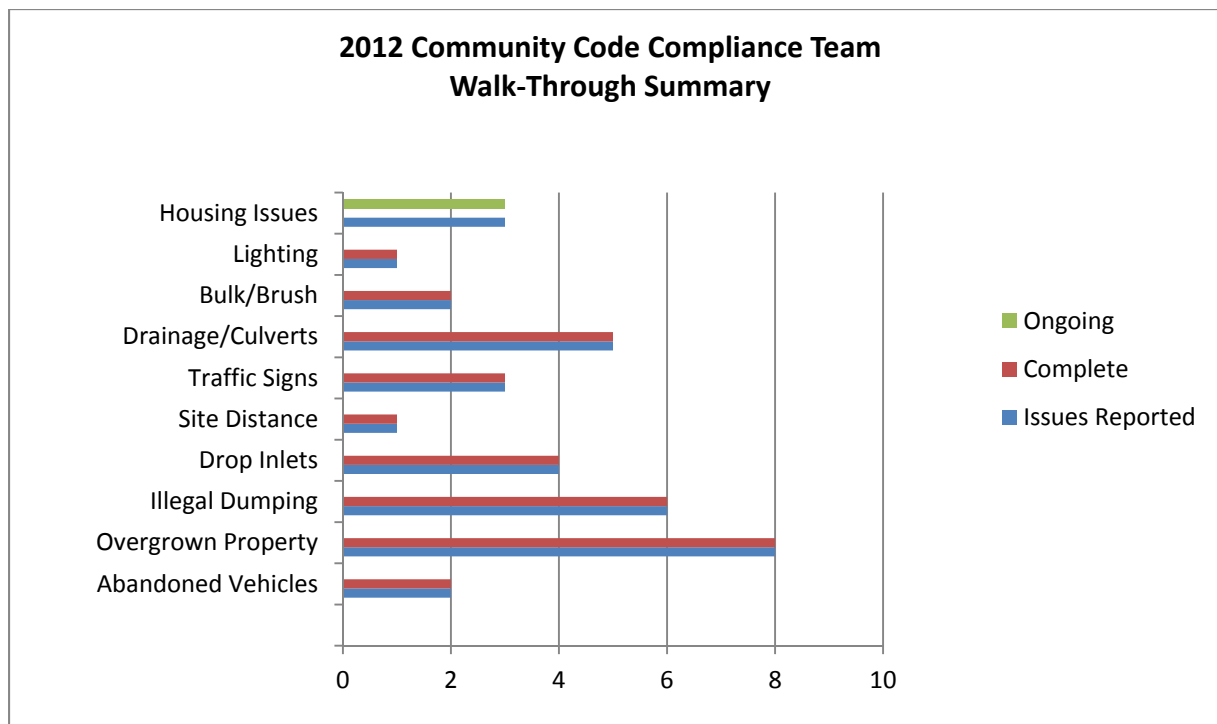
2012 Community Code Compliance Team Summary

Walkthroughs

In 2012, the Community Code Compliance Team coordinated six meetings, four of which were conducted in neighborhoods at the request of residents:

- 1) Fairview Avenue Neighborhood – March 21, 2012
- 2) Hydro/VES Road Neighborhood – May 16, 2012
- 3) Richland Hills Neighborhood – July 18, 2012
- 4) Tinbridge Hill Neighborhood – October 17, 2012

As a result of these walkthroughs, city staff addressed thirty-two (35) Code Compliance issues.



While compliance is the ultimate goal of achieving team goals, it was very important throughout the reporting period to utilize neighborhood walkthroughs as an educational tool. The walkthroughs focused on providing clear and concise explanations of the City's processes for Code compliance. Depending on circumstances, the City may allow an extension for reasonable requests while maintaining consistency. In some cases, the team worked directly with property owners on-site to address specific concerns. The walk-throughs have provided a useful forum for addressing neighborhood concerns in a variety of ways.

In some cases, there are limitations as to what a code official may or not be able to address. One good example of this is what constitutes a violation for a “junky” yard. It is probably one of the most understood sections of the City Code regarding codes compliance and one that seems to surface at every walkthrough. While the storage of junk is certainly an eyesore, it may not rise to the level of a public nuisance. Clarifications of ordinances such as these are shared with those in attendance and those viewing LTV. These explanations have proven very helpful not only to the general public, but also to other members of the team who may not be aware. The team believes rather than simply citing property owners with a notice for every violation, a softer, yet, as effective approach is to focus on education regarding applicable Codes. The overall benefit to citizens and government is better achieved.

Ongoing

During 2012, the team continued its work with the Department of Communications and Marketing to video walkthroughs and air them on LTV. The program includes a more coordinated introduction and wrap up and, during each show, a highlight of a different Code compliance issue complete with an “on camera” explanation of how the team may address the matter. The team has received positive feedback on this change, noting this has made for more interesting and educational television.

Communications and Marketing is in the process of updating the Content Manager and the new website is being launched in February. The team expects to create a user-friendly website that provides general Code compliance information, access to links for related minutes or announcements and an avenue for neighbors to ask questions or request a walkthrough in their own neighborhood. In addition, the team will be working on a series of public service announcements designed to provide helpful information to the public. One PSA regarding the City’s Weed Ordinance was created during the reporting period and another is scheduled.

Summary

The team is seeking new connections with the City’s neighborhoods to promote, protect and improve the health, safety and welfare of the citizens and the environment. This is accomplished by providing equitable, expeditious and effective Code compliance while establishing a working partnership with the City’s neighborhoods.



City of Lynchburg

COMMUNITY CODE COMPLIANCE TEAM CHARTER

PURPOSE

The team will develop and implement a proactive, coordinated and focused long-term strategy to improve living conditions through consistent code compliance, thereby facilitating a positive impact on the quality of life in Lynchburg.

LYNCHBURG CITY COUNCIL VISION

We will work to ensure an environment in which all of the residents of Lynchburg are free to pursue their dreams, hopes, and aspirations through our understanding and commitment to meet the public's needs in the areas of:

Community Character

The character of our City is defined by the values and behaviors of its residents and its natural and built environments. We are a beautiful, safe and comfortable community with hospitable, friendly, and caring citizens who are free to pursue their values of faith and family according to their individual preferences.

Economic Prosperity

Our City will maintain a vibrant, industrious community that will expand economic opportunities for our citizens. We embrace policies that will enhance economic prosperity with the support of a strong Economic Development Authority, emphasis on education, workforce development, and a continued commitment to business-friendly initiatives.

Good Government

City government will deliver, in an equitable manner, public services through the effective and efficient stewardship of resources. We will also engage in regional efforts that advance the interests of our citizens.

Multicultural Vibrancy

Lynchburg acknowledges and values its rich cultural, ethnic, racial, and religious diversity while promoting a respectful and cohesive community.

A Compelling Destination

The City is a regional draw for entertainment, shopping and business. Our unique historic heritage and tourism attractions draw a national audience. With its breadth of recreational experiences, centers of interactive living history, and opportunities for educational excellence, our City appeals to all generations.

Revised October 2011

Adopted December 2006

STRATEGIC FOCUS

- Enforce codes in a fair and effective manner
- Instill a spirit of cooperation and trust among team members
- Devise new strategies to address neighborhood and citizen concerns, including citizen engagement and education
- Improve communication between the City, other agencies, and the public regarding compliance activities
- Conduct neighborhood walkthroughs to see and hear citizen concerns first-hand

MEMBERSHIP

The team is a core group of City employees whose job responsibilities relate to compliance and quality of life issues. The membership of this multi-disciplinary team consists of representatives of the City Manager's Office, Inspections, Billings and Collections, Fire Marshal, Waste Management, Police, Community Development, City Attorney's Office, Public Services, Customer Service Division, Social Services Division, Commissioner of the Revenue, Lynchburg Redevelopment and Housing Authority and City Council. Meetings are open to any interested customers, citizens, City employees and agency representatives working in partnership with the City.

LEADERSHIP

Leadership is a shared responsibility. Every member of the team is a leader, and will be called upon to act in that capacity during the course of their service. However, in order to have an efficient organizational structure, the membership of the team designates a leader/facilitator, a co-facilitator, recorder and co-recorder to serve during the calendar year. The selection of individuals to staff these positions will occur at the first scheduled meeting each January.

AUTHORITY

City Council and the City Manager endorse and support the work of the team and have empowered its members to work cooperatively toward a common purpose. Each member of the team brings with them the authority inherent in their position. Collectively, the team can influence a wide range of enforcement and compliance strategies that are beyond the ability of individuals acting alone. Cooperation among members will enhance the impact the team will have on the quality of life in Lynchburg.

PERFORMANCE EVALUATION

In keeping with the goals of results-oriented government, the Community Code Compliance Team shall prepare an annual performance report of results for presentation to the City Manager and City Council in January.

Revised: November 22, 2011
City Council



“Putting Citizens and Business Partners *First*”
Working Together To Serve You Better

// A regular meeting of the Council of the City of Lynchburg was held on the 22nd day of January, 2013, at 4:00 P.M. in the Council Chamber, City Hall, Michael Gillette, President, presiding. The following Members were present:

Present: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Absent: 0

// Mr. Ben Copeland, Assistant Superintendent of Operations and Administration with Lynchburg City Schools, provided an update on Heritage High School. Mr. Copeland stated that during the School Board meeting there were eight options presented for consideration. The School Board selected two of the options:

Option #1

Pros:

- Allows existing school to function with minimal disruption
- No additional land purchase required
- Shorter construction duration for new school due to no phase construction during occupation
- New school would have greater visible presence along 460

Cons:

- Would require construction of new athletic facilities (maybe that is a pro)
- Athletic facilities would be located at the narrow part of the site
- Some athletic facilities remote from main school building
- No athletic facilities (football, soccer, baseball, softball) on site during the 3 year construction window

Option #8

Pros:

- Allows existing school to function with minimal disruption
- Shorter construction duration for new school due to no phase construction during occupation
- Additional land purchase allows for more site planning flexibility
- Athletic facilities could remain in existing location and receive refurbishment

Cons:

- Would require additional land purchase
- New building would have less visible presence along 460
- Due to proximity of new building to existing, temporary facility parking and construction staging would need greater coordination

Mr. Copeland explained the next steps would be to begin the Schematic Design Phase of the project; host a Design Workshop; and Conduct surveys and site investigations. Council discussed the two options at length with questions and concerns. When asked about the timeline for the next phase, Mr. Copeland replied that by the end of March a more defined scope will be presented to the School Board, and Council will be in a position to make some decisions in June.

// Council Member Helgeson left the meeting at 5:25 P.M.

// Human Resources Director Margaret Schmitt presented the City's Workforce Overview for calendar year 2012. Ms. Schmitt explained current workforce demographics, retention, direct and indirect compensation, trends and recommendations. Ms. Schmitt further explained that the outlook for recruitment and retention continues to show challenges, especially in leadership positions due to retirements over the next three years. Other challenging factors are workforce stress due to budget constraints, smaller workforce and flat pay outside of public safety, and mandates at the state and federal levels.

// During Roll Call Council Member Cary requested an update on when the construction would be completed at the lower end of Rivermont.

// Council Member Foster thanked the Dr. Martin Luther King Jr. committee for a wonderful program and encouraged her fellow council members to attend next year's event.

// Council Member Perrow stated he had received a resignation letter from Mr. John Perry who had served on the Lynchburg Redevelopment & Housing Authority and thanked him for his past five years of service.

// City Council recessed the meeting at 6:01 P.M.

// City Council reconvened the meeting at 7:30 P.M.

The following Members were present:

Present: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Absent: 0

Vice Mayor Johnson gave the Invocation, followed by the Pledge of Allegiance.

// Copies of the minutes of the January 8, 2013 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote approved the minutes as amended:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Police – General, Resolution #R-12-002 amending the FY 2013 City/Federal/State Aid Fund budget and appropriating \$16,555, with resources from the 2012 State Homeland Security Program Grant to purchase one license plate reader for criminal law enforcement, laid over from the January 8, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// In the matter of Police – General, Resolution #R-12-003 amending the FY 2013 City/Federal/State Aid Fund budget and appropriating \$40,560, with resources of \$20,080 from the Bulletproof Vest Partnership 2012 Grant Program, to purchase 52 replacement bulletproof vests for law enforcement officers, laid over from the January 8, 2013 meeting, was again presented and read, and on motion of Council Member

Perrow, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Noes:	0

// In the matter of Fire – General, Resolution #R-12-004 amending the FY 2013 City/Federal/State/Aid Fund budget and appropriating \$25,000, to be utilized for equipment for the Fire Department's Technical Rescue Team's Equipment, Training, and Exercise Project, laid over from the January 8, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Noes:	0

// In the matter of Juvenile Services – General, Resolution #R-12-005 amending the FY 2013 City/Federal/State Aid Fund budget and appropriating \$139,332, fully reimbursable, to help reduce the number of alcohol-related vehicle crashes involving drivers who are between 15 and 24 years of age, laid over from the January 8, 2013 meeting, was again presented and read, and on motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote adopted the Resolution:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Noes:	0

// In the matter of Public Works – General, City Council Report #9 was considered. On motion of Council Member Perrow, seconded by Council Member Cary, Council by the following recorded vote adopted Resolution #R-13-010, as presented, requesting the Virginia Department of Transportation to increase the lane mileage for street maintenance entitlement funds from the Commonwealth:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Noes:	0

// In the matter of Police – Emergency Services, City Council Report #10 was considered. On motion of Council Member Cary, seconded by Council Member Foster, Council by the following recorded vote adopted Resolution #R-13-011, as presented, to approve the Region 2000 Multi-Jurisdiction Hazard Mitigation Plan dated December 2012:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette	7
Noes:	0

// In the matter of Police – Emergency Services, City Council Report #11 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this matter came before the FC, which recommended approval. This motion does not require a second, and Council by the following recorded vote introduced and laid over to a later meeting for final action Resolution #R-13-012, as presented, amending the FY 2013 City/Federal/State Aid Fund budget and appropriating \$30,952 with resources of \$15,476 from the Virginia Department of Emergency Management 2012 Local Emergency Management

January 22, 2013

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Performance Grant and \$15,476 for in-kind services provided by the existing Emergency Management Coordinator's position for a part-time Emergency Management Deputy Coordinator position:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette

7

Noes:

0

// In the matter of Finance – Bonds, City Council Report #12 was considered. Council Member Nelson, Chair of the Finance Committee (FC) stated that this matter came before the FC, which recommended approval. This motion does not require a second, and Council by the following recorded vote adopted Resolution #R-13-013, as presented, to reallocate Capital Projects Categories for the \$10,000,000 Bank Qualified Line of Credit for Interim Capital Financing among the previously approved project categories:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette

7

Noes:

0

// The meeting was adjourned at 7:51 P.M.

Clerk of Council

// A special meeting of the Council of the City of Lynchburg was held on the 29th day of January, 2013, at 9:00 A.M. in the Second Floor Training Room, City Hall, Michael Gillette, President, presiding. The purpose of the meeting was to conduct City Council's Annual Budget Retreat. The following Members were present:

Present: Cary, Foster, Nelson, Perrow, Gillette 5

Absent: Helgeson, Johnson 2

// City Manager Kimball Payne reviewed the agenda and expectations for the retreat. The majority of the morning agenda focused on relevant information about the FY 2014 Budget including: Budget Overview, Introduction to Priority Based Budgeting and Overview of Department Budget Submissions. The afternoon focused on FY 2014 - 2018 Capital Improvement Program Outlook, Employee Benefits discussion and thoughts on Citizen Engagement.

// Vice Mayor Johnson arrived at the meeting at 9:15 A.M.

// Council Member Helgeson arrived at the meeting at 9:17 A.M.

// City Manager Kimball Payne presented a letter to Council for approval requesting State funding for half the cost of the revised Combined Sewer Overflow (CSO) Long Term Control Plan. Mr. Payne stated that this revised plan is designed to comply with all Federal and State CSO requirements at significantly less cost than the existing plan. The estimated cost to complete the revised plan is \$60 million instead of nearly \$300 million required under the existing plan.

After Council discussion, and on motion of Council Member Cary, seconded by Vice Mayor Johnson, Council by the following recorded vote approved the funding request letter for the revised Combined Sewer Overflow (CSO) Long Term Control Plan:

Ayes: Cary, Foster, Helgeson, Johnson, Nelson, Perrow, Gillette 7

Noes: 0

// City Manager Kimball Payne presented the Budget Overview with an explanation of other budget drivers: economy, General Assembly, compensation and Schools. He advised Council members that priority is on delivering services to the citizens and budget considerations should link dollars to direct service delivery.

// Financial Services Director Donna Witt presented the FY 2014 Preliminary Revenue Highlights, which included:

- Real Property Tax
- Personal Property Tax
- Public Service Corporation (PSC) Tax
- Business License Tax
- Meals Tax
- Local Sales Tax
- Lodging Tax
- Ambulance Services Fees
- Communications Sales & Use Tax
- Consumer Utility Tax – Electric

// City Manager Kimball Payne discussed other budget drivers: economy, General Assembly, Schools, employee compensation and jail spending.

// Council took a break at 10:40 A.M. and reconvened at 10:55 A.M.

// City Manager Kimball Payne gave an Introduction to Priority Based Budgeting.

// City Manager Kimball Payne and Deputy City Manager Bonnie Svrcek reviewed the Department Budget Submissions. Each department was requested to reduce their budget by 5%. They discussed each department individually, highlighting their priorities, the service impacts it would have on their departments, and the consequences.

// City Council took a lunch break at 12:00 noon and reconvened the meeting at 12:45 P.M.

The following Members were present:

Present: Cary, Foster, Johnson, Nelson, Perrow, Gillette

6

Absent: Helgeson

1

// Council Member Helgeson arrived at 12:55 P.M.

// Financial Services Director Donna Witt presented the FY 2014-2018 Capital Improvement Program Submissions which total \$25.3 million. The largest projects are Transportation at \$13.8 million, which consists of Greater Lynchburg Transit Company (GLTC), Timberlake Road at Logans Lane/Wards Ferry Road, and the Street Overlay Program. Another large project is the City Football Stadium Restoration (\$7 million). The \$8.7 million requested pay-as-you-go projects consist of major building repairs, roof replacements and downtown redevelopment (part of \$5 million commitment).

// City Manager Kimball Payne presented the FY 2014 Schools Capital Submission totaling \$86.4 million, which consists of funds for Heritage High School and pay-as-you-go projects such as building repairs and roof replacements.

// City Attorney Walter Erwin gave a legal perspective of the City's rights with regard to making changes to benefit programs, advising that the employer has the right to reduce the level of benefits as communicated in the Employee Handbook.

// Human Resources Director Margaret Schmitt shared information about the healthcare benefits program for current employees and retirees as well as options to consider.

Council discussed the City's health management plan regarding retired employees. City Manager Kimball Payne outlined questions for Council to consider:

- Why do we offer health benefits?
- How do we benchmark it?
- What are we comparing?
- Where is the flexibility?
- Does the category of employment matter (full-time, part-time, temporary, and retired)?

// Director of Communications and Marketing JoAnn Martin presented ideas for Citizen Engagement on the budget. Ms. Martin recommended that the citizen engagement process be multi-faceted and include the use of citizen survey results, public meetings and social media. She also stated that the National

Research Center presentation of citizen survey results would be given to City Council during the March 26, 2013 meeting.

// Council Member Helgeson left the meeting at 3:35 P.M.

// The meeting was adjourned at 3:38 P.M.

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: **9**

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Grant to Preserve Marriage Register Books in the Circuit Court Clerk's Office**

RECOMMENDATION:

Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate \$5,631 with resources from a grant from the Library of Virginia to preserve three Marriage Register books with records dated 1853 to 1909 at the Lynchburg Circuit Court Clerk's Office.

SUMMARY:

Twice annually the Library of Virginia allows Circuit Court Clerks' Offices to submit applications for grant funding. Staff submitted a grant application to The Library of Virginia to preserve records held at the Circuit Court Clerk's Office. The grant funding of \$5,631 will allow three Marriage Register books with records dating from 1853 to 1909 to be preserved.

No local match is required of this grant.

PRIOR ACTION(S):

January 22, 2013 Finance Committee

FISCAL IMPACT:

None – no local match is required.

CONTACT(S):

Eugene Wingfield, Circuit Court Clerk, 455-2611

ATTACHMENT(S):

Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that the FY 2013 City/Federal/State Aid Fund budget is amended and \$5,631 is appropriated with resources from a grant from the Library of Virginia to preserve three Marriage Register books with records dated 1853 to 1909 at the Lynchburg Circuit Court Clerk's Office.

Introduced:

Adopted:

Certified:

Clerk of Council

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LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 10

CONSENT: **X**

REGULAR:

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD) 2012 SAFER (Staffing for Adequate Fire and Emergency Response) grant program.

RECOMMENDATION: Adopt a resolution to amend the FY 2013 City/Federal/State Aid Fund budget and appropriate \$161,406 with resources from the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) Grant Programs Directorate (GPD) FY 2012 Staffing for Adequate Fire and Emergency Response (SAFER) grant to hire nine (9) full-time firefighters for the Fire Department.

SUMMARY: The Staffing for Adequate Fire and Emergency Response (SAFER) Grants program was created to provide funding directly to fire departments and volunteer firefighter interest organizations to help them increase the number of trained, "front line" firefighters available in their communities. The goal of SAFER is to enhance the local fire departments' abilities to comply with staffing, response, and operational standards established by the NFPA and OSHA (NFPA 1710 and/or NFPA 1720 and OSHA 1910.134). SAFER funds assist local fire departments with staffing and deployment capabilities so they may respond to emergencies whenever they occur, assuring their communities have adequate protection from fire and fire-related hazards.

The Fire Department has been awarded \$979,497 in funding for nine (9) full-time firefighters of which three (3) are positions eliminated in FY 2013. This funding is available to pay the salaries and fringes for firefighters for a two (2) year period. There is no requirement that the SAFER funded positions be retained beyond the two year obligation period. It will be clearly communicated during the SAFER funded positions recruitment and hiring process (via employment opportunity announcements and conditional job offers) that these are grant funded positions and there is no guarantee of employment past the grant period of performance. However, the department's grant exit strategy is to transfer SAFER funded employees into existing City funded firefighter positions that are vacated through attrition (retirements and employment separations).

At this time, the Fire Department is requesting appropriation for expenses anticipated in FY 2013 only; the remaining expenses (\$818,091) associated with FY 2014 and FY 2015 will be requested and appropriated through the annual budget process.

The SAFER grant provides one hundred percent (100%) of the approved funding; no matching funds are required. The department must fund any costs for overtime, Personal Protective Equipment, and other job-related equipment and supplies.

PRIOR ACTION(S): Finance Committee, September 11, 2012
Council Meeting to authorize City Manager to accept the SAFER grant, January 8, 2013
Finance Committee, January 22, 2013

FISCAL IMPACT: The program is 100% reimbursable; however, the department must fund any costs for overtime, Personal Protective Equipment, and other job-related equipment and supplies.

CONTACT(S): Fire Chief Steven B. Ferguson, 455-6340
Master Firefighter N. Ed Fletcher, 455-6340
Ellen Davidson-Martin, Fire Administrative Manager, 455-6368

ATTACHMENT(S): Resolution

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED That the FY 2013 City/Federal/State Aid Fund budget is amended and \$161,406 is appropriated with resources from the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) Grant Programs Directorate (GPD) FY 2012 Staffing for Adequate Fire and Emergency Response (SAFER) grant to hire nine (9) full-time firefighters for the Fire Department.

Introduced:

Adopted:

Certified:

Clerk of Council

020V

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 11

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Conditional Use Permit (CUP): Lynchburg Church of God – 512 Breezewood Drive**

RECOMMENDATION: Approval of the CUP petition.

SUMMARY: The Lynchburg Church of God is petitioning for a CUP at 512 Breezewood Drive to allow the construction of a twenty-four hundred (2400) square foot building addition for use as classrooms and to allow the construction of five (5) parking spaces. The property is zoned R-3, Medium Density, Two-Family Residential District and contains approximately four and two hundred fifty-two thousandths (4.252) acres. The Planning Commission recommended approval of the CUP because:

- The petition agrees with the *Comprehensive Plan 2002-2020's Future Land Use Map* which recommends and Institutional use for the property.
- The petition agrees with the *Zoning Ordinance* which permits churches in R-3, Medium Density, Two-Family Residential districts upon approval of a CUP.

PRIOR ACTION(S):

January 9, 2013: The Planning Division recommended approval of the CUP petition.
The Planning Commission recommended approval (6-0, with 1 member absent, Coleman)

FISCAL IMPACT: N/A

CONTACT(S): Tom Martin, City Planner - 455-3900
Kent White, Director of Community Development – 455-3900

ATTACHMENT(S):

- Resolution
- Planning Commission Report – January 9, 2013
- Planning Commission Minutes – January 9, 2013
- Vicinity Zoning Pattern Map
- Vicinity Proposed Land Use Map
- Watershed Location Map
- Planimetric and Topographic Map
- Concept Plan
- Building Elevations
- Property Photograph

REVIEWED BY: lkp

RESOLUTION:

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO THE LYNCHBURG CHURCH OF GOD TO ALLOW A TWENTY-FOUR HUNDRED (2400) SQUARE FOOT BUILDING ADDITION AND (5) PARKING SPACES AT 512 BREEZEWOOD DRIVE IN AN R-3, MEDIUM DENSITY, TWO-FAMILY RESIDENTIAL DISTRICT.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of the Lynchburg Church of God for a conditional use permit to allow the construction of a twenty-four hundred (2400) square foot building addition and five (5) parking spaces is hereby approved subject to the following conditions:

1. The property shall be developed in substantial compliance with the concept plan dated November 12, 2012 by Acres of Virginia, Inc.
2. All lighting shall be glared shielded and non-directional to prevent illumination beyond the property line.
3. The building shall be constructed in accordance with renderings submitted with the proposal.

Adopted:

Certified:

Clerk of Council

025V

The Department of Community Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission
From: Planning Division
Date: January 9, 2013
Re: **Conditional Use Permit (CUP) – Lynchburg Church of God – 512 Breezewood Drive**

I. PETITIONER

Lynchburg Church of God Trustees, P.O. Box 4159, Lynchburg, VA 24502

Representative: Mr. Tommy Brooks, Sr., Acres of Virginia, Inc., 404 Clay Street, Lynchburg, VA 24502

II. LOCATION

The subject property is a tract of approximately four and two hundred fifty-two thousandths (4.252) acres located at 512 Breezewood Drive.

Property Owner: Lynchburg Church of God Trustees, P.O. Box 4159, Lynchburg, VA 24502

III. PURPOSE

The purpose of the petition is to allow the construction of a two thousand four hundred (2,400) square foot classroom addition and five (5) additional parking spaces.

IV. SUMMARY

- The *Comprehensive Plan 2002-2020's Future Land Use Map (FLUM)* recommends Institutional and Resource Conservation uses for the subject property.
- Churches are permitted in R-3, Medium Density, Two-Family Residential Districts upon approval of a CUP by Council.
- The property has been used as a church since 1983.

The Planning Division recommends approval of the CUP petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2002-2020* recommends an Institutional and Conservation use for the subject property. Institutional uses include religious, educational and other nonprofit entities in the City. Examples include churches, cemeteries, private schools and universities, private nonprofit hospitals, service clubs and organizations and other nonprofit institutions. (pg. 5.3) Resource Conservation areas encompass lands with special natural characteristics that make their preservation in open space particularly important to the City's environmental health. (pg. 5.2) The majority of the land designated for Resource Conservation has already been developed by the church as a parking area. The area proposed for the building and parking additions is designated for Institutional uses.
2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-3, Medium Density, Two-Family Residential District was established in 1978.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances are needed for the development of the property as proposed.

4. Surrounding Area. There have been several items requiring City Council approval in the immediate area:

- On February 12, 1980, Council approved the CUP petition of the Church of God to operate a church at 512 Breezewood Drive.
- On September 8, 1992, Council approved the CUP petition of New Covenant Schools to operate a school for K-8th grade at 512 Breezewood Drive.
- On October 13, 1992, Council approved the Graves Mill Road/US 221 Area Land Use Study.
- On October 11, 1994, Council approved the rezoning petition of Blue Ridge Development Corporation, Inc., to rezone 126 Breezewood Drive from R-3, Medium Density, Two-Family Residential District to B-1, Limited Business District (Conditional).
- On February 9, 1999, Council approved the CUP petition of Richlyn, LLC., for a Planned Unit Development (PUD) at the southern end of Breezewood Drive.
- On April 25, 2000, Council approved the rezoning petition of Uel Hartless to rezone 310-324 Breezewood Drive from R-3, Medium Density, Two-Family Residential District to R-4, Medium-High Density Residential District (Conditional).
- On October 3, 2006, Council approved the rezoning petition of EE, LLC to rezone 129, 305, 317, 415, 509 and 607 McConville Road from R-C, Resource Conservation District, R-3, Medium Density, Two-Family Residential District and R-4, Medium-High Density, Multi-Family Residential District to B-5, General Business District (Conditional).
- On August 14, 2007, Council approved the rezoning petition of EE, LLC, to rezone 512, 522, 526, 530, 534, 538, 610, 630, 1002 McConville Road, 110 Miles Place and 120 Millstone Road from R-C, Resource Conservation District, R-1, Low Density, Single-Family Residential District, R-3, Medium Density, Two-Family Residential District, I-1, Restricted Industrial District and I-2, Light Industrial District to B-5, General Business District (Conditional).
- On December 14, 2010, Council approved the CUP petition of Heritage Baptist Church for a comprehensive sign plan at 219 Breezewood Drive. (There have been several CUPs approved for Heritage Baptist Church facilities since 1985.)
- On October 9, Council approved the rezoning petition of Mark Hartless to rezone 428 and a portion of 512 Breezewood Drive from R-3, Medium Density, Two-Family Residential to R-4, Medium-High Density, Multi-Family Residential (Conditional) to allow the construction of a six (6- building, fifty (50)-unit apartment development.

5. Site Description. The subject property is a tract of approximately four and two hundred fifty-two thousandths (4.252) acres located at 512 Breezewood Drive. The property is relatively flat and is bound to the east by the Lynchburg Expressway, to the west by Breezewood Drive, to the north by property proposed for apartments and to the south by a parking lot. The property contains a five thousand four hundred (5,400) square foot building used as a church since 1983 and associated parking areas.

6. **Proposed Use of Property.** The purpose of the petition is to allow the construction of a two thousand four hundred (2,400) square foot classroom addition and five (5) additional parking spaces.
 7. **Traffic, Parking and Public Transit.** The City's Transportation Engineer had no comments of concern regarding the proposed addition. The proposal will not increase the number of seats in the sanctuary; thus no new parking spaces are required.
 8. **Stormwater Management.** Stormwater Management is proposed to be addressed by the use of an infiltration pit. A stormwater management plan addressing the quantity and quality of stormwater will be required prior to any final site plan approval and building permits being issued.
 9. **Emergency Services:** The City Fire Marshal and Police Department had no comments of concern regarding the proposal.
 10. **Impact.** The property has been used as a church since the early 1980's. The proposed classroom addition and five (5) parking spaces will not generate a significant impact on the area.
 11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the conditional use permit on December 18, 2012. Comments related to the proposed use have or will be addressed prior to final site plan approval.
-

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of the Church of God Trustees to allow building and parking additions at 512 Breezewood Drive subject to the following conditions:

1. **The property shall be developed in substantial compliance with the site plan.**
2. **All lighting shall be glared shielded and non-directional to prevent illumination beyond the property line.**
3. **The building shall be constructed in accordance with renderings submitted with the proposal.**

This matter is respectfully offered for your consideration.



William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Ms. Bonnie M. Svrcek, Deputy City Manager
Mr. Walter C. Erwin, City Attorney
Mr. Kent L. White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Ms. Cynthia Kozerow, Lynchburg Police Department

Captain Thomas Mack, Acting Fire Marshal
Mr. Doug Saunders, Building Commissioner
Mr. Robert Fowler, Zoning Administrator
Mr. Jacob Dorman, Environmental Reviewer
Mr. Tommy Brooks, Sr., Acres of Virginia, Inc.

VII. ATTACHMENTS

- 1. Zoning Map**
- 2. Future Land Use Map**
- 3. Watershed Map**
- 4. Planimetric and Topographic Map**
- 5. Narrative**
- 6. Site Plan**
- 7. Building Elevations**
- 8. Property Photograph**

MINUTES FROM THE JANUARY 9, 2013 PLANNING COMMISSION MEETING (MINUTES HAVE BEEN APPROVED):

a. Petition of the Lynchburg Church of God Trustees at 512 Breezewood Drive for a Conditional Use Permit to allow the construction of a building and parking addition in an R-3, Medium Density, Two-Family Residential District.

Mr. Martin explained that this property is designated for Institutional and Resource Conservation uses. The proposed building and parking additions fall within the Institutional designation. The petition is for the construction of a 2,400 square foot addition at the rear of the church facing the Lynchburg expressway. Police, fire and traffic staff had no comments of concern. Stormwater management would be addressed through the use of an infiltration pit. A stormwater management plan addressing both quantity and quantity will be required before site plan approval or issuing of building permits.

The property has been used as a church since the early 1980's. The addition will be used for classrooms and will not result in any additional sanctuary seating. The proposed building and parking additions should not generate any significant impact on the surrounding area and the Planning Division recommends approval of the petition.

Mr. Thomas Brooks of Acres of Virginia, Inc., was present to represent the petition. The church is requesting the conditional use permit for the property at 512 Breezewood Drive, which contains 4.626 acres. Mr. Brooks explained that the sanctuary building was built in 1982 and the classrooms were placed next to the sanctuary. Due to very thin walls between the areas that do not provide a good sound barrier, it is not possible for the church to conduct services and classes at the same time.

Mr. Brooks noted that the new addition will contain classrooms, administrative uses and will serve as the new main entrance to the church. Five new parking spaces will be added and the walkways will be handicap accessible. Mr. Brooks further noted that the existing gravel parking lot will be surface treated and striped to meet City standards.

Chair Sale asked if there was anyone else present to speak in favor of the petition. No one came forward. He asked for anyone who wished to speak in opposition to the petition. No one came forward. He closed the public hearing portion of the petition.

Commissioner Barnes asked if there was any thought being given to placing additional signage identifying the church which would face the expressway. Mr. Brooks stated that the church has not talked about any additional signage and Mr. Brooks was not sure if any new signage would really be readable from the expressway due to the speed of cars traveling on the road.

Commissioner Hannon made the following motion, which was seconded by Commissioner Barnes:

“That the Planning Commission recommends to City Council approval of the petition of the Church of God Trustees to allow building and parking additions at 512 Breezewood Drive subject to the following conditions:

- 1. The property shall be developed in substantial compliance with the site plan.**
- 2. All lighting shall be glared shielded and non-directional to prevent illumination beyond the property line.**
- 3. The building shall be constructed in accordance with renderings submitted with the proposal.”**

The motion passed by the following vote:

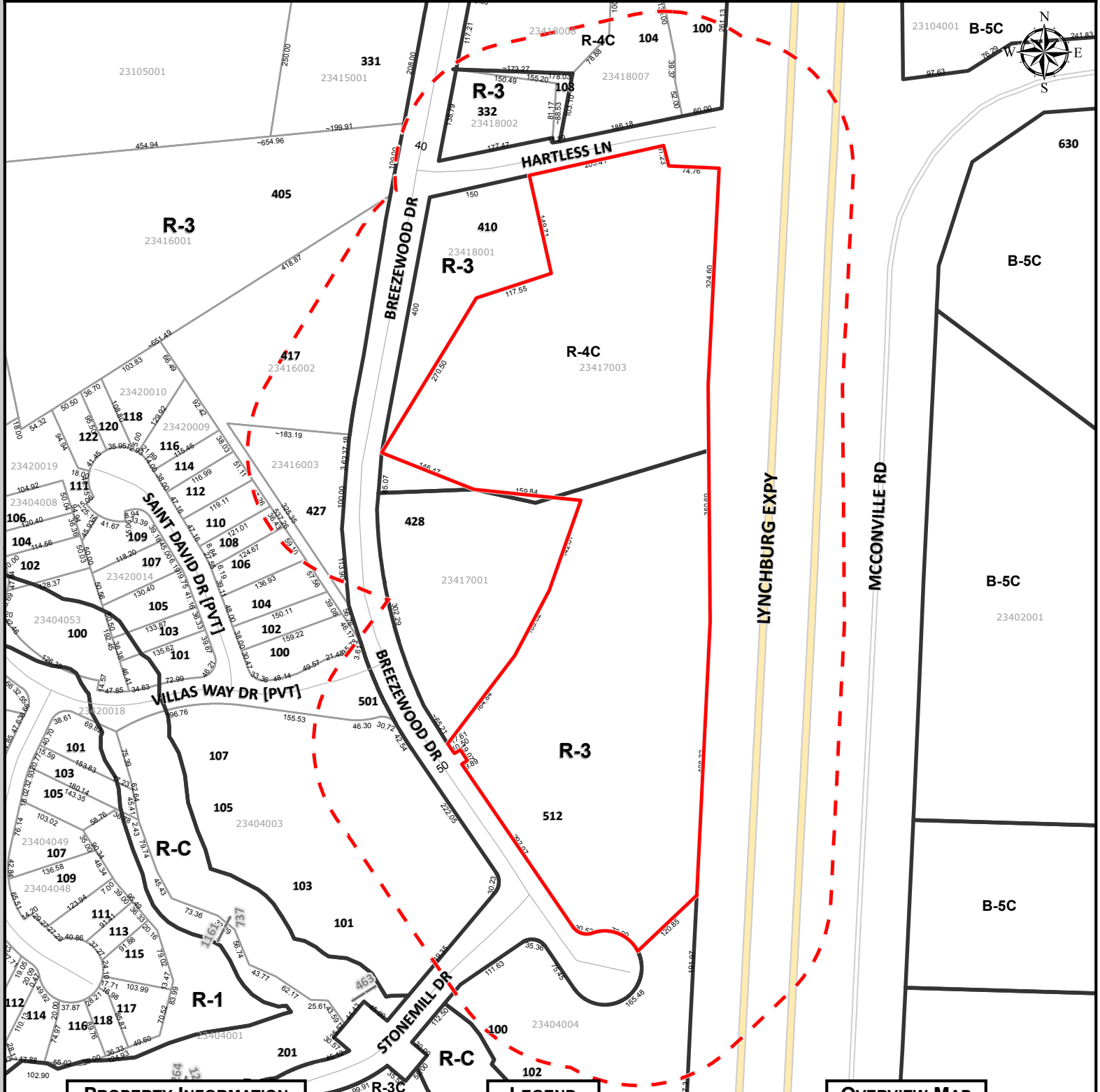
AYES:	Barnes, Hannon, Hooper, Kennedy, Sale and Swienton	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Coleman	1

Zoning Map

LYNCHBURG CHURCH OF GOD

Conditional Use Permit

Lynchburg Church of God



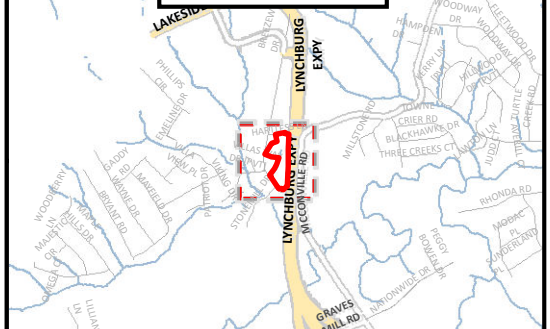
PROPERTY INFORMATION

PARCEL ID	ADDRESS
23417003	512 BREEZEWOOD DR

LEGEND

- Subject Property
- 200' Buffer
- Zoning Boundary

OVERVIEW MAP



MAP SCALE: 1" = 200' DATE PRINTED: 12/31/2012

DISCLAIMER: THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS SUCH. THE INFORMATION DISPLAYED IS A COMPILATION OF RECORDS, INFORMATION, AND DATA OBTAINED FROM VARIOUS SOURCES. THE CITY OF LYNCHBURG IS NOT RESPONSIBLE FOR ITS ACCURACY OR HOW CURRENT IT MAY BE.

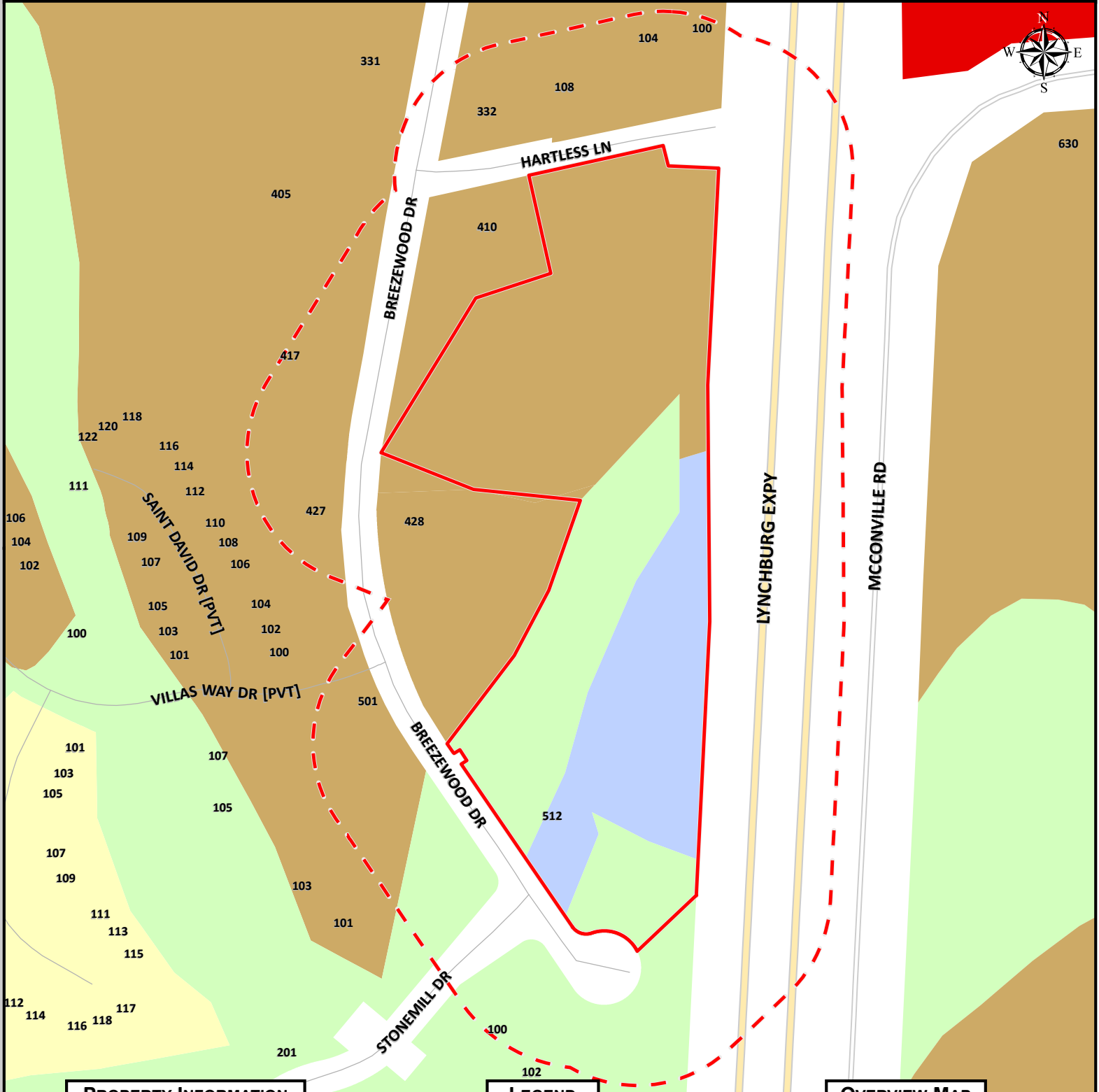
PIN	Local Address	Owner
23418002	332 BREEZEWOOD DRIVE	WANDA T MURPHY
23418011	108 HARTLESS LANE	UEL C & HAZEL M HARTLESS
23418007	104 HARTLESS LANE	MARK C & JOYCE H HARTLESS
23418008	324 BREEZEWOOD DRIVE	MARK C & JOYCE H HARTLESS
23418006	100 HARTLESS LANE	UEL C & HAZEL M HARTLESS
23418001	410 BREEZEWOOD DRIVE	LESTER P & SADIE M HARRIS
23420003	104 SAINT DAVID DRIVE	SANDRA M GARDNER
23420006	110 SAINT DAVID DRIVE	RONALD E & JOAN H CAREY
23420007	112 SAINT DAVID DRIVE	FRANK D & EARLENE R GOODWIN
23416002	417 BREEZEWOOD DRIVE	R F & ALMA M FISHER
23417001	428 BREEZEWOOD DRIVE	LYNCHBURG CHURCH OF GOD TRUSTEES
23416003	427 BREEZEWOOD DRIVE	VICTOR SR ESTATE & VERDIE L WALDRON
23417003	512 BREEZEWOOD DRIVE	CHURCH OF GOD TRUSTEES
23416001	405 BREEZEWOOD DRIVE	DORIS F ANDRUS
23404004	100 STONEMILL DRIVE	OVERLOOK APARTMENTS LC
23404003	101 STONEMILL DRIVE A	OVERLOOK APARTMENTS LC
23420001	100 SAINT DAVID DRIVE	COURTNEY B FORSLUND
23420004	106 SAINT DAVID DRIVE	CLARA M & TERRY E MCKELLIPS
23420005	108 SAINT DAVID DRIVE	DANIEL P COLLERAN
23420018	501 BREEZEWOOD DRIVE	VILLAS AT STONEMILL ASSOCIATION

FLUM Map

LYNCHBURG CHURCH OF GOD

Conditional Use Permit

Lynchburg Church of God



PROPERTY INFORMATION

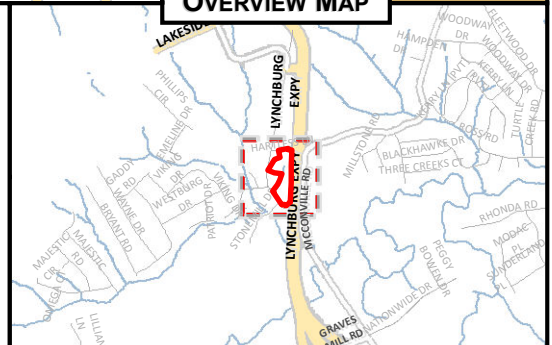
PARCEL ID	ADDRESS
23417003	512 BREEZEWOOD DR

LEGEND

- | | |
|----------------------------|-----------------------|
| Local Historic District | Employment 1 |
| Traditional Residential | Employment 2 |
| Low Density Residential | Office |
| Medium Density Residential | Institution |
| High Density Residential | Downtown |
| Neighborhood Commercial | Public Use |
| Community Commercial | Public Parks |
| Regional Commercial | Resource Conservation |

MAP SCALE: 1" to 200' DATE PRINTED: 12/31/2012

OVERVIEW MAP



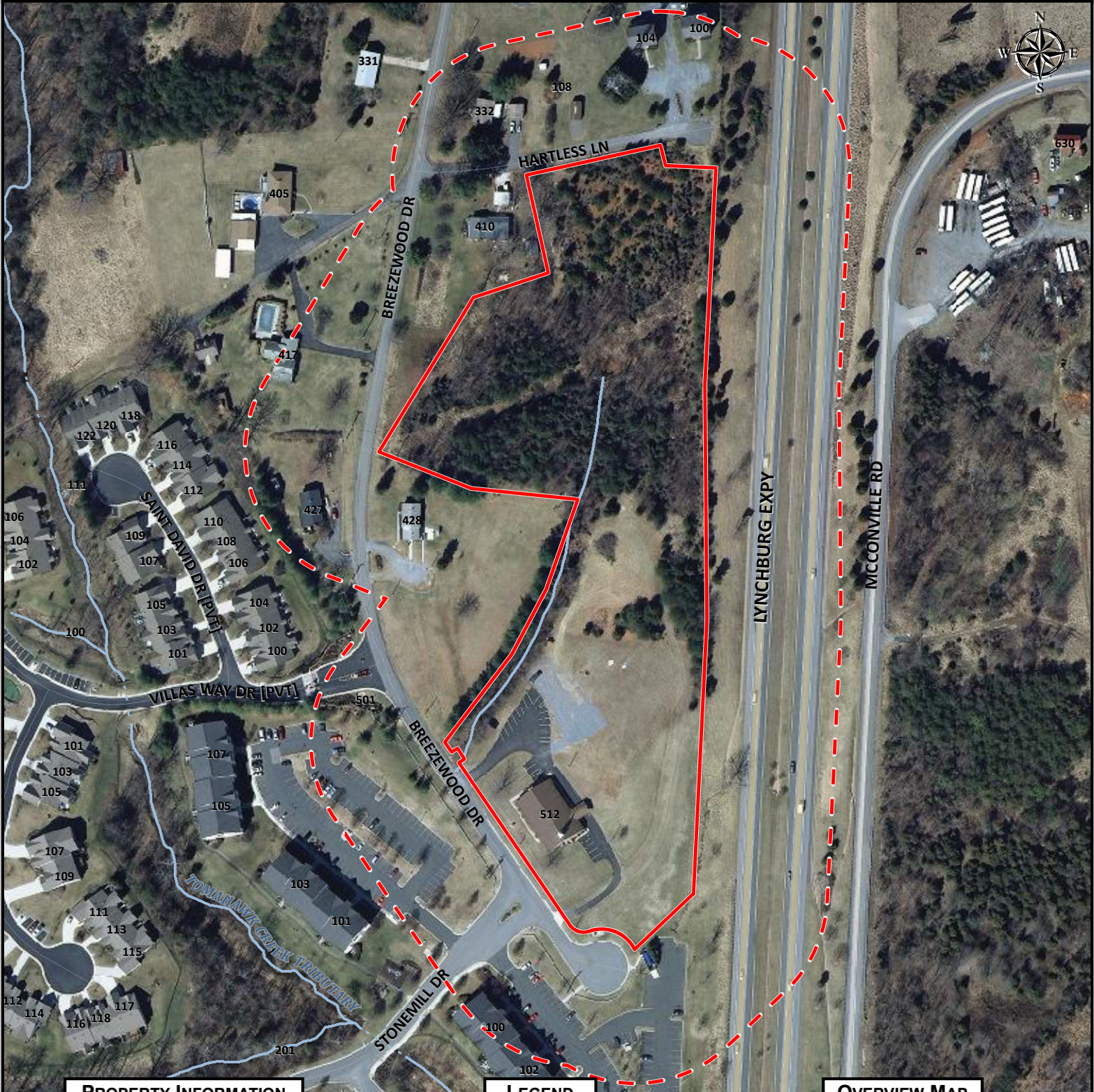
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Watershed Map

LYNCHBURG CHURCH OF GOD

Conditional Use Permit

Lynchburg Church of God



PROPERTY INFORMATION

PARCEL ID	ADDRESS
23417003	512 BREEZEWOOD DR

LEGEND

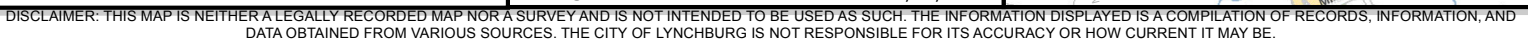
- Subject Property
- Base Flood Elevation
- Floodway
- Floodzone
- River / Lake / Stream

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 12/31/2012

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Narrative of the Church Of God

The Church Of God is one of the most influential worldwide Pentecostal movements in the world today. This organization was established in 1886 in Tennessee and North Carolina and has grown throughout the United States and Internationally. The Church Of God has a membership of seven (7) million persons.

The Lynchburg Church Of God was chartered in early in the 1940's and was established in a small Church building on Cabell and D Street in the City Of Lynchburg. In 1956 the Lynchburg Church of God had outgrown the small building on Cabell Street and built a new Church Facility on Blue Ridge Street in the City. They moved to this new building in 1958.

In 1981 the Lynchburg Church Of God had an offer to sell their building on Blue Ridge Street to another Church organization. The Trustees decided they would sell the building and build a new Church that would accommodate their congregation's needs. At that time the Church owned several Acres of land on what was then called McConville Road, which is now known as Breezwood Drive.

When the Church was built in 1982 the Classroom's was built immediately adjacent to the main Sanctuary. Due to the noise factor it is difficult to hold any classes at the same time the Worship Service is being conducted in the Sanctuary. The adjoining class rooms are rendered useless when services are conducted simultaneously. A need for new space is necessary.

The purpose of the new 2400 square frame addition will be to establish a new facade, a new look for the aging Church building as well as establish class rooms facilities that can be used to accommodate, (i) the teen church, (ii) the children's church, (iii) additional restroom facilities that meet ADA standards, (iv) administrative office space for church officers (v) a new Church Entrance and (vi) nursery facilities.

The existing building has a seating capacity in the Sanctuary of 150 persons. The existing building is frame construction built on a concrete slab with brick veneer and a shingle roof.

The new Church addition will be a frame building built on a concrete slab. The exterior facade of the building will be white vinyl against the brick veneer of the existing Church. The roof material will be metal. The existing Church roof will also be metal in place of the traditional asphalt shingles. The new entrance to the Church will be from the new 2400 square foot addition and will be entered from the North. The new entrance adjoins an existing gravel parking lot which will be surface treated with striped parking spaces. All entrances into the new facility are designed to accommodate the Church Senior Citizens and all ADA regulations and meet the immediate needs for the Church.

*Lynchburg
Church Of God*

CONTACT NUMBERS:

- ACRES OF VIRGINIA, INC.**

INTEERS~SURVEYORS~PLANNERS
TAL~SOIL CONSULTANTS~GEOTECHNICAL
email: Serca2@aol.com
www.acresofvirginia.com

LYNCHBURG OFFICE:
404 CLAY STREET
LYNCHBURG, VA 24504
OFFICE (434) 528-4674
FAX (434) 845-1048

COMM. NO.: 12753

DATE: NOVEMBER 19, 2012
FILE NO.: COVER12753
SERVER-NEWJOBS2012

PLAN SCALE:
TAX MAP NO. 23417003
COPYRIGHT, VIRGINIA, INC.

**COVER SHEET
FOR PROPOSED NEW
CLASSROOM ADDITION**

PROPERTY OF
Synchburg
Church Of God
LYNCHBURG, VIRGINIA

DRAWING
COVER SHEET

SHEET 1

NOTES.

1. THIS PLAN WAS PREPARED AT THE REQUEST OF LYNCHBURG CHURCH OF GOD
2. NO DETERMINATION OF WETLANDS WAS MADE NOR DOES THIS PLAN SHOW THE DELINEATION OF ANY ENVIRONMENTALLY SENSITIVE AREAS IN OR AROUND THE BOUNDARIES OF THIS PROPERTY
3. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS PLAN, NO EVIDENCE OR STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
4. NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND COMPLETE TITLE SEARCH MAY DISCLOSE. THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES OR EASEMENTS ON THIS PROPERTY. ALL ADJOINING OWNERS ARE NOW OR FORMERLY
5. THIS PROPERTY AS PLATTED FALLS WITHIN THE FLOOD ZONE "C" AS DETERMINED BY F.E.M.A. AND SHOWN ON THEIR MAP DATED SEPTEMBER 1, 1978 PANEL NO 510093 0010B. NO CERTIFICATION BY THIS SURVEYOR IS MADE TO THE ACCURACY OF THE F.E.M.A. MAP.
6. IN PROVIDING THIS PLAN NO ATTEMPT HAS BEEN MADE TO OBTAIN OR SHOW DATA CONCERNING EXISTING SIZE, DENSITY, CAPACITY OR LOCATION OF ANY UTILITY EXISTING ON THE SITE, WHETHER PRIVATE, MUNICIPAL OR PUBLIC OWNED.
7. ANY SUBAQUEOUS BEDS LOCATED WITHIN THE BOUNDARIES OF THIS PROPERTY MAY BE THE PROPERTY OF THE COMMONWEALTH OF VIRGINIA, NO ATTEMPT TO DETERMINE SAID OWNERSHIP WAS MADE BY ACRES OF VIRGINIA, INC. THE AREA SHOWN ON THIS PLAN, HOWEVER, MAY BE MINUS AND IS INCLUSIVE OF ANY SUBAQUEOUS BEDS UNLESS OTHERWISE NOTED.
8. IT IS UNLAWFUL TO DISTURB ANY GRAVE OR GRAVE MARKER, ACCORDINGLY, ANY GRAVE OR ANY OBJECT OR STRUCTURE MARKING A PLACE OF BURIAL IDENTIFIED ON THE SURVING SURFACE SHALL BE RESEARCHED OR AN PREPARATION OR AS DENOTED ON THIS PLAN, ACRES OF VIRGINIA, INC. EXPRESSLY DISCLAIM ANY FINANCIAL RESPONSIBILITY FOR THE DESTRUCTION, REMOVAL OR DISTURBANCE OF ANY GRAVES OR GRAVEMARKERS THAT MAY NOT HAVE BEEN DETECTED OR SHOWN ON THIS PLAN. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH THE OWNER OR OWNERS AGENT PRIOR TO DISTURBING THIS AREA
9. PRIOR TO THE IMPROVEMENT OF ANY PROPERTY IN THE CITY OF LYNCHBURG, THE PLANNING DEPARTMENT SHALL BE CONTACTED CONCERNING, BUT NOT LIMITED TO, THE CURRENT ZONING, BUILDING SETBACK REQUIREMENTS, WATER OR SEWER SYSTEMS, HEALTH DEPARTMENT REQUIREMENTS, EROSION AND SEDIMENT CONTROL REQUIREMENTS, AND PRIVATE STREETS.
10. EXTERIOR LIGHTING WILL BE DIRECTIONAL AND GLARE SHIELDED.
11. THE NEW CLASSROOM ADDITION WILL BE SERVED BY UNDERGROUND UTILITIES.
12. PRIOR TO CONSTRUCTION THE OWNER SHALL SUBMIT TO THE CITY OF LYNCHBURG PLANS FOR APPROVAL AND SHALL OBTAIN ALL PERMITS FROM ALL GOVERNING BODIES.
13. 45 - EXISTING 9' x 18' PARKING SPACES
5 - ADDITIONAL 9' x 18' PARKING SPACES TO BE ADDED
2 - EXISTING 13' x 18' ADA HANDICAP SPACES
52 - TOTAL SPACES
14. LANDSCAPING SHOWN WILL BE IN ACCORDANCE WITH THE CITY OF LYNCHBURG ZONING ORDINANCE. SEE LANDSCAPE PLAN.
15. CONSTRUCTION STAKEOUT WILL BE PROVIDED BY ACRES OF VIRGINIA, INC.
16. THE CHURCH SANCTUARY SEATING CAPACITY IS 150 PERSONS.
17. THE NEW CLASSROOM ADDITION WILL CONNECT TO THE EXISTING WATER LINE FROM THE EXISTING CHURCH BUILDINGS.
18. NO NEW SERVICE CONNECTION WILL BE MADE. THE NEW BATHROOMS IN THE CLASSROOM ADDITION WILL CONNECT TO THE 4" PVC LINE THAT SERVES THE EXISTING CHURCH BUILDING.
19. THE TOTAL NET IMPERVIOUS AREA INCLUDING THE NEW INFRASTRUCTURE IS 0.69 ACRES.

GENERAL CONSTRUCTION NOTES:

SITE WORK

THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE CITY OF LYNCHBURG'S CONSTRUCTION COORDINATOR AND ACRES OF VIRGINIA, INC. AT LEAST 48 HOURS PRIOR TO COMMENCING ANY WORK ON THIS PROJECT. THE OWNER SHALL OBTAIN ALL REQUIRED PERMITS, FROM ALL GOVERNING BODIES PRIOR TO CONSTRUCTION. ACRES OF VIRGINIA, INC ACCEPTS NO RESPONSIBILITY FOR THE PERMITS

THE LOCATION OF EXISTING UTILITIES ACROSS OR ALONG THE LINE OF PROPOSED WORK IS NOT NECESSARILY SHOWN ON THE PLANS AND WHERE SHOWN IS APPROXIMATE. THE CONTRACTOR SHALL ON HIS OWN LOCATE ANY UNDERGROUND LINES AND STRUCTURES AS NECESSARY

CONTRACTOR SHALL CALL "MISS UTILITY" AT (811) (48) HOURS PRIOR TO CONSTRUCTION

POWER LINES AND POLES, TELEPHONE LINES AND POLES SHALL BE PROTECTED FROM ANY DAMAGE. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE UTILITY OWNERS, OBTAINING THE PROPER PROTECTIVE MEASURES FOR EACH INDIVIDUAL CONSTRUCTION LOCATION AND PROTECTING UTILITIES FROM DAMAGE.

THE CONTRACTOR SHALL NOTIFY ACRES OF VIRGINIA, INC. FOR A REVIEW SHOULD DISCREPANCIES BE DISCOVERED.

EARTHWORK

THE CONTRACTOR SHALL COMPLY WITH THE LATEST REVISIONS OF THE VIRGINIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR THE CONSTRUCTION INDUSTRY AS ADOPTED BY THE SAFETY AND HEALTH CODES COMMISSION OF VIRGINIA.

EARTHWORK SHALL BE THE LINES AND GRACES SHOWN PROOF-ROLLING AND COMPACTION TEST SHALL BE ACCOMPLISHED IN THE FIELD TO TEST ALL FILL AREAS.

THE GRADING CONTRACTOR SHALL PROOF-ROLL THE CONSTRUCTION AREA WITH PNEUMATIC EQUIPMENT. ALL UNSUITABLE MATERIAL SHALL BE UNDERCUT AND REPLACED WITH COMPACTED APPROVED STRUCTURAL MATERIAL

ANY SURPLUS EXCAVATED MATERIAL SHALL BE STOCKPILED ON THE SITE BY THE GRADING CONTRACTOR AND SHALL BE RELOCATED AT AN APPROVED, LICENSED SITE

COMPACT TO 98% OF MAXIMUM STANDARD PROCTOR DENSITY WITH THE UPPER 9" @ 100% STANDARD PROCTOR DENSITY. MAINTAIN SOIL MOISTURE CONTENT BETWEEN 0 AND 3% ABOVE OPTIMUM. USE THE GEOTECHNICAL ENGINEER METHOD FOR MAINTAINING OPTIMUM MOISTURE CONTROL. COMPACTION TESTS ARE MANDATORY FOR THIS PROJECT. ALL GEO-TECH WORK CAN BE DONE BY ACRES OF VIRGINIA, INC. UPON REQUEST.

PAVING INSTRUCTIONS FOR EXISTING GRAVEL PARKING LOT
AND PROPOSED ADDITIONAL SPACES

SURFACE - SUFRACE TREATMENT (TAR AND GRAVEL)
BASE - 6" 21A
UNTREATED AGGREGATE COMPACTED IN 3" LIFTS

PLAN ACQUISITION

IT SHALL BE THE SOLE RESPONSIBILITY OF THE OWNER TO ENSURE THAT THE CONTRACTOR IS WORKING FROM THE MOST CURRENT SET OF APPROVED PLANS.

MATERIAL NOTES

ALL CONSTRUCTION AND MATERIAL SHALL CONFORM TO THE CITY OF LYNCHBURG'S SPECIFICATIONS AND STANDARDS, LATEST EDITION.

TABLE OF CONTENTS

1. COVER SHEET
2. SITE, LANDSCAPE & UTILITY PLAN
3. LANDSCAPE SPECIFICATIONS
4. GRADING, EROSION & SEDIMENTATION CONTROL &
STORMWATER MANAGEMENT PLAN
5. EROSION SEDIMENTATION CONTROL &
STORMWATER MANAGEMENT DETAIL SHEET
6. STORMWATER MANAGEMENT CALCULATIONS &
DRAINAGE MAPS
7. SPECIFICATIONS
8. SPECIFICATIONS

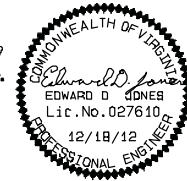
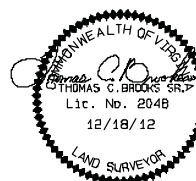
SITE PLAN APPROVAL

CITY ENG: _____ /DATE_____

TRC: _____ /DATE_____

E & S: _____ **/DATE** _____

NOTE:
ANY EXCESS SOIL WILL BE TRANSPORTED TO THE LIVING WATER
BAPTIST CHURCH IN AMHERST AND IS COVERED BY AN EXISTING
E & S PERMIT.

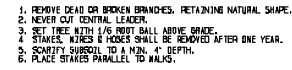


THIS SHEET IS PART OF A SET

1. CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO UTILITIES DURING THE COURSE OF THE WORK. CONTRACTOR IS RESPONSIBLE FOR REPAIRING THE DAMAGE TO UTILITIES, SITE STRUCTURES, ETC., RESULTING FROM LANDSCAPE CONSTRUCTION
2. ALL PLANTS MUST BE VIGOROUS, HEALTHY MATERIAL, FREE OF PESTS AND DISEASE.
3. ALL PLANTS AND TREES MUST MEET ALL REQUIREMENTS SPECIFIED IN THE PLANT LIST, DETAILS, AND SPECIFICATIONS.
4. ALL TREES SHALL BE GUYNED OR STAKED AS SHOWN IN THE DETAILS.
5. ALL PLANTS AND PLANTING AREAS MUST BE MULCHED.
6. CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON FINAL LANDSCAPE PLANS PRIOR TO PRICING THE WORK.
7. CONTRACTOR IS RESPONSIBLE FOR COMPLETELY MAINTAINING THE WORK (INCLUDING BUT NOT LIMITED TO: WATERING, MULCHING, SPRAYING, FERTILIZING, ETC.) OF ALL PLANTING AREAS AND LAWNS UNTIL TOTAL ACCEPTANCE OF THE WORK BY THE OWNER.
8. CONTRACTOR SHALL COMPLETELY GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR BEGINNING AT THE DATE ACCEPTANCE. CONTRACTOR SHALL MAKE ALL REPLACEMENTS PROMPTLY (AS PER DIRECTION OF OWNER).
9. CONTRACTOR SHALL STAKE OR HAVE STAKED PLANT MATERIAL LOCATIONS PRIOR TO INSTALLATION. CONTRACTOR SHALL HAVE OWNERS REPRESENTATIVE APPROVE ALL STAKING PRIOR TO INSTALLATION.
10. ANY MATERIAL WHICH DIES, OR DEFOLIATES PRIOR TO ACCEPTANCE OF THE WORK SHALL BE PROMPTLY REMOVED AND REPLACED.
11. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GENERAL GUIDELINE SPECIFICATIONS ONLY AND WILL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
12. THE OWNER RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL NOT MEETING THEIR STANDARDS.
13. THE CONTRACTOR IS RESPONSIBLE FOR SOIL SAMPLING AND TESTS TO DETERMINE EXACT FERTILIZER REQUIREMENTS
14. INSTALL STONE MAINTENANCE STRIP IF REQUIRED. STONE SHALL CONSIST OF RIVERSTONE WITH MAXIMUM DIMENSION OF FOUR INCHES (4"). STONE SHALL BE LAID THREE INCHES (3") DEEP OVER NEED BARRIER FABRIC, OVERLAP FABRIC SIX INCHES (6") PER COURSE. EDGING SHALL BE FOUR INCHES (4") X THREE SIXTEENTH INCH (3/16") BLACK ALUMINUM EDGING AS MANUFACTURED BY SURE-LOC (1-800-SURE-LOC) OR APPROVED EQUAL, ANCHOR EDGING IN PLACE WITH STAKES EIGHT INCHES (8") LONG.
15. LANDSCAPE CONTRACTOR IS TO BE RESPONSIBLE FOR WATERING ALL PLANT MATERIALS UNTIL THE TIME THE PERMANENT IRRIGATION SYSTEM IS FULLY FUNCTIONAL.

IF THE SITE DEVELOPMENT PLANS DO NOT INCLUDE AN IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING ALL PLANT MATERIALS UNTIL THE BUILDING IS TURNED OVER TO THE OWNER.
16. CHEMICAL WEED CONTROL SHALL BE APPLIED TO ALL LANDSCAPE AREAS PRIOR TO ANY PLANT INSTALLATION.
17. THE CONTRACTOR SHALL SUBMIT A LIST OF ANY PROPOSED PLANT SUBSTITUTIONS. SUBSTITUTIONS MUST BE APPROVED BY THE OWNER PRIOR TO PURCHASE AND INSTALLATION.

CONTRACTOR SHALL ALLOW TEN (10) WORKING DAYS FOR REVIEW AND APPROVAL BY THE OWNER.
18. ALL PLANTS MUST MEET MINIMUM SIZE PER CITY OF LYNCHBURG CODE. TREES SHALL BE OF NO. 1 GRADE SPECIMEN AND SHRUBS SHALL BE HEAVY HILL SHAPED SPECIES



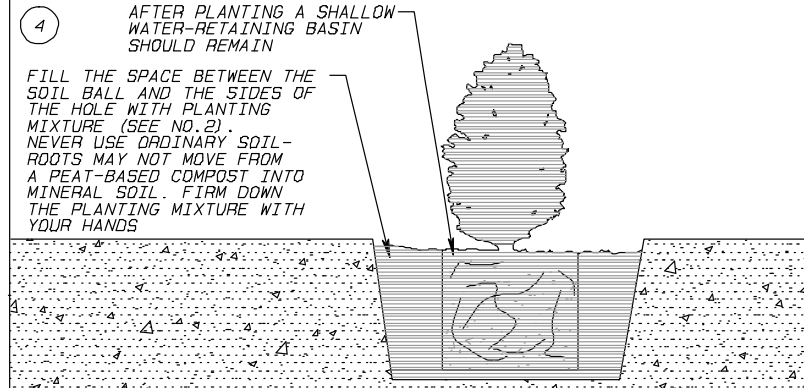
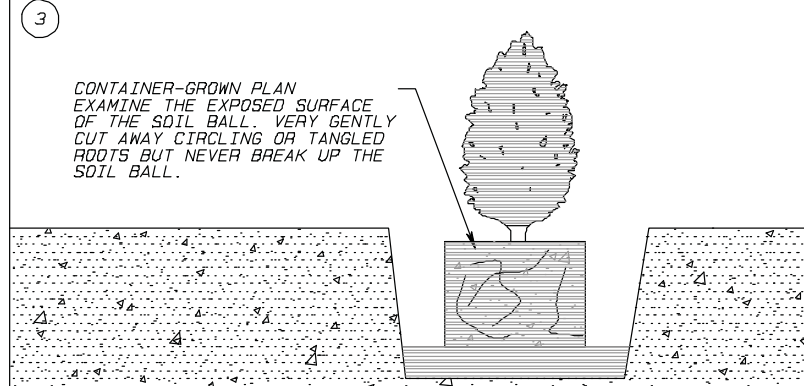
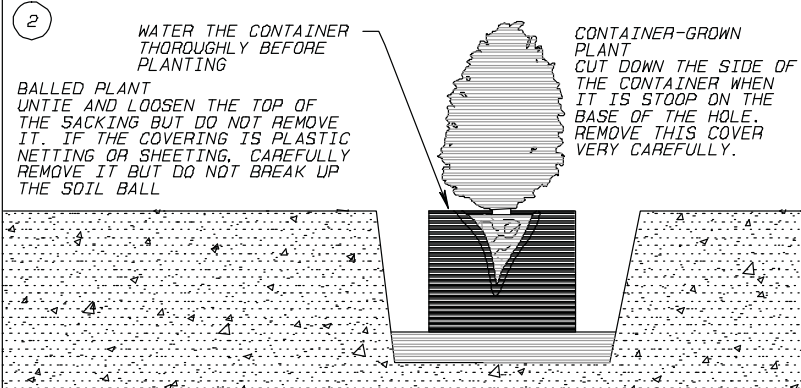
TEST DRAINAGE IN ISLANDS AFTER EXCAVATION
FILL PIT WITH 4" OF WATER. IF WATER IS STANDING AFTER ONE
HOUR, EXCAVATE 6" DEEPER LAY 6" DRAINAGE BEDDING. COVER
BEDDING WITH FILTER FABRIC LAP UP 6" ALL AROUND

1. 1/8 OF ROOT BALL TO BE SET ABOVE GRADE
2. SCARIFY SIDES OF PIT TO 4".
3. FOR CONTAINER MATERIAL, SLASH ROOT BALL FROM TOP TO BOTTOM, 1" DEEP MIN
4. REMOVE DEAD OR BROKEN BRANCHES, RETAIN NATURAL FOR

- 1 CUT PLANT BEDS IN SMOOTH CURVES
- 2 CUT EDGE OF SOD VERTIALLY TO CREATE CLEAN EDGE.

4 PLANT BED EDGING
SCALE: N T S

1 DIG A PLANTING HOLE WHICH IS LARGE ENOUGH AND DEEP ENOUGH FOR THE SOIL BALL TO BE SURROUNDED BY A 3-4 IN. LAYER OF PLANTING MIXTURE.



The diagram is divided into two main sections. The top section illustrates various fencing methods for a large tree. Labels include 'Drip Line' pointing to the outer edge of the canopy, 'Snow Fence' pointing to a fence line, 'Board Fence' pointing to a fence made of vertical boards, 'Plastic Fence' pointing to a fence made of plastic, and 'Cord Fence' pointing to a fence made of cord. The bottom section shows two specific methods: 'Triangular Board Fence' and 'Correct Trunk Armoring'. The 'Triangular Board Fence' is a fence made of three boards forming a triangle around the base of a tree. 'Correct Trunk Armoring' shows a tree trunk wrapped in a protective material, with labels for 'Correct Trunk Armoring' and 'Correct Trunk Armoring'.

CORRECT METHODS OF TREE FENCING

1. CONTRACTOR SHALL CHOOSE ONE OF THE APPROVED METHODS SHOWN.

TRIANGULAR BOARD FENCE

CORRECT TRUNK ARMORING

Source	Year	Disc
--------	------	------

Plate 3 38-2

ENGINEERS*SURVEYORS*PLANNERS
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COMM. NO.: 12753

DATE. NOVEMBER 19, 2012

FILE NO.: COVER12753
SERIAL-NEWJOB52012

TAX MAP NO. 23417003

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1000

LANDSCAPE
SPECIFICATIONS

PROPERTY OF:
Synchburg
Church Of God

APPENDIX

DRAWING

LANDSCAPE SPECIFICATIONS

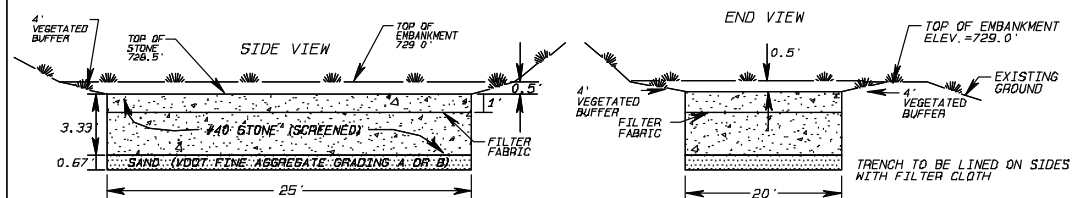
SHEET 3

THIS SHEET IS PART OF A SET

A circular professional seal for a Land Surveyor in the Commonwealth of Virginia. The outer ring of the seal contains the text "COMMONWEALTH OF VIRGINIA" at the top and "LAND SURVEYOR" at the bottom. Inside the ring, the name "Thomas C. Brooks Sr." is written in a cursive script. Below the name, the text "THOMAS C. BROOKS SR." is printed in a sans-serif font. Underneath the printed name, the license number "Lic. No. 2048" is printed. At the bottom of the inner circle, the expiration date "12/18/12" is printed.

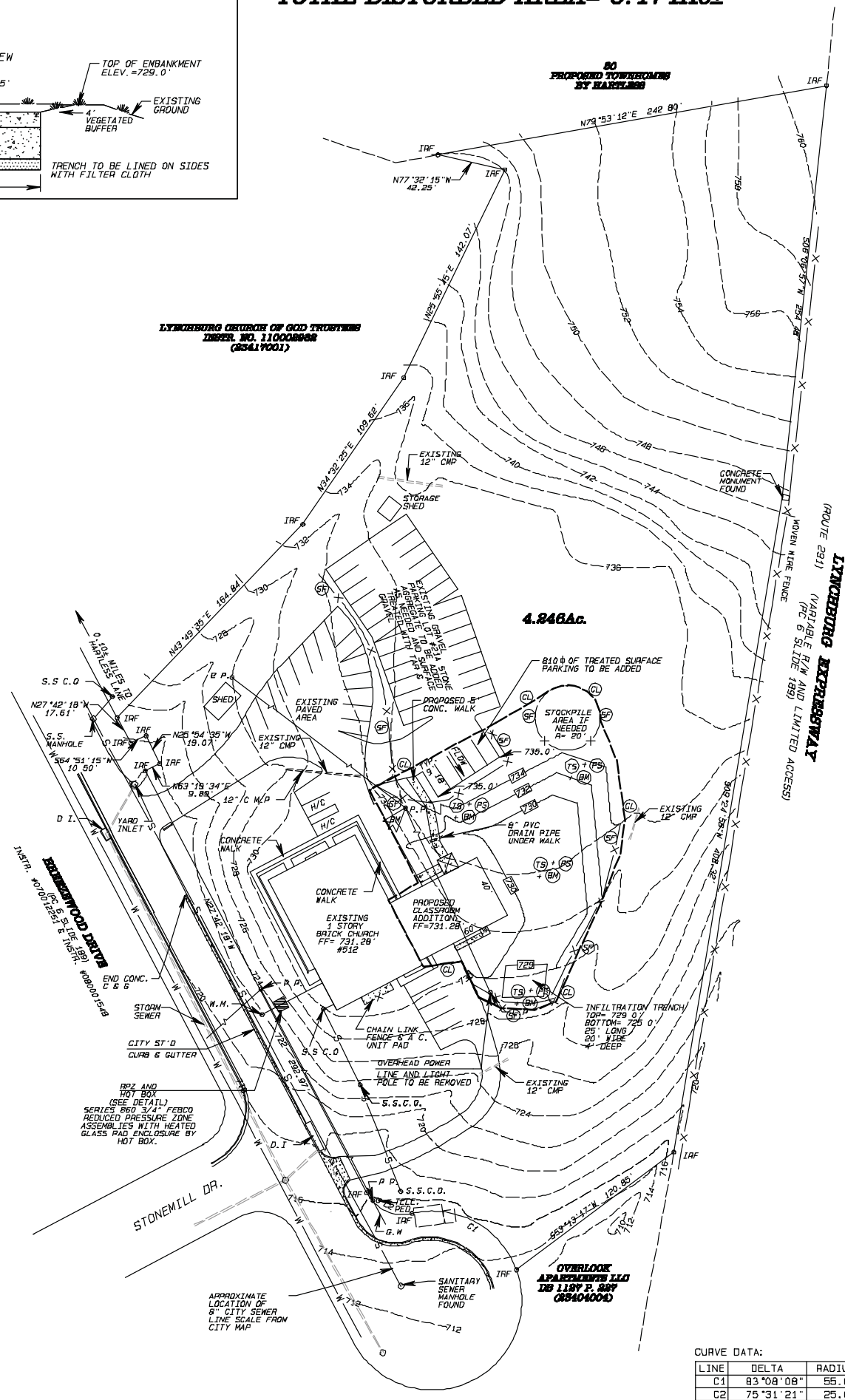
COMMONWEALTH OF VIRGINIA
Edward D. Jones
 EDWARD D. JONES
 Lic. No 027610
 12/18/12
 PROFESSIONAL ENGINEER

NOT TO SCALE

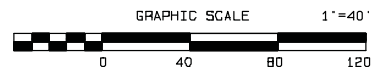


E.G. = EDGE OF GRAVEL

TOTAL DISTURBED AREA= 0.474Ac±



LINE	DELTA	RADIUS	ARC	CHORD	CHORD BEARING
C1	83°08'08"	55.00'	79.80'	72.99'	N61°39'34"W
C2	75°31'21"	25.00'	32.95'	30.62'	N65°27'58"W



ACRES OF VIRGINIA, INC.

PROTECT YOUR PROPERTY, INC.
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 404 CLAY STREET
 LYNCHBURG, VA. 24504
 OFFICE (434) 528-4674
 FAX (434) 845-1048

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PLAN SCALE: 1" = 40'

TAX MAP NO.
23417003

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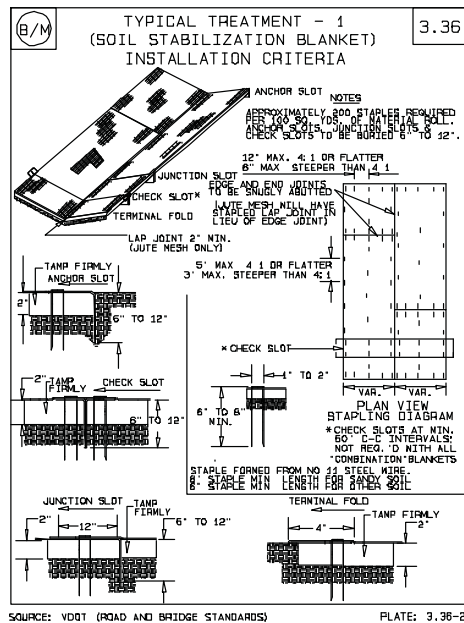
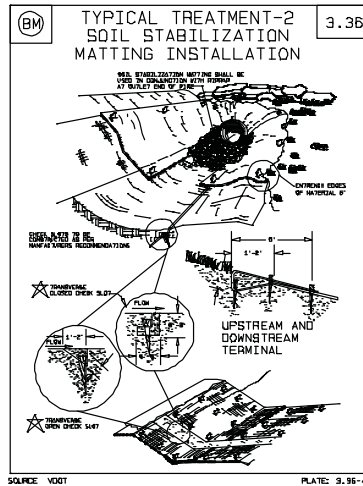
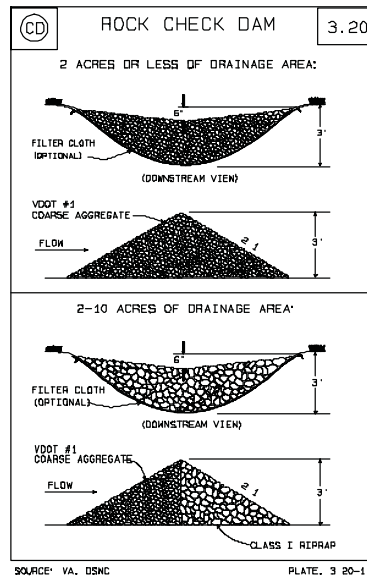
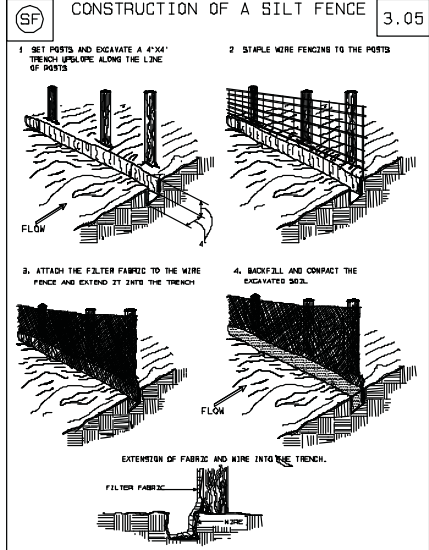
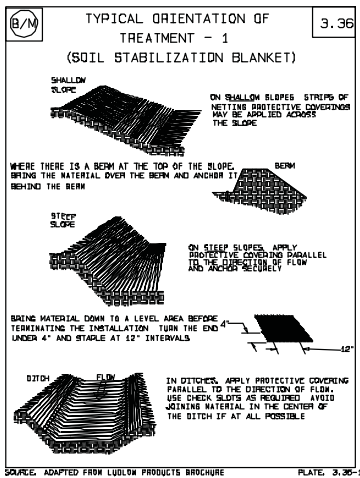
GRADING EROSION CONTROL & STORM WATER MANAGEMENT PLAN FOR NEW CLASSROOMS

PROPERTY OF

Lynchburg
Church of God

WILSON J. PRINCE, JR.

DRAWING
GRADING EROSION
CONTROL & STORM
WATER MANAGEMENT
PLAN FOR NEW
CLASSROOMS
SHEET 4



(TS) TABLE 3.31-B ACCEPTABLE TEMPORARY SEEDING PLANT MATERIALS "QUICK REFERENCE FOR ALL REGIONS"

Planting Dates	Species	Rate (lbs. / acre)
Sept. 1 - Feb. 15	50/50 Mix of Annual Ryegrass (Lolium multi-florum) & Cereal (Winter) Rye (Secale cereale)	50 - 100
Feb. 15 - Apr. 30	Annual Ryegrass (Lolium multi-florum)	60 - 100
May 1 - Aug 31	German Millet (Setaria italica)	50

(TS) TABLE 3.31-A LIMITING REQUIREMENTS FOR TEMPORARY SITES

PH Test	Recommended Application of Agricultural Limestone
below 4.2	3 tons per acre
4.2 to 5.2	2 tons per acre
5.2 to 6	1 ton per acre

(PS) TABLE 3.32-D SITE SPECIFIC SEEDING MIXTURES FOR PIEDMONT AREA

Minimum Care Lawn	Total Lbs Per Acre
- Commercial or Residential - Kentucky 31 or Turf-Type Tall Fescue - Improved Perennial Ryegrass - Kentucky Bluegrass	175-200 lbs 90-100% 0-5% 0-5%
High-Maintenance Lawn	200-250 lbs. 100%
General Slope (3:1 or less)	120 lbs. 2 lbs. 20 lbs. 150 lbs.
Low-Maintenance Slope (Steeper than 3:1)	100 lbs. 2 lbs. 20 lbs. 150 lbs.

* Use seasonal nurse crop in accordance with seeding dates as stated below:

February 15th through April 1st	Annual Rye
May 1st through August 15th	German Millet
August 15th through October 1st	Annual Rye
November through February 15th	Winter Rye

** Substitute Sericea lespedeza for Crownvetch east of Farmville, Va. (May through September use hulled Sericea, all other periods, use unhulled Sericea). If Flats is used in lieu of Crownvetch, increase rate to 30 lbs./acre. All legume seed must be properly inoculated. Nodding Leveegrass may be added to any slope or low-maintenance mix during warmer seeding periods, add 10-20 lbs./acre in mixes

(MU) TABLE 3.35-A ORGANIC MULCH MATERIALS AND APPLICATION RATES

MULCHES	RATES		NOTES
	Per Acre	Per 1000 sq. ft.	
Straw or Hay	1-1/2 - 2 tons (Minimum 2 tons for winter cover)	70 - 90 lbs.	Free from weeds and coarse matter. Must be anchored. Spread with mulch blower or by hand.
Fiber Mulch	Minimum 1500 lbs	35 lbs.	Do not use as mulch for winter cover on during hot, dry periods. * Apply as slurry.
Corn Stalks	4 - 6 tons	185 - 275 lbs.	Cut or shredded in 4-6" lengths. Air-dried. Do not use in fine turf areas. Apply with mulch blower, chip handler, or by hand.
Wood Chips	4 - 6 tons	185 - 275 lbs.	Free of coarse matter. Air-dried. Do not use in fine turf areas. Apply with mulch blower, chip handler, or by hand.
Bark Chips or Shredded Bark	50 - 70 cu. yds.	1-2 cu. yds.	Free of coarse matter. Air-dried. Do not use in fine turf areas. Apply with mulch blower, chip handler, or by hand.

* When fiber mulch is the only available mulch during periods when straw should be used, apply at a minimum rate of 2000 lbs./ac. or 45 lbs./1000 sq. ft.

TABLE 3.31-C TEMPORARY SEEDING PLANT MATERIALS, SEEDING RATES, AND DATES

SPECIES	SEEDING RATE Acre	1000 ft2	SEEDING DATES						PLANT CHARACTERISTICS
			3/1	5/3	6/25	7/25	8/3	9/1	
DATS (Avena sativa)	3 bu. (up to 100 lbs. not less than 50 lbs.)	2000	X	-	-	X	-	-	Use spring varieties (e.g., Nobil)
RYE (Secale cereale)	2 bu. (up to 110 lbs., not less than 50 lbs.)	2.0 lbs.	X	-	X	X	-	X	Use for late fall seedings, winter cover. Tolerates cold and low moisture.
GERMAN MILLET (Setaria italica)	50 lbs.	approx. 1 lb.	-	X	-	-	X	-	Warm-season annual. Dies at first frost. May be added to summer mixes.
ANNUAL RYEGRASS (Lolium multi-florum)	60 lbs.	1-1/2 lbs.	X	-	X	X	-	X	May be added in mixes. Will mow out of most stands.
KEEPING LOVEGRASS (Eragrostis curvula)	10 lbs.	5-1/2 ozs.	-	X	-	-	X	-	Warm-season perennial. May bunch. Tolerates hot, dry slopes and acid, infertile soils. May be added to mixes.
KOREAN LESPEDEZA (Lespedeza bicolor)	20 lbs.	approx 1-1/2 lbs.	X	X	-	X	X	-	Warm season annual legume. Tolerates acid soils. May be added to mixes.

a Northern Piedmont and Mountain region. See Plates 3.22-1 and 3.22-2
b Southern Piedmont and Coastal Plain
c May be used as a cover crop with spring seeding.
d May be used as a cover crop with fall seeding.
* May be planted between these dates.
* May not be planted between these dates.

NARRATIVE:

PROJECT DESCRIPTIONS:

THE PURPOSE OF THIS PROJECT IS TO CONSTRUCT A 2400 SQUARE FOOT ADDITION TO THE EXISTING CHURCH BUILDING FOR SUNDAY SCHOOL CLASSROOMS. THE TOTAL NEW CONSTRUCTION DISTURBED AREA IS 0.474 ACRES. THE TOTAL NEW IMPERVIOUS AREA INCLUDING THE NEW INFRASTRUCTURE IS 0.69 ACRES. THERE IS AN INCREASE OF 0.09 ACRES OF IMPERVIOUS AREA TO THE TOTAL SITE.

EXISTING CONDITIONS:

THIS SITE IS COVERED WITH APPROXIMATELY 45% MIXED HARDWOODS AND PINE. THE REMAINING PORTION OF THIS SITE IS FIELD GRASS AND OPEN SPACE WITH EXCEPTION OF BUILDINGS AND PARKING AREAS CONSISTING OF APPROXIMATELY 0.69 ACRES.

ADJACENT PROPERTY:

THIS PROPERTY IS BOUNDED ON THE WEST BY A CITY MAINTAINED STREET (BREEZEWOOD DRIVE). THE PROPERTY IS BOUNDED ON THE NORTHWEST BY PROPERTY OWNED BY LYNCHBURG CHURCH OF GOD. THIS LAND IS MOSTLY OPEN AND GRASSY TO BREEZEWOOD DRIVE. THE PROPERTY TO THE NORTH IS CURRENTLY OWNED BY HARTLESS AND WILL BE DEVELOPED INTO 50 TOWNHOMES. THIS SITE CURRENTLY DRAINS ONTO THE PROPERTY (0.474 ACRES) BEING DEVELOPED FOR A CHURCH ADDITION. IF THE TOWNHOMES ARE CONSTRUCTED THE OWNER MUST OBTAIN HIS RUNOFF ON HIS PROPERTY. THE PROPERTY IS BOUNDED ON THE EAST BY THE LYNCHBURG EXPRESSWAY AND ON THE SOUTH BY A SMALL PARCEL OWNED BY OVERLOOK APARTMENTS. ALL NEW RUNOFF FOR THE NEW ADDITION WILL BE OBTAINED IN AN INFILTRATION PIT WHICH CONTROLS INCREASED RUNOFF AND ADDRESSES STORMWATER.

OFF SITE AREA:

NO ASSOCIATED ACTIVITY WILL OCCUR OFF SITE. IF IT BECOMES NECESSARY TO BORROW OR STOCKPILE, THE CONTRACTOR WILL SUBMIT TO THE PROPER AUTHORITIES A SUPPLEMENTARY PLAN SHOWING ALL EROSION CONTROL MEASURES COVERING THESE AREAS AND UPON APPROVAL PROCEED.

SOILS:

HMC2 - MADISON LOAM, 6 TO 15 PERCENT SLOPES, ERODED.

THE MADISON SERIES CONSISTS OF WELL DRAINED, MODERATELY PERMEABLE SOILS THAT FORMED IN RESIDUAL WEATHERED FROM PLEISTOCENE OR INTERMEDIATE HIGH-GRADE METAMORPHIC OR IGNEOUS ROCKS HIGH IN MICA CONTENT. THEY ARE VERY DEEP TO BEDROCK AND MODERATELY DEEP TO SUBGRADE. THEY ARE ON GENTLY SLOPING TO STEEP UPLANDS IN THE PIEDMONT. SLOPES ARE MOSTLY BETWEEN 4 AND 15 PERCENT, BUT RANGE FROM 2 TO 60 PERCENT. NEAR THE LOCATION, MEAN ANNUAL TEMPERATURE IS 60 DEGREES F., AND MEAN ANNUAL PRECIPITATION IS 60 INCHES.

VIRGINIA EROSION AND SEDIMENT CONTROL LAW MINIMUM STANDARDS FOR CONTROLLING EROSION AND SEDIMENTATION

STABILIZATION OF DENUDED AREAS:

PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 30 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR.

SOIL STABILIZATION REFERS TO MEASURES WHICH PROTECT SOIL FROM THE EROSION FORCES OF RAINFALL IMPACT AND FLOWING WATER. APPLICABLE PRACTICES INCLUDE VEGETATIVE ESTABLISHMENT, MULCHING, AND THE EARLY APPLICATION OF GRAVEL BASE ON AREAS TO BE PAVED.

STABILIZATION OF SOIL STOCKPILES:

DURING CONSTRUCTION OF THE PROJECT, SOIL STOCKPILES SHALL BE STABILIZED OR PROTECTED WITH SEDIMENT TRAPPING MEASURES. THE LEAST IS RESPONSIBLE FOR THE TEMPORARY PROTECTION AND PERMANENT STABILIZATION OF ALL STOCKPILES ON SITE AS WELL AS SOIL INTENTIONALLY TRANSPORTED FROM THE PROJECT SITE.

PERMANENT VEGETATION:

A PERMANENT VEGETATIVE COVER SHALL BE ESTABLISHED ON DENUDED AREAS NOT OTHERWISE PERMANENTLY STABILIZED. PERMANENT VEGETATION SHALL NOT BE CONSIDERED ESTABLISHED UNTIL A GROUND COVER IS ACHIEVED THAT IS IN THE OPINION OF THE LOCAL PROGRAM ADMINISTRATOR OR HIS DESIGNATED AGENTS, UNIFORM AND MATURE ENOUGH TO SURVIVE AND WILL INHIBIT EROSION.

TIMING AND STABILIZATION OF SEDIMENT TRAPPING MEASURES:

SEDIMENT BASINS AND TRAPS, PERIMETER DIKES, SEDIMENT BARRIERS AND OTHER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP IN ANY LAND DISTURBING ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPOUSLOPE LAND DISTURBANCE TAKES PLACE.

STABILIZATION OF EARTHEN STRUCTURES:

STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS, DIKES AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.

CUT AND FILL SLOPES:

CUT AND FILL SLOPES SHALL BE CONSTRUCTED IN A MANNER THAT WILL MINIMIZE EROSION. SLOPES THAT ARE FOUND TO BE ERODING EXCESSIVELY WITHIN ONE YEAR OF PERMANENT STABILIZATION SHALL BE PROVIDED WITH ADDITIONAL SOIL STABILIZING MEASURES UNTIL THE PROBLEM IS CORRECTED.

A.) ROUGHENED SOIL SURFACES ARE GENERALLY PREFERRED TO SMOOTH SURFACES ON SLOPES (SEE SURFACE ROUGHENING, E & S HANDBOOK).

B.) DIVERSIONS SHALL BE CONSTRUCTED AT THE TOP OF LONG STEEP SLOPES WHICH HAVE SIGNIFICANT DRAINAGE AREA ABOVE THE SLOPES. DIVERSIONS OR TERRACES MAY ALSO BE USED TO REDUCE SLOPE LENGTHS.

CONCENTRATED RUNOFF FLOW DOWN CUT OR FILL SLOPES:

CONCENTRATED RUNOFF SHALL NOT FLOW DOWN CUT OR FILL SLOPES UNLESS CONTAINED WITH AN ADEQUATE TEMPORARY OR PERMANENT CHANNEL, FLUME OR SLOPE DRAIN STRUCTURE.

WATER SEEPS FROM A SLOPE FACE:

WHENEVER WATER SEEPS FROM A SLOPE FACE, ADEQUATE DRAINAGE, OR OTHER PROTECTION SHALL BE PROVIDED.

STABILIZATION OF OUTLETS:

BEFORE NEWLY CONSTRUCTED STORMWATER CONVEYANCE CHANNELS ARE MADE OPERATIONAL, ADEQUATE OUTLET PROTECTION AND ANY REQUIRED TEMPORARY OR PERMANENT CHANNEL LININGS SHALL BE INSTALLED IN BOTH THE CONVEYANCE CHANNEL AND RECEIVING CHANNEL.

UNDERGROUND UTILITY CONSTRUCTION:

UNDERGROUND UTILITY LINES SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING STANDARDS IN ADDITION TO OTHER APPLICABLE CRITERIA.

A.) NO MORE THAN 500 LINEAR FEET OF TRENCH MAY BE OPENED AT ONE TIME.

B.) EXCAVATED MATERIAL SHALL BE PLACED ON THE UPHILL SIDE OF TRENCHES.

C.) EFFLUENT FROM Dewatering OPERATIONS SHALL BE FILTERED OR PASSED THROUGH AN APPROVED SEDIMENT TRAPPING DEVICE, OR BOTH, AND DISCHARGED IN A MANNER THAT DOES NOT ADVERSELY AFFECT FLOWING STREAMS OR OFF-SITE PROPERTY.

D.) MATERIAL USED FOR BACKFILLING TRENCHES SHALL BE PROPERLY COMPACTED IN ORDER TO MINIMIZE EROSION AND PROMOTE STABILIZATION.

E.) RE-STABILIZATION SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL REGULATIONS.

F.) APPLICABLE SAFETY REGULATION SHALL BE COMPLIED WITH.

CONSTRUCTION ACCESS ROUTES:

WHERE CONSTRUCTION VEHICLE ACCESS ROUTES INTERSECT PAVED ROADS, PROTECTION SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY VEHICULAR TRACKING ONTO A PUBLIC ROAD SURFACE. THE ROAD SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROAD BY SHOVELING OR SWEEPING AND TRANSPORTED TO A SEDIMENT TRAPPING DEVICE. STREET MARKING SHALL BE MAINTAINED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER. THIS PROVISION SHALL APPLY TO INDIVIDUAL SUBDIVISION LOTS AS WELL AS TO LARGER LAND DISTURBING ACTIVITIES.

CRITICAL AREAS:

ALL DISTURBED AREAS OF THIS SITE HAVE A MEDIUM TO HIGH EROSION POTENTIAL AND SHALL BE STABILIZED AS SOON AS POSSIBLE WITH TEMPORARY OR PERMANENT MEASURES. CUT AND FILL SLOPES OF 2:1 OR GREATER SHALL BE STABILIZED WITH BLANKETS AND MULCHING AS SOON AS THE FINAL GRADE IS ESTABLISHED. SPECIAL ATTENTION SHOULD BE PAID TO RAVINE AT REAR OF PROPERTY.

TEMPORARY EROSION & SEDIMENT CONTROL MEASURE REMOVAL:

ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE AUTHORIZED BY THE LOCAL PROGRAM ADMINISTRATOR.

PROPERTIES AND WATERWAYS DOWNSTREAM FROM DEVELOPMENT SITES SHALL BE PROTECTED FROM SEDIMENT DEPOSITION, EROSION AND DAMAGE DUE TO INCREASES IN VOLUME, VELOCITY AND PEAK FLOW RATE OF STORMWATER RUNOFF. CONTRACTORS SHALL BE RESPONSIBLE FOR OBTAINING A COPY OF APPROVED EROSION AND SEDIMENT CONTROL PLAN AND ADHERE TO SAME. THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK SHALL BE USED IN ADDITION TO THE APPROVED NARRATIVE AND PLAN.

PERMANENT STABILIZATION:

ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE STABILIZED WITH PERMANENT SEEDING IMMEDIATELY FOLLOWING FINISH GRADING. SEEDING SHALL BE PLACED ACCORDING TO E & S, 3.36. EROSION CONTROL BLANKETS SHALL BE INSTALLED OVER FILL SLOPES WHICH HAVE BEEN BROUGHT TO FINAL GRADE AND HAVE BEEN SEEDING TO PROTECT THE SLOPES FROM EROSION. MULCH (STRAW OR FIBER) SHALL BE USED ON RELATIVELY FLAT AREAS. IN ALL SEEDING OPERATIONS, SEED, FERTILIZER, AND LIME SHALL BE APPLIED PRIOR TO MULCHING.

CONTRACTOR SHALL OBTAIN A SOIL TEST PRIOR TO FINAL SITE STABILIZATION TO DETERMINE FERTILIZER APPLICATION RATES FOR THE ESTABLISHMENT OF GRASS ON THE SITE.

STORMWATER MANAGEMENT:

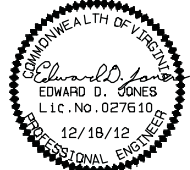
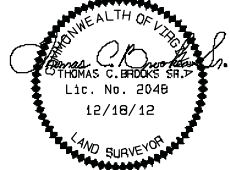
INCREASE OF ONSITE RUNOFF WILL BE INFILTRATED AT THE INFILTRATION TRENCH. THERE WILL BE NO INCREASE IN RUNOFF TO ADJACENT PROPERTIES AS A RESULT OF THIS PROJECT. THE INFILTRATION TRENCH WILL BE MAINTAINED BY THE OWNER. NUTRIENT RUNOFF IS REDUCED TO PREDEVELOPMENT AND RUNS THROUGH THE USE OF THE INFILTRATION TRENCH.

MAINTENANCE:

IN GENERAL, ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED DAILY AND AFTER EACH SIGNIFICANT RAINFALL. THE FOLLOWING ITEMS SHALL BE CHECKED IN PARTICULAR:

1. THE SILT FENCE BARRIERS AND INLET FILTERS SHALL BE CHECKED REGULARLY FOR UNWHEEDING OR DETERIORATION OF THE FABRIC. SEDIMENT SHALL BE REMOVED WHEN THE LEVEL OF SEDIMENT DEPOSITION REACHES HALF WAY TO THE TOP OF THE BARRIER.

2. THE SEEDING AREAS SHALL BE CHECKED REGULARLY TO ENSURE THAT A GOOD STAND IS MAINTAINED. AREAS SHALL BE FERTILIZED AND RESEED AS NEEDED.



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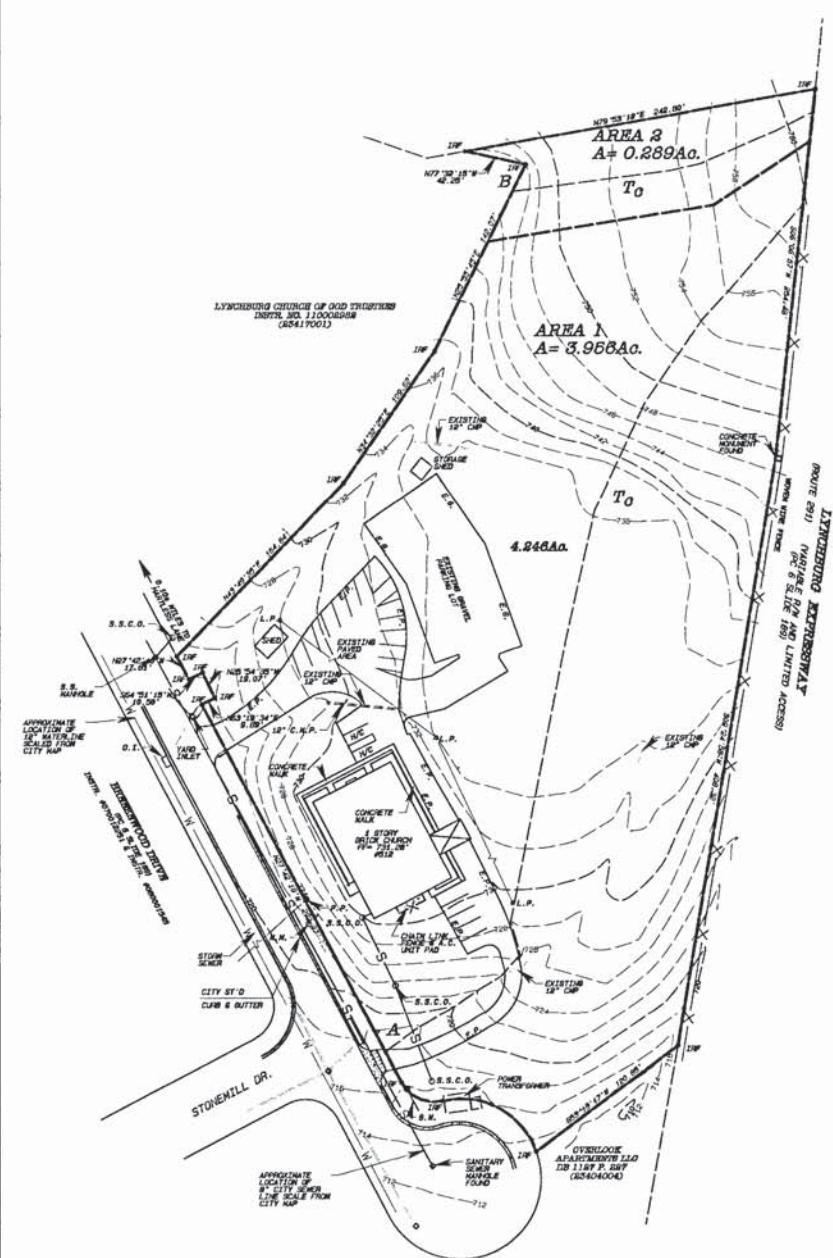
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Lynchburg Church Of God
LYNCHBURG, VIRGINIA

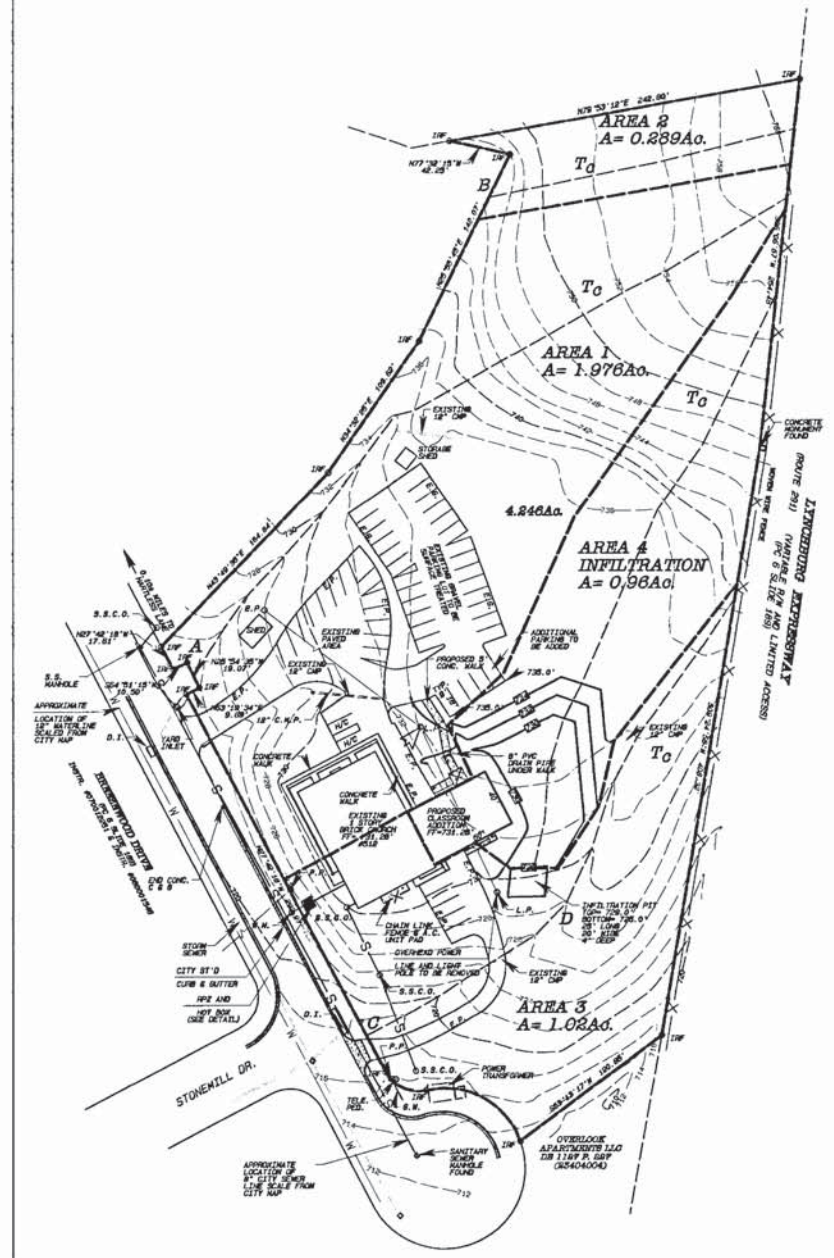
EROSION AND SEDIMENT CONTROL AND STORMWATER MANAGEMENT DETAIL SHEET

DRAWING
EROSION SEDIMENTATION CONTROL AND STORMWATER MANAGEMENT DETAIL SHEET
SHEET 5

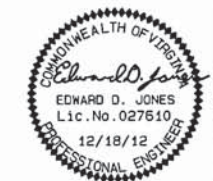
FLOW SUMMARY TABLE								
DRAINAGE AREA ID(S)	PRE	POST LS	POST SP	POST BP1	POST IFA	POST IFB	POST BP2	TOTAL POST
TOTAL DRAINAGE AREA SIZE	3	0.82	0.25	0.42	0.981	1.037	0.182	
IMPERVIOUS(0.90)			0.13		0.28	0.48		
FUTURE DEVELOPMENT(0.90)								
FORESTED AREA (0.30)								
BRUSH AREA (0.35)	3.00			0.42	0.71	0.55	0.182	
LAWN AREA (0.35)		0.82	0.05					
BARE EARTH (0.50)								
COMPOSITE RUNOFF FACTOR	0.35	0.35	0.54	0.35	0.51	0.60	0.35	
TC (OVERLAND) LENGTH	200	5	20	40	75	75	100	
TC (OVERLAND) HEIGHT	8	2	1	5	1	1	8	
TC (OVERLAND) COVER C VALUE	0.3	0.3	0.3	0.3	0.3	0.35	0.35	
TC (CHANNEL) LENGTH	285	15	175	100	240	280	30	
TC (CHANNEL) HEIGHT	24	3.5	1.7	6	24	24	4	
TC (OVERLAND) HEIGHT	12.80	1.75	4.66	5.24	10.44	8.95	7.19	
TC (CHANNEL)	1.7	0.1	2.7	0.9	1.4	1.7	0.3	
TOTAL TIME OF CONCENTRATION	14.5	1.9	7.3	6.1	11.8	10.6	7.4	
INTENSITY (2 YEAR)	2.85	4.89	3.71	3.91	3.11	3.25	3.69	
INTENSITY (10 YEAR)	3.91	6.67	5.05	5.32	4.25	4.44	5.02	
INTENSITY (25 YEAR)	4.52	7.86	5.83	6.16	4.91	5.12	5.80	
INTENSITY (100 YEAR)	5.27	9.23	6.76	7.14	5.71	5.95	6.72	
DESIGN FLOW (2 YEAR)	2.99	1.40	0.50	0.58	1.56	2.03	0.23	2.40
DESIGN FLOW (10 YEAR)	4.10	1.91	0.68	0.78	2.13	2.77	0.32	4.30
DESIGN FLOW (25 YEAR)	4.74	2.26	0.79	0.91	2.46	3.20	0.37	11.69
DESIGN FLOW (100 YEAR)	5.53	2.65	0.92	1.05	2.86	3.71	0.43	13.76



PRE-DRAINAGE MAP



POST-DRAINAGE MAP



PROPERTY OF: Lynchburg Church of God LYNCHBURG, VIRGINIA	DRAWING STORMWATER MANAGEMENT CALCULATIONS & DRAINAGE MAPS SHEET 6	COPYRIGHT: VIRGINIA, INC. ACRES OF VIRGINIA, INC.	TAX MAP NO. 23417003 GEOGRAPHIC: VIRGINIA, INC.	PLAN SCALE: 1" = 60' FILE NO.: PREP0812763- SERVER-NEWJ0855012 DATE: NOVEMBER 19, 2012 COMM. NO.: 12763	ACRES OF VIRGINIA, INC. ENGINEERS-SURVEYORS-PLANNERS ENVIRONMENTAL-SOIL CONSULTANTS-GEOTECHNICAL WWW.ACRESOFVIRGINIA.COM LYNCHBURG OFFICE: 404 N. CLAY STREET CLAY STREET LYNCHBURG, VA 24504 OFFICE (434) 536-4674 FAX (434) 845-1048 ANHERST OFFICE: SURVEYING & PLANNING ANHERST, VA 24521 OFFICE (434) 946-5540	REVISION	DATE	
						1	CITY COMMENTS	12/18/12
						2		
						3		
						4		

- operations until moisture content and field density tests of upper 6" of in-place materials have been made by the Geotechnical Engineer and approved by the Project Engineer.
- G. Establish and identify required lines, levels, contours and datum.
- H. Proofrolling
1. Perform proofrolling over entire area receiving fill material, after topsoil is removed, in presence of the Geotechnical Engineering Service
 2. Make at least four passes over each area, with last two passes made perpendicular to first two passes. Use minimum 20 tons static weight rubber-tired compactor or similar type equipment for proofrolling acceptable the Geotechnical Engineer
 - a. Undercut and remove soft or unstable soils that fail to compact and replace with acceptable fill material. Place soil in lifts of six inches loose depth and compact each lift to density specified.
 - b. If construction operations soften or otherwise disturb previously proofrolled areas to an extent that they become soft and unstable or are rendered unsuitable by Project Engineer and the Geotechnical Engineer, perform additional proofrolling before starting filling operations or remove unsuitable materials to depth and extent required, and replace with approved compacted fill as specified above.
 3. Following topsoil stripping and proofrolling operations, but before making cuts or placing of fill and backfill, ground surfaces to be free of all trash, debris, loose, frozen, wet or soft soil, and other undesirable surface materials before proceeding with work.

GRADING

- A. Rough grade to required profiles, contours, elevations and subgrade levels shown on drawings, with allowances made for depths required for placement of topsoil and construction of paving, walks, equipment slabs or pads and floor slabs.
- B. Control grading around buildings and on site; slope ground to prevent water from running into excavated areas or building or damaging other structure, and so entire project is well drained and free from water pockets
- C. Provide uniform levels and slopes between elevations shown on drawings, and between elevations shown and existing finished grades shown to be maintained. Round vertical changes in slopes.
- D. Unauthorized excavation consists of removal of materials beyond indicated subgrade elevations or dimensions without specific direction of Engineer. Unauthorized excavation, as well as remedial work directed by Engineer shall be at Contractor's expense.

CONTROLLED FILL:

- A. General.
 1. Project Engineer, relying on the Geotechnical Engineer test results, is sole judge as to when specified compaction densities have been obtained.
 2. Contractor is responsible for correcting, at his expense and including costs of testing, all areas with insufficient compaction, remove and replace, or scarify, break or breakle (as needed), and recompact and retest deficient compacted fill.
 3. Place acceptable material in horizontal lifts not exceeding 6" in loose depth, with each lift extending for entire length and width of each area being filled.
 4. Reduce or increase moisture content of fill by drying or uniform sprinkling with water, to achieve moisture content required for specified degree of compaction.
 5. Break each layer of fill to break down oversize clods, to thoroughly mix nonuniform materials, and to assure uniform density and proper compaction
 6. Maintain positive surface slope to allow runoff and to prevent ponding of surface water. If surface water ponds, dewater. Remove all saturated or disturbed soil before placing additional fill material.
 7. Number of compaction equipment passes required is dependent upon degree of compaction specified. Overlap rolling passes as required to completely cover areas of fill.
 8. Regardless of degree of compaction achieved, a minimum of 8 roller passes should be made in the building and pavement areas.
 9. After cuts are made, scarify cut area to 9" depth and compact to required densities.
- B. Structural "Controlled Fill"
 1. Location: Place as subgrade under building, and covered walkways to a point 0 feet outside building walls. Place under all paved areas.
 2. Construct to grades and for minimum depths indicated. Undercut existing grade as required.
 3. Compact to 98% of maximum Standard Proctor Density, with the upper 9" @ 100% Standard Proctor Density. Maintain soil moisture content between 0 and 3% above optimum. Use the Geotechnical Engineer method for maintaining optimum moisture control
- C. Nonstructural "Controlled Fill"
 1. Locations: Use for fills other than fills specified as structural "Controlled Fill"
 2. Construct to grades and for minimum depths indicated. Undercut existing grade as required.
 3. Compact to following densities for areas listed:
 - a. Subgrade Below Walks, and Slabs on Grade: 100% of Standard Proctor Density at moisture content between 0 and 3% above optimum for top 9". See otherwise.
 - b. Below Grassed and Planted Areas. 90% of Standard Proctor Density at optimum moisture content.

FOUNDATION AND FOOTING EXCAVATION

- A. Acceptable Structural "Controlled Fill" material.
- B. Remove surface debris and debris in excavation before placing backfill.
- C. Do not use fill material which is frozen or contains frost
- D. Allow footing and foundation walls to attain full design strength before placing backfill
- E. Exercise care during placing and compacting equipment within 6' of walls.
 1. Use hand operated compaction equipment within 2' of walls.
 2. Where fill is placed along both sides of foundation walls, place and compact simultaneously on both sides of walls.
 3. Repair, or remove and replace, all damage to foundation walls or structure occurring during placement and compaction operations at no additional cost to Owner
- F. Coordinate placing and compaction with other trades. Do not backfill until waterproofing, waterproofing and foundation drainage system material has been installed, inspected and approved by the Engineer.
- G. Compact all backfill to 98% of Standard Proctor Density, 100% within top 9". Maintain moisture content between 0 and 3% of optimum

TRENCHING AND BACKFILLING

- A. All trenching excavation must comply with OSHA safety guidelines.

MAINTENANCE

- A. Protection of Graded Areas
 1. Protect newly graded areas from traffic and erosion. Keep free of trash and debris.
 2. Repair and re-establish grades in settled, eroded, and rutted areas to specified tolerance
- B. Reconditioning Compacted Areas: Where completed compacted areas are disturbed by subsequent construction operations or adverse weather, scarify surface, reshape, and compact to required density prior to further construction.
- C. Settling: Where settling is measurable or observable at excavated areas during general project warranty period, remove surface (pavement, lawn, or other finish), add backfill material, compact, and replace surface treatment. Restore appearance, quality, and condition of surface or finish to match adjacent work, and eliminate evidence of restoration to greatest extent possible

DISPOSAL OF EXCESS AND WASTE MATERIALS

- A. Removal from Owner's Property. Remove waste materials, including unacceptable excavated material, trash and debris, and dispose of it properly.

ASPHALT PAVING

GENERAL

RELATED DOCUMENTS

- A. General Conditions and Supplementary Conditions apply to this section.

WORK INCLUDED

- A. All paving including granular base, primer, and tack

QUALITY ASSURANCE

- A. Virginia Department of Transportation and City of Lynchburg Public Works Department Specifications, latest edition.
- B. Paving Curing
 1. Contractor required to make curings of the bituminous paving and base to establish the depth of the paving layers. A minimum of one curing per 5,000 sq
 2. Contractor to submit the location of the proposed curings for acceptance by Project Engineer. Contractor to provide in his scope
 3. The indicated depths are minimum if a core indicates undersize, the Owner or Project Engineer may require additional curings (at no expense to the Owner) to establish the extent of the underlaying
 4. If underlaying is indicated, methods of correction shall be submitted for Project Engineer's approval. Correction shall be at no expense to Owner.
 5. Fill boring holes with bituminous material and seal properly.

EXECUTION

SUBGRADE PREPARATION

- A. Subgrade shall be subcompacted in accord with density specified in Section 02200.
- B. Fine Grading:
 1. Grading and construction in strict accordance with specifications.
 2. Subgrade and shoulders shall be final graded, trimmed and finished within the limits and as required by the elevations shown on the Drawings. Grading operations shall be so conducted that materials shall not be removed or loosened beyond the required limits. The finished surfaces shall be left in smooth and uniform planes.
 3. The Contractor shall be solely responsible for all lines, levels and measurements for this work. He shall provide his own instruments and survey crew to maintain this control throughout the duration of his work.

4. Perform one (1) CBR Test on prepared subgrade to be located by the engineer. Provide results of the test prior to proceeding with any work. Allow time for redesign of pavement if design CBR is not obtained.
- C. Bituminous paving shall not be placed when the ambient temperature is below 40°F, or when there is frost in the base or any other time when weather conditions are unsuitable for the type of material being placed.
- D. Material for spot subgrade reinforcement shall be crushed stone
- E. Subgrade and Embankment Protection:
 1. During construction, embankments and excavations in the areas of the paving shall be kept shaped and drained
 2. Ditches and drains along the subgrade shall be maintained to drain effectively at all times.
 3. Repair ruts or depressions of 1" or more in subgrade

PAVING

- A. The base and surface courses shall be constructed in conformity with the provisions of this specification section; stated thicknesses are after compaction
- B. Install tack in accordance with the specified standards.
- C. Match surface to existing paving maintaining existing cross slopes or as shown on plans.

FINISH

- A. After final rolling, no traffic shall be permitted on paving until it has cooled and hardened and in no case less than 6 hours.
- B. The paved areas shall drain away from the building; no bumps or "bird baths" will be accepted
- C. The black top shall be clean and free of dirt or debris ready for traffic painting after a minimum 30-day curing period.

PAVEMENT MARKING

GENERAL

QUALITY ASSURANCE

- A. Virginia Department of Transportation Standards and City of Lynchburg Public Works Department, latest edition
- B. "Manual on Uniform Traffic Control Devices," current edition
- C. "Traffic Control Devices Handbook," current edition.
- D. On-site pavement marking and signage will be installed as per plans, details, and specifications.

JOB CONDITIONS

- A. Inspection
 1. Examine areas for conditions under which work is to be performed. Report in writing to Project Engineer all conditions contrary to those shown on the drawings or specified herein and all other conditions that will affect satisfactory execution of work such as improperly constructed substrates or adjoining work. Do not proceed with work until unsatisfactory conditions have been corrected
 2. Starting work constitutes acceptance of the conditions under which work is to be performed. After such acceptance, Contractor shall, at his expense, be responsible for correcting all unsatisfactory and defective work resulting from such unsatisfactory conditions.

PRODUCTS

MATERIALS

- A. Paint, White and Blue colors conforming to U.S. Bureau of Public Roads colors
- B. Paint Types:
 1. For uncurd and sealed asphalt surfaces: Water borne type, Sherwin-Williams Pro-Mar Water Borne Traffic Marking Paint

EXECUTION

PREPARATION

- A. Remove all dirt, oil, grease and other foreign material from areas of pavement to be marked
- B. Apply paint only on thoroughly dry surfaces, when atmospheric temperature is above 40 degrees Fahrenheit and when weather is favorable
- C. Signage: As shown in plans, details, standards, and referenced specifications. Refer to architectural plans for additional requirements.

WATER DISTRIBUTION

GENERAL

QUALITY ASSURANCE

- A. Applicable requirements of the following standards and codes apply:
 1. All new lines shall be tested and maintain required test pressure. Chlorination and bacteriological test shall comply with the Virginia Department of Health standards. Contractor to supply and supply for all fees and testing associated with installation
 2. Standard Plumbing Code.
 3. Standard Building Codes.

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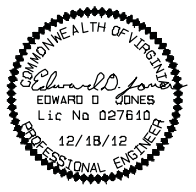
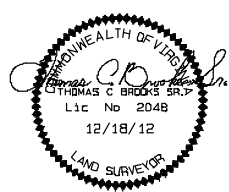
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DATE: NOVEMBER 19, 2012
ACRES OF VIRGINIA, INC.
SERVING ENVIRONMENT

TAX MAP NO. 23417003
CORPORATE: VIRGINIA, INC.
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SPECIFICATIONS

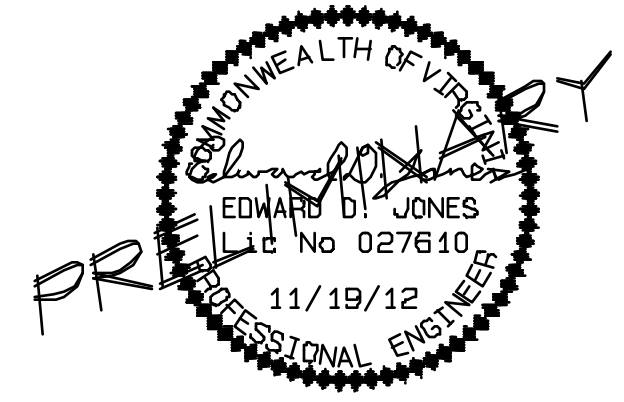
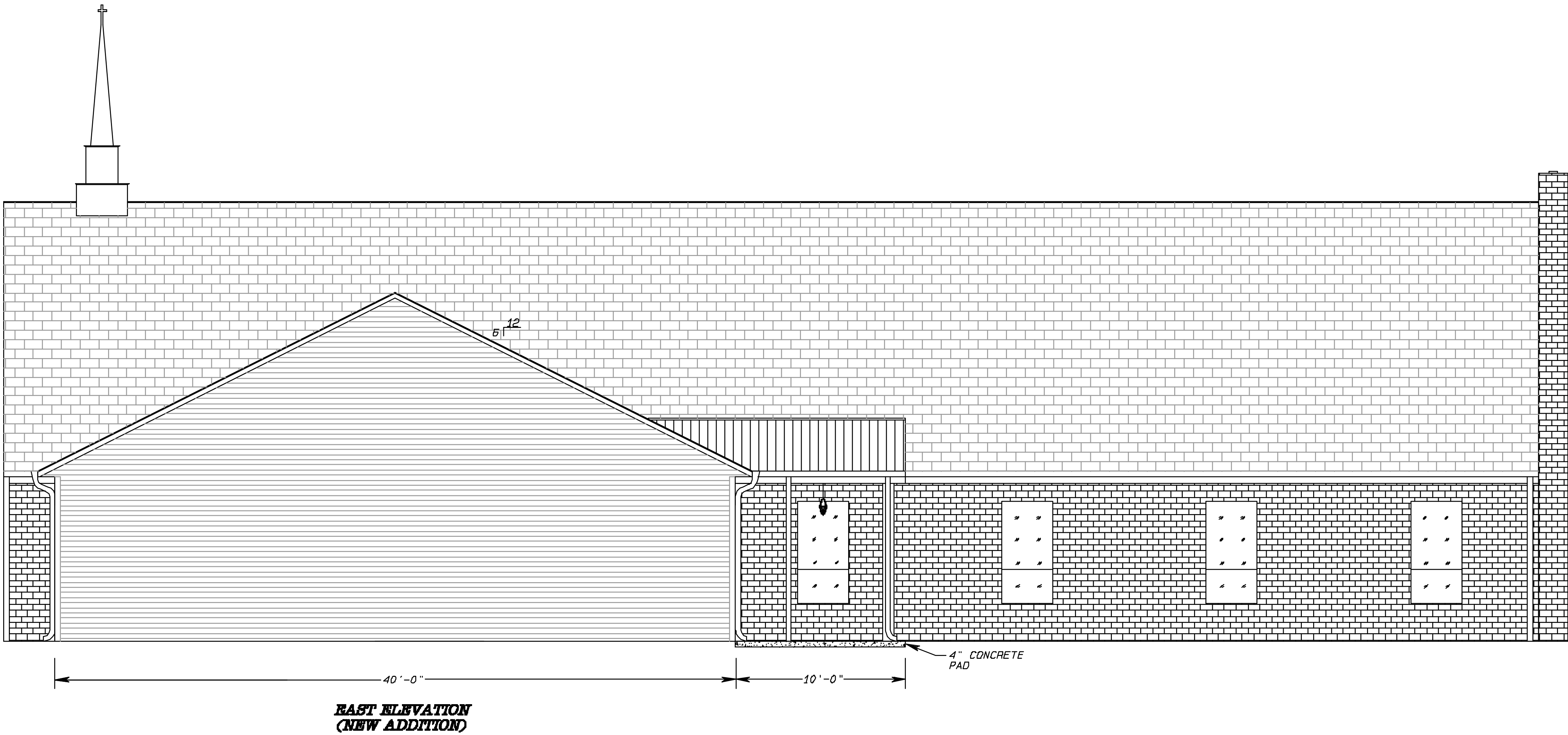
PROJECT OF
Lynchburg
Church Of God

LYNCHBURG, VIRGINIA



THIS SHEET IS PART OF A SET

DRAWING
SPECIFICATIONS
SHEET 8



DATE		REVISION	
1		1	
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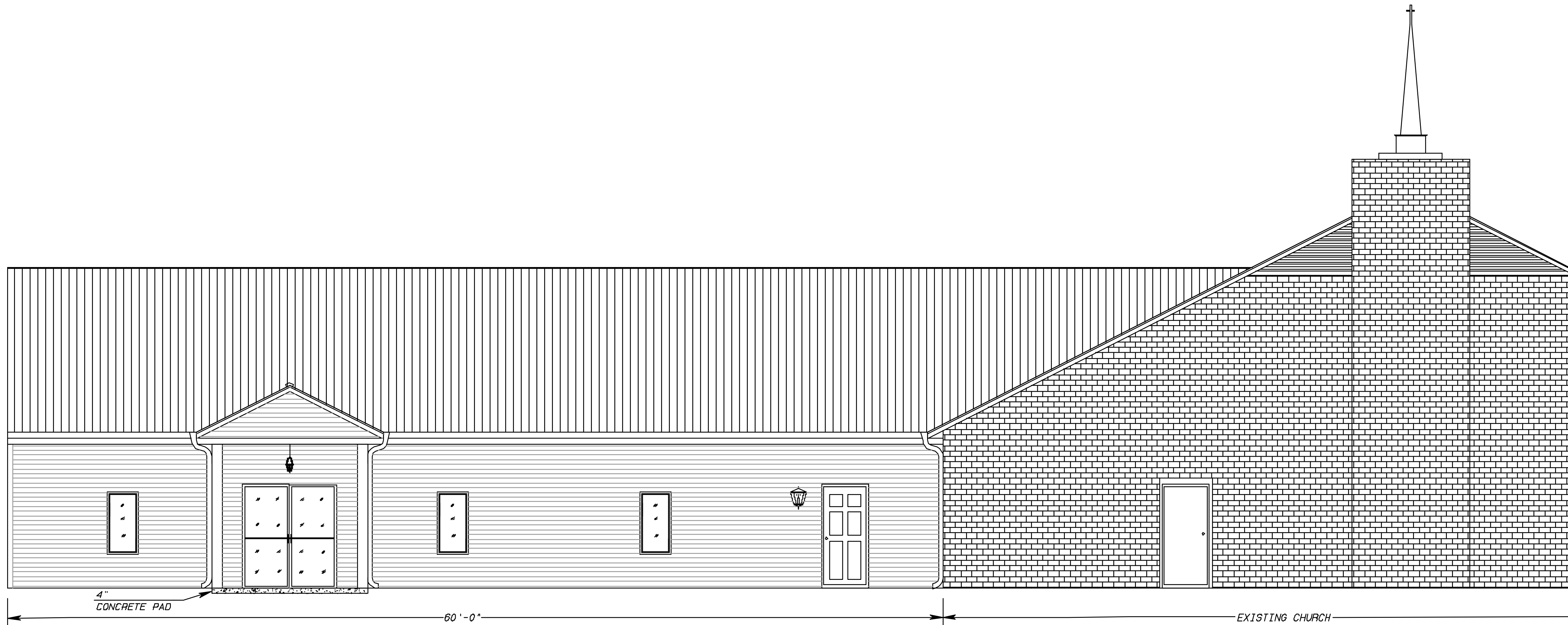
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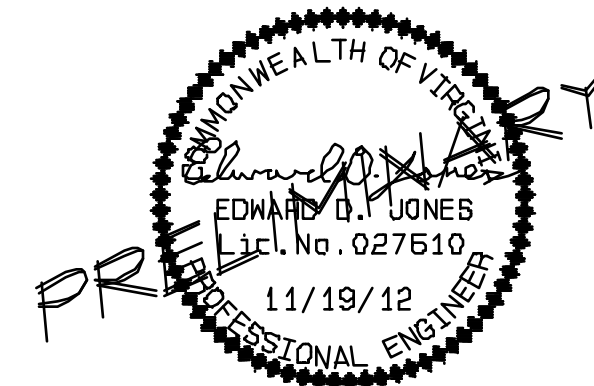
**EAST ELEVATION/
NEW ADDITION**

**Lynchburg
Church of God**
LYNCHBURG, VIRGINIA

DRAWING
EAST ELEVATION
CA-1



NORTH ELEVATION
(NEW ADDITION)



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Church of God
LYNCHBURG, VIRGINIA

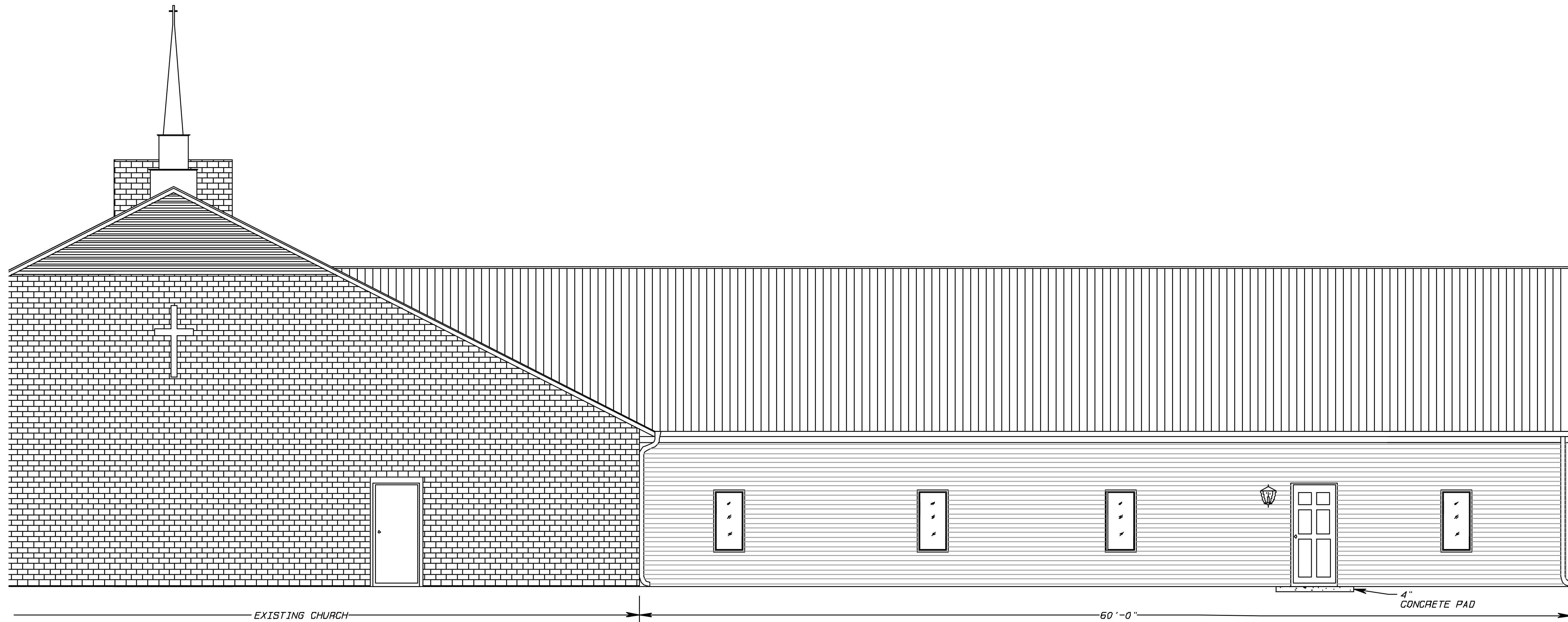
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NORTH ELEVATION
CA-2

NORTH ELEVATION/
NEW ADDITION

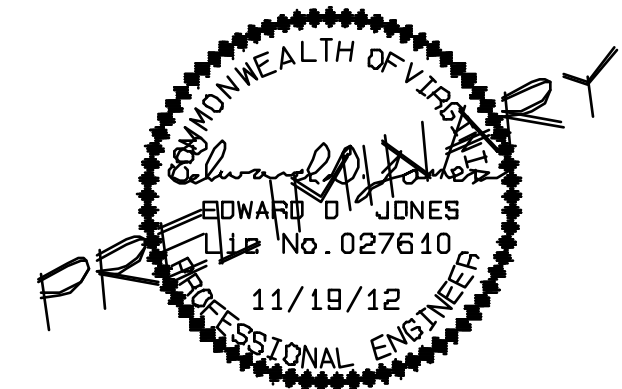
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REVISION	DATE
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**SOUTH ELEVATION
(NEW ADDITION)**



**Lynchburg
Church of God**
LYNCHBURG, VIRGINIA

**SOUTH ELEVATION/
NEW ADDITION**

COMM. NO.: 12791
DATE: NOVEMBER 19, 2012
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DRAWING
SOUTH ELEVATION
CA-3



LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: **12**

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Future Land Use Map (FLUM) Amendment: Medium Density Residential to Community Commercial**

Rezoning: R-1, Low Density, Single-Family Residential District to B-5, General Business District – 2400 Lakeside Drive

RECOMMENDATION: Approval of the *FLUM* and rezoning petitions.

SUMMARY: The City of Lynchburg's Office of Economic Development is petitioning to amend the *FLUM* from Medium Density Residential to Community Commercial and to rezone approximately four hundred twelve thousandths (0.412) of an acre located at 2400 Lakeside Drive from R-1, Low Density, Single-Family Residential District to B-5, General Business District. The property was created by Council on December 11, 2012 after adoption of an ordinance vacating excess right-of-way. The *FLUM* amendment and rezoning would facilitate the marketing of the property for sale. The Planning Commission recommended approval of the petitions because:

- The *FLUM* petition agrees with the *Comprehensive Plan 2002-2020's Future Land Use Map* which recommends a Community Commercial use for the area.
- The rezoning petition agrees with the *Zoning Ordinance* which permits retail uses in a B-5, General Business District.

PRIOR ACTION(S):

December 11, 2012: Council approved the right-of-way vacation creating the subject property.

January 9, 2013: The Planning Division recommended approval of the FLUM and rezoning petitions.
The Planning Commission recommended approval (6-0, with 1 member absent, Coleman)

FISCAL IMPACT: Revenue of property sale allocated for transportation projects.

CONTACT(S): Tom Martin, City Planner - 455-3900
Kent White, Director of Community Development – 455-3900
Marjette Upshur, Director of Economic Development – 455-4490

ATTACHMENT(S):

- Ordinance
- Planning Commission Report – January 9, 2013
- Planning Commission Minutes – January 9, 2013
- Vicinity Zoning Pattern Map
- Vicinity Proposed Land Use Map
- Watershed Location Map
- Property Photograph
- Plat

REVIEWED BY: lkp

ORDINANCE:

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP TO CHANGE THE PROPERTY LOCATED AT 2400 LAKESIDE DRIVE FROM MEDIUM DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that in order to promote the public necessity, convenience, welfare and good zoning practice that Chapter 35.1 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby further amended by adding thereto Section 35.1-76.____, which section shall read as follows:

Section 35.1-76.____. Amend the Future Land Use Map to change the property located at 2400 Lakeside Drive from Medium Density Residential to Community Commercial.

The area embraced within the following boundaries ...

BEGINNING AT VIRGINIA DEPARTMENT OF HIGHWAYS CONCRETE MONUMENT FOUND, SAID MONUMENT BEING ON A NEW SOUTHERLY RIGHT OF WAY LINE FOR WHITEHALL ROAD, THENCE ALONG SAID NEW LINE SOUTH 71 DEGREES 08 MINUTES 22 SECONDS EAST 228.47 FEET TO A 1/2 INCH REBAR SET; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 146 DEGREES 48 MINUTES 54 SECONDS, A RADIUS OF 10.00 FEET, A LENGTH OF 25.62 FEET, A CHORD OF 19.17 FEET AND A CHORD BEARING OF SOUTH 02 DEGREES 16 MINUTES 05 SECONDS WEST TO A 1/2 INCH REBAR SET ON A NEW NORTHERLY RIGHT OF WAY LINE FOR LAKESIDE DRIVE; THENCE ALONG SAID NEW LINE SOUTH 75 DEGREES 40 MINUTES 32 SECONDS WEST 221.42 FEET TO A 1/2 INCH REBAR SET; THENCE LEAVING NEW NORTHERLY RIGHT OF WAY LINE OF LAKESIDE DRIVE AND ALONG A NEW LINE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04 DEGREES 00 MINUTES 23 SECONDS, A RADIUS OF 1537.18 FEET, A LENGTH OF 107.49 FEET, A CHORD OF 107.47 FEET AND A CHORD BEARING OF NORTH 00 DEGREES 11 MINUTES 42 SECONDS EAST TO A 1/2 INCH REBAR SET; THENCE CONTINUING ALONG A NEW LINE NORTH 01 DEGREES 48 MINUTES 30 SECONDS WEST 40.35 FEET TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 0.412 ACRES.

... is hereby amended on the Future Land Use Map from Medium Density Residential to Community Commercial and the Director of Community Development shall forthwith cause the Future Land Use Map referred to in Section 35.1-4 of this chapter to be amended in accordance therewith.

Adopted:

Certified:

Clerk of Council

026V

ORDINANCE:

AN ORDINANCE CHANGING A CERTAIN AREA LOCATED AT 2400 LAKESIDE DRIVE FROM R-1, LOW DENSITY, SINGLE-FAMILY RESIDENTIAL DISTRICT TO B-5, GENERAL BUSINESS DISTRICT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that in order to promote the public necessity, convenience, welfare and good zoning practice that Chapter 35.1 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby further amended by adding thereto Section 35.1-76.____, which section shall read as follows:

Section 35.1-76.____. Change of a certain area located at 2400 Lakeside Drive from R-1, Low Density, Single-Family Residential District to B-5, General Business District.

The area embraced within the following boundaries ...

BEGINNING AT VIRGINIA DEPARTMENT OF HIGHWAYS CONCRETE MONUMENT FOUND, SAID MONUMENT BEING ON A NEW SOUTHERLY RIGHT OF WAY LINE FOR WHITEHALL ROAD, THENCE ALONG SAID NEW LINE SOUTH 71 DEGREES 08 MINUTES 22 SECONDS EAST 228.47 FEET TO A 1/2 INCH REBAR SET; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 146 DEGREES 48 MINUTES 54 SECONDS, A RADIUS OF 10.00 FEET, A LENGTH OF 25.62 FEET, A CHORD OF 19.17 FEET AND A CHORD BEARING OF SOUTH 02 DEGREES 16 MINUTES 05 SECONDS WEST TO A 1/2 INCH REBAR SET ON A NEW NORTHERLY RIGHT OF WAY LINE FOR LAKESIDE DRIVE; THENCE ALONG SAID NEW LINE SOUTH 75 DEGREES 40 MINUTES 32 SECONDS WEST 221.42 FEET TO A 1/2 INCH REBAR SET; THENCE LEAVING NEW NORTHERLY RIGHT OF WAY LINE OF LAKESIDE DRIVE AND ALONG A NEW LINE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04 DEGREES 00 MINUTES 23 SECONDS, A RADIUS OF 1537.18 FEET, A LENGTH OF 107.49 FEET, A CHORD OF 107.47 FEET AND A CHORD BEARING OF NORTH 00 DEGREES 11 MINUTES 42 SECONDS EAST TO A 1/2 INCH REBAR SET; THENCE CONTINUING ALONG A NEW LINE NORTH 01 DEGREES 48 MINUTES 30 SECONDS WEST 40.35 FEET TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 0.412 ACRES.

... is hereby changed from R-1, Low Density, Single-Family Residential District to B-5, General Business District.

And the Director of Community Development shall forthwith cause the "Official Zoning Map of Lynchburg, Virginia," referred to in Section 35.1-4 of this chapter to be amended in accordance therewith.

Adopted:

Certified:

Clerk of Council

The Department of Community Development

City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission

From: Planning Division

Date: January 9, 2013

Re: **Future Land Use Map Amendment: 2400 Lakeside Drive – Medium Density Residential to Community Commercial**

Rezoning: R-1, Single-Family Residential District to B-5, General Business District

I. PETITIONER

City of Lynchburg, 900 Church Street, Lynchburg, VA 24504

Representative: Ms. Marjette Upshur, City of Lynchburg, Office of Economic Development, Bank of the James, 828 Main Street, 10th Floor, Lynchburg, VA 24504

II. LOCATION

The subject property includes one (1) tract totaling approximately four hundred twelve thousandths (0.412) of an acre located at 2400 Lakeside Drive.

Property Owner: City of Lynchburg, 900 Church Street, Lynchburg, VA 24504

III. PURPOSE

The purpose of this petition is to rezone (effectively zone) four hundred twelve thousandths (0.412) of an acre. After zoning, the property will be marketed for sale.

IV. SUMMARY

- Petition agrees with the *Zoning Ordinance* which permits retail uses in a B-5, General Business District.
- Petition agrees with the *Comprehensive Plan 2002-2020* which recommends Community Commercial and Regional Commercial uses in the area.

The Planning Division recommends approval of the FLUM and rezoning petitions.

V. FINDINGS OF FACT

- 1. Comprehensive Plan.** The property is indicated for Medium Density Residential use on the *Future Land Use Map (FLUM)*, even though it was right-of-way at the time of the map's adoption.

The *Comprehensive Plan 2002-2020* provides that Medium Density Residential uses are characterized by small-lot single-family detached housing, duplexes and townhomes at densities of up to twelve (12) units per acre. Where neighborhoods already exist, infill development should be at a compatible density and housing type. (*pg 5.6*) The *FLUM* is intended to be generalized and not parcel specific. Land use decisions made by the City should take into account, not only the land uses depicted on the map, but also the *Plan Framework Map* and policies contained within the *Comprehensive Plan*. The petition proposes to amend the *FLUM* from Medium Density Residential to a Community Commercial land use. Community Commercial areas contain clusters of businesses, often at major intersections and shopping centers. Most community shopping centers range from one hundred thousand (100,000) to two hundred thousand (200,000) square feet and serve forty thousand (40,000) to seventy thousand (70,000) people. (*pg 5.5*) The proposed Community Commercial use is appropriate, due to the

adjacent Community Commercial land uses, the adjacent B-5, General Business District zoning and the location of the property at the major intersection of Routes 501 and 221.

2. **Zoning.** The subject property was annexed into the City in 1976 and remained as right-of-way until December 11, 2012 when it was vacated by Council. Section 35.1-10, Territory annexed or not specifically included within a district states “In every case where a territory has not been specifically included within a district, or where a territory becomes a part of an incorporated area of the City of Lynchburg by annexation or otherwise, such territory shall automatically be classified as an R-1, Low Density Residential district, until otherwise classified by an amendment as provided herein”.
3. **Proffers.** N/A.
4. **Board of Zoning Appeals (BZA).** N/A
5. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On September 28, 1982, Council approved the petition of A.T. Williams Oil Company for a conditional use permit (CUP) at 2501 Lakeside Drive to allow the construction of an auto service station.
 - On April 14, 1992, Council approved the petition of Johnson Equipment Rental, Inc., to rezone one and eight tenths (1.8) acres at Old Forest Road and 3908 Peace Street from I-3, Heavy Industrial District to B-5, General Business District (Conditional).
 - On October 13, 1992, Council adopted the Graves Mill Road/US 221 Land Use Study and amended the zoning to reflect recommendations of the study.
 - On August 24, 1994, Alloria M. and Bill Jamerson withdrew the CUP petition to allow an adult care facility for nineteen (19) residents in an existing residence at 107 Breezewood Drive.
 - On October 11, 1994, Council approved the petition of Blue Ridge Development Corporation, Inc., to rezone five and one-half (5.5) acres located at 126 Breezewood Drive from R-3, Medium Density, Two-Family Residential District to B-1, Limited Business District (Conditional).
 - On May 12, 1998, Council denied the petition of Properties Inc., for a CUP at 105 Chapel Lane to allow a commercial fueling facility.
 - On April 10, 2001, Council approved the petition of William M. Horsley, to rezone one and three tenths (1.3) acres in the 3900 Block of Old Forest Road from B-3, Community Business District to B-5, General Business District (Conditional).
 - On October 3, 2006, Council approved the petition of EE, LLC, to rezone one hundred six and twenty-three hundredths (106.23) acres located at 129, 305, 317, 415, 509 and 607 McConville Road from R-C, Conservation District, R-3, Medium Density, Two-Family Residential District and R-4, Medium-High Density, Multi-Family Residential District to B-5, General Business District (Conditional).
 - On August 14, 2007, Council approved the petition of EE, LLC to rezone seventy-nine and three tenths (79.3) acres at 512, 522, 526, 530, 534, 538, 610, 630, 1002 McConville Road, 110 Miles Place and 120 Millstone Road from R-C, Resource Conservation District, R-1, Low Density, Single-Family Residential District, R-3, Medium Density, Two-Family

Residential District, I-1, Restricted Industrial District and I-2, Light Industrial District to B-5, General Business District (Conditional)

- On May 8, 2012, Council approved the petition of the Office of Economic Development to rezone four and six hundred sixty-two thousandths (4.662) acres from R-1, Low Density, Single-Family Residential District to B-5, General Business District to facilitate the construction of a retail shopping center.

- 6. Site Description.** The subject property is a tract totaling approximately four hundred twelve thousandths (0.412) of an acre located at 2400 Lakeside Drive. The property was created on December 11, 2012 upon Council's approval of the vacation of excess right-of-way.

The property is bounded to the north by residential uses on commercially zoned land, to the east by an office use and to the south and west by commercial uses.

- 7. Proposed Use of Property.** The purpose of these petitions is to amend the *FLUM* to Community Commercial land use and to rezone the property from R-1, Low Density, Single-Family Residential District to facilitate the sale of the property for retail uses.
- 8. Traffic, Parking and Public Transit.** The property is adjacent to improvements proposed as part of the 221/501 Interchange Project as approved by City Council on July 11, 2006. The land approved for sale is not needed for the project and sufficient land has been reserved to facilitate construction of the project. A portion of the northbound lanes of the interchange is being constructed as part of the shopping center project located at 3901 Old Forest Road.

The development would be served by Greater Lynchburg Transit Company Route 8.

- 9. Stormwater Management.** A stormwater management plan addressing both quantity and quality of stormwater related to the development of the property will be required at time of site plan submittal.

- 10. Emergency Services.** The City's Fire Marshal and Police Department had no comments of concern.

- 11. Impact.** The property proposed for an amendment to the *FLUM* and rezoning is a tract totaling approximately four hundred twelve thousandths (0.412) of an acre located at 2400 Lakeside Drive. The property is remnants of land which was obtained at various points in time by the Virginia Department of Transportation (VDOT) for highway projects. The property was transferred from VDOT to the city by "quitclaim" deeds. City Council approved the vacation of the excess right-of-way on December 11, 2012. Once the property is zoned, it will be marketed for sale to facilitate retail uses.

The proposed development would be served by city water and sewer.

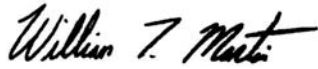
- 12. Technical Review Committee.** The Technical Review Committee (TRC) reviewed the proposal to vacate the right-of-way and rezoning on December 4, 2012. Comments related to the proposed use were minor in nature and have or will be addressed prior to final approval.

VI. PLANNING DIVISION RECOMMENDATION(s)

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of:

1. **The petition of the City of Lynchburg to amend the *Future Land Use Map* for the property at 2400 Lakeside Drive from Medium Density Residential to Community Commercial.**
2. **The petition of the City of Lynchburg to rezone approximately four hundred twelve thousandths (0.412) of an acre located at 2400 Lakeside Drive from R-1, Low Density, Single-Family Residential District to B-5, General Business District.**

This matter is respectfully offered for your consideration.



William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Ms. Bonnie M. Svrcek, Deputy City Manager
Mr. Walter C. Erwin, City Attorney
Mr. Kent L. White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Ms. Cynthia Kozerow, Lynchburg Police Department
Captain Thomas Mack, Acting Fire Marshal
Mr. Donald DeBerry, Transportation Engineer
Mr. Doug Saunders, Building Commissioner
Mr. Robert Fowler, Zoning Administrator
Mr. Jacob Dorman, Environmental Reviewer
Ms. Marjette Upshur, Director of Economic Development

VII. ATTACHMENTS

1. **Vicinity Zoning Pattern Map**
2. **Vicinity Proposed Land Use Map**
3. **Watershed Location Map**
4. **Photo**
5. **Plat**

MINUTES FROM THE JANUARY 9, 2013 PLANNING COMMISSION MEETING (MINUTES HAVE BEEN APPROVED):

c. Petition of City of Lynchburg to amend the Future Land Use Map from Medium Density Residential to Community Commercial and to rezone from R-1, Low Density Single-Family Residential District to B-5, General Business District at 2400 Lakeside Drive.

Mr. Martin explained that on December 11, 2012, City Council vacated excess right-of-way to create this 0.412 acre parcel. This is also a portion of excess right-of-way that was transferred to the City by the Virginia Department of Transportation. It has been determined that this property is no longer needed in order to construct the interchange option that has been adopted by City Council as its preferred alternative.

The property is designated as Medium Density Residential on the *FLUM*, however, the *Zoning Ordinance* designates that when the parcel was created, the *Zoning Ordinance* states that it would become R-1, Low Density Single-Family Residential District. The proposal is to change the *FLUM* designation to Community Commercial and rezone the property to B-5, General Business District, which is exactly the same process that was done for the Fresh Market parcel to the west of the property. If these petitions are granted by City Council, this property would be marketed for sale for retail development.

Chair Sale asked if there was anyone to speak in favor of the petition. No one came forward. He asked for anyone who wished to speak in opposition to the petition. No one came forward. He closed the public hearing portion of the petition.

Commissioner Barnes asked if the area on the map that is separating this parcel and the Fresh Market parcel is being reserved for the interchange. Mr. Martin said that is correct; it is for the northbound lanes and they are actually being constructed as part of the Fresh Market development.

Commissioner Swienton made the following motion, which was seconded by Commissioner Barnes:

“That the Planning Commission recommends to City Council approval of the petition of the City of Lynchburg to amend the *Future Land Use Map* for the property at 2400 Lakeside Drive from Medium Density Residential to Community Commercial.”

The motion passed by the following vote:

AYES:	Barnes, Hannon, Hooper, Kennedy, Sale and Swienton	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Coleman	1

Commissioner Swienton made the following motion, which was seconded by Commissioner Kennedy:

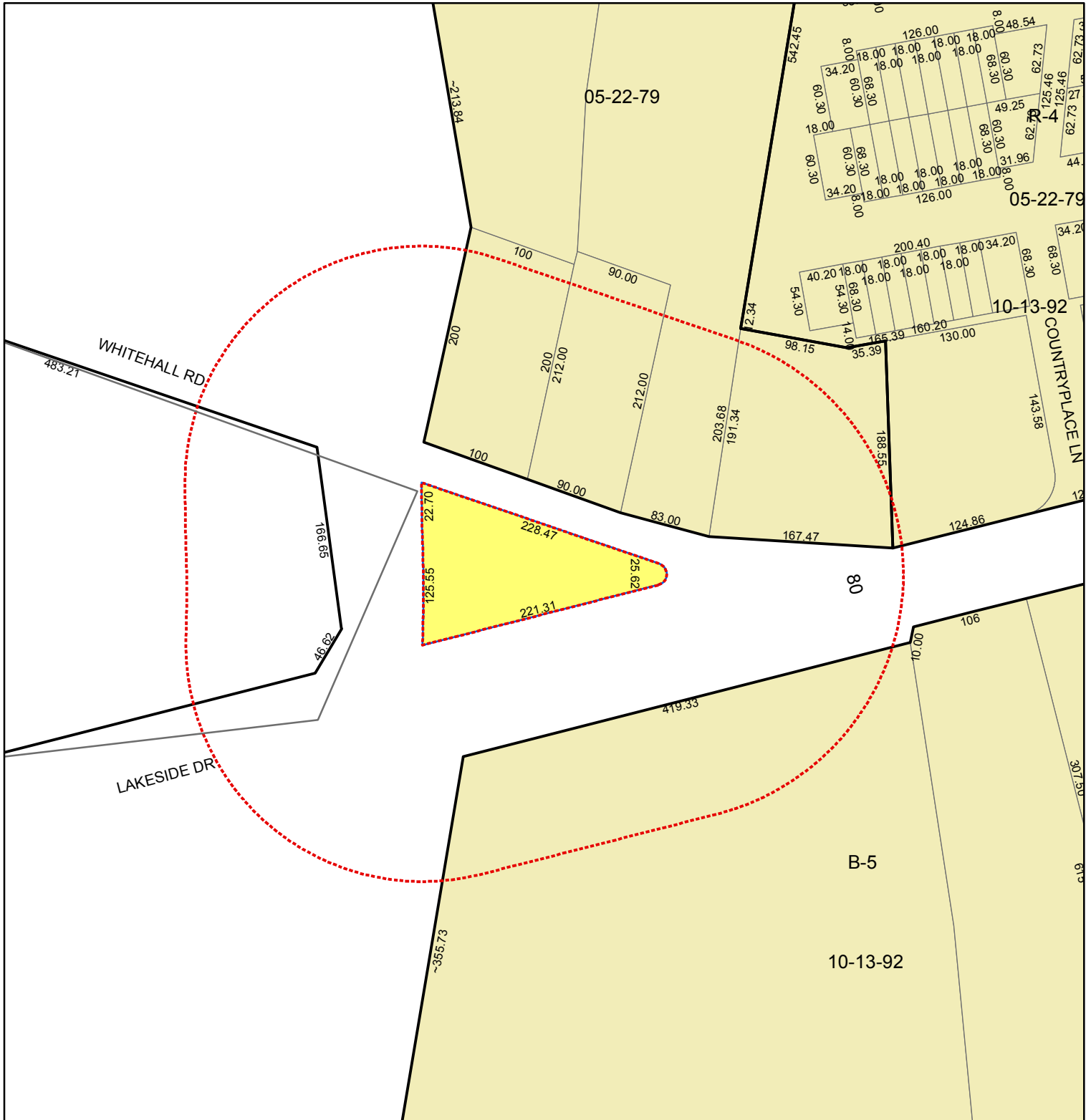
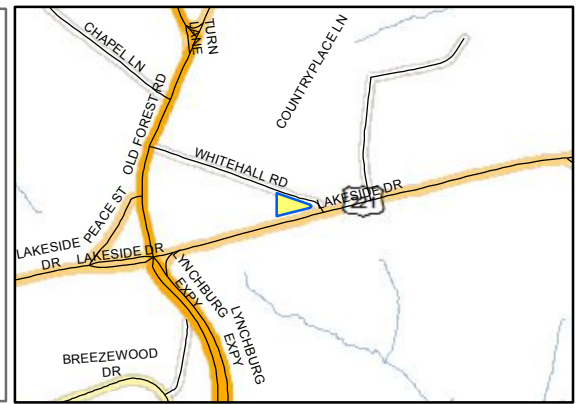
“That the Planning Commission recommends to City Council approval of the petition of the City of Lynchburg to rezone approximately four hundred twelve thousandths (0.412) of an acre located at 2400 Lakeside Drive from R-1, Low Density, Single-Family Residential District to B-5, General Business District.”

The motion passed by the following vote:

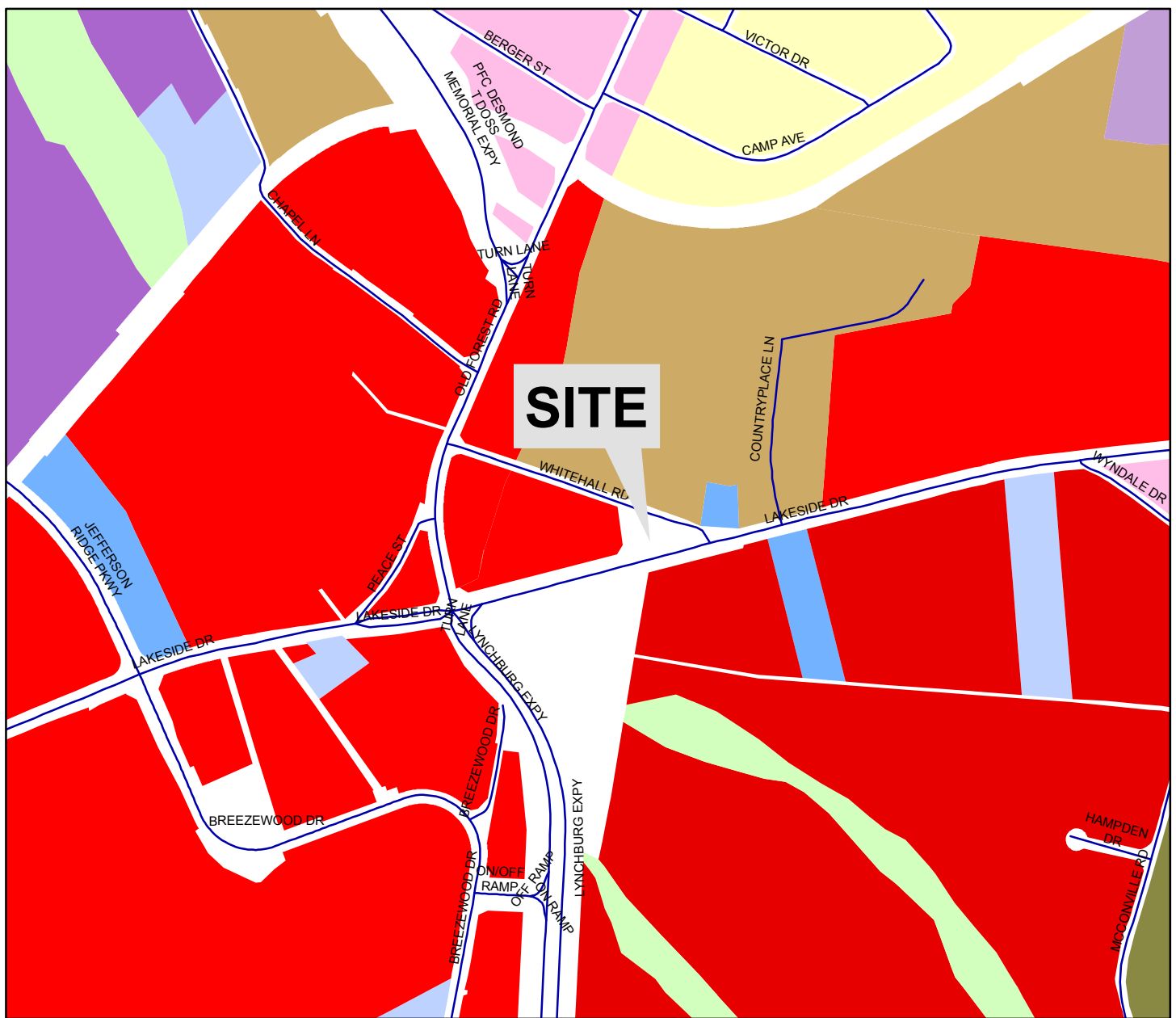
AYES:	Barnes, Hannon, Hooper, Kennedy, Sale and Swienton	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Coleman	1

**CITY OF LYNCHBURG
FLUM AMENDMENT FROM MEDIUM DENSITY
RESIDENTIAL TO COMMUNITY COMMERCIAL AND
REZONING FROM R-1 TO B-5
2400 LAKESIDE DRIVE
Vicinity Zoning Map**

-  Subject Properties
-  200 Foot Buffer



Parcel_ID	Local Address	Owner
23103001	2413 LAKESIDE DR	EE LLC
23101001	2348 LAKESIDE DR	CITY OF LYNCHBURG
23101004	117 WHITEHALL RD	YOUNGER, HENRY L & SHAROLYN E
23101002	121 WHITEHALL RD	SCOTT, GERTRUDE LIFE
23101003	119 WHITEHALL RD	SCOTT, GLENN O & IDA S
23102001	3901 OLD FOREST RD	LAKESIDE CROSSING LYNCHBURG LLC
23102008	2400 LAKESIDE DR	CITY OF LYNCHBURG



-  Local Historic District
-  Traditional Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Neighborhood Commercial
-  Community Commercial
-  Regional Commercial
-  Employment 1
-  Employment 2
-  Office
-  Institution
-  Downtown
-  Public Use
-  Public Parks
-  Resource Conservation
-  Residential Mixed Use
-  General Mixed Use
-  Employment Mixed Use

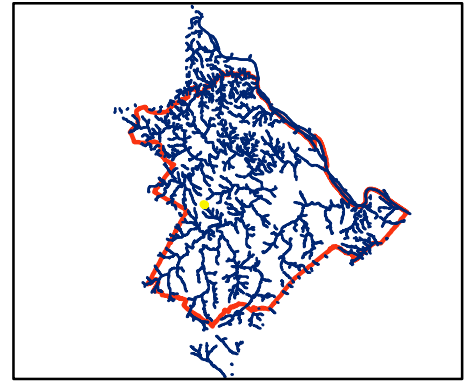
LAND USE MAP
FLUM AMENDMENT FROM MEDIUM DENSITY
RESIDENTIAL TO COMMUNITY COMMERCIAL
AND REZONING FROM R-1 TO B-5
2400 LAKESIDE DRIVE
PIN# 23102008



**FLUM AMENDMENT FROM MEDIUM DENSITY
RESIDENTIAL TO COMMUNITY COMMERCIAL
AND REZONING FROM R-1 TO B-5
2400 LAKESIDE DRIVE**

Watershed Location Map

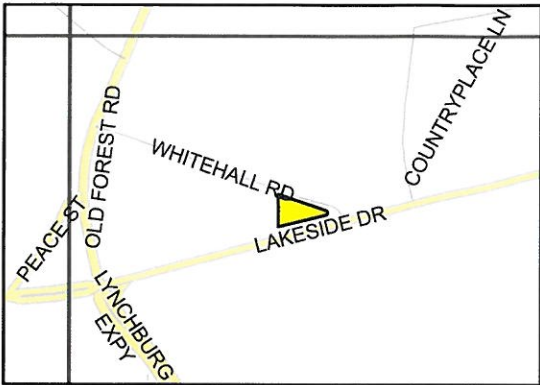
-  Project Site
-  Blackwater Creek
-  Corporate Limit



2400 Lakeside Drive

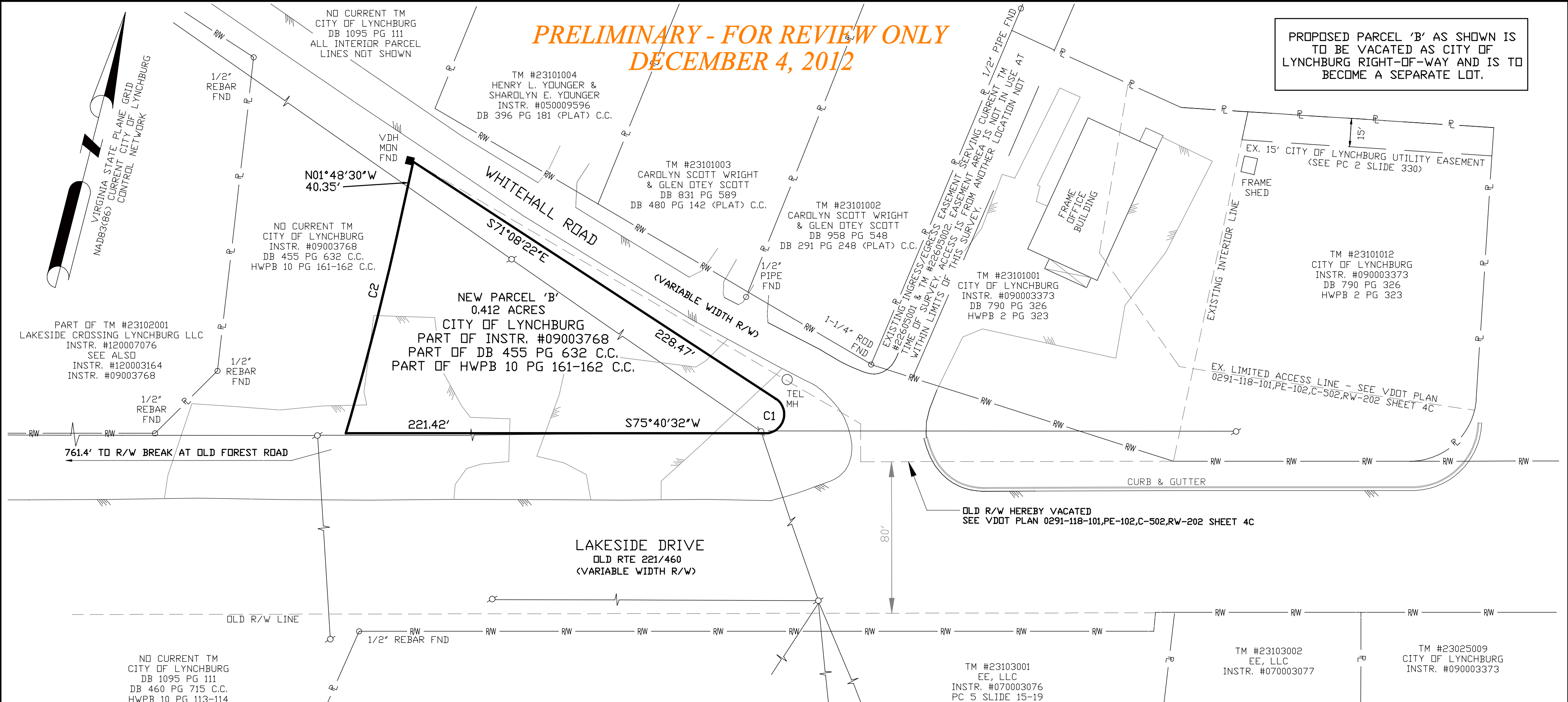
City of Lynchburg Property (ID# 23102008)

 Property



PRELIMINARY - FOR REVIEW ONLY
DECEMBER 4, 2012

PROPOSED PARCEL 'B' AS SHOWN IS
TO BE VACATED AS CITY OF
LYNCHBURG RIGHT-OF-WAY AND IS TO
BECOME A SEPARATE LOT.



THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY AS OF DATE SHOWN HEREON AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

THE AREA SHOWN IS LOCATED IN FLOOD HAZARD ZONE 'X' AS INDICATED ON FLOOD INSURANCE RATE MAP BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), COMMUNITY PANEL NUMBER 5100930101D, DATED JUNE 3, 2008. ZONE 'X' IS DEFINED ON SAID MAP AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

THIS SURVEY WAS COMPLETED AT THE REQUEST OF ECONOMIC DEVELOPMENT AUTHORITY OF CITY OF LYNCHBURG.

SUBJECT PROPERTY CAN BE SERVED BY CITY OF LYNCHBURG PUBLIC WATER.

SUBJECT PROPERTY IS NOT CURRENTLY SERVED BY CITY OF LYNCHBURG PUBLIC SANITARY SEWER. ADDITIONAL PUBLIC SEWER IS REQUIRED.

THE OWNERS DO NOT WISH TO PLACE RESTRICTIONS ON SUBDIVISION AT THIS TIME.

THERE ARE NO NEW UTILITIES PLANNED AT TIME OF SURVEY.

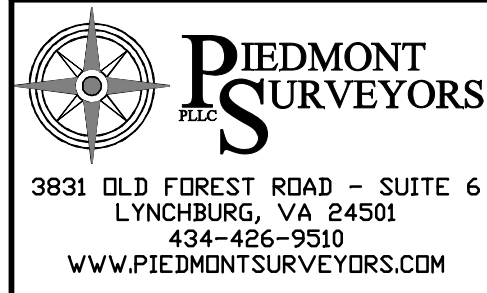
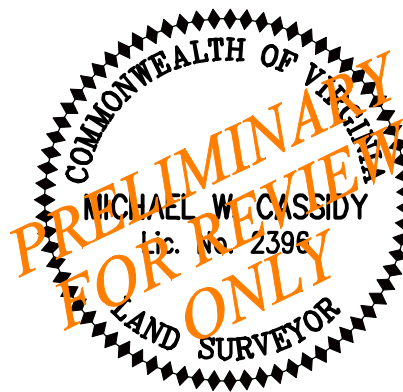
SUBJECT PROPERTIES SHOWN ARE CURRENTLY ZONED B-5 (GENERAL BUSINESS)

THE DEDICATION OF THE SUBDIVISION SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LAND AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

CITY MANAGER, LYNCHBURG, VIRGINIA	DATE
COMMONWEALTH AT LARGE TO WIT: STATE OF VIRGINIA - CITY/COUNTY OF _____	
I, _____ A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS _____ DAY OF _____, 20____.	
MY COMMISSION EXPIRES _____	
NOTARY PUBLIC	

C2 D 4°00'23" R 1537.18' L 107.49' C 107.47' CB N00°11'42"W	C1 D 146°48'54" R 10.00' L 25.62' C 19.17' CB S02°16'05"W
--	--

SUBDIVISION PLAT APPROVED:	
CITY ENGINEER, LYNCHBURG, VA	DATE
CITY PLANNER, LYNCHBURG, VA	DATE



PROJECT NO. 2012-427
DRAWING NO. 2012-427-2
DATE 11/08/2012
SCALE 1" = 40'
SHEET 1 OF 1

PLAT SHOWING
CITY OF LYNCHBURG RIGHT-OF-WAY VACATION
AND CITY OF LYNCHBURG PROPERTY DIVISION,
AREA OF LAKESIDE DRIVE, OLD FOREST ROAD
& WHITEHALL ROAD
CITY OF LYNCHBURG, VIRGINIA

- LEGEND
- OVERHEAD UTILITY
 - UTILITY POLE
 - EDGE OF PAVEMENT
 - 1/2" REBAR SET (UNLESS NOTED OTHER)
 - CORNER FOUND AS NOTED
 - R/W MONUMENT FOUND STAMPED AS NOTED



LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: **13**

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Zoning Ordinance Amendment -- Group Home -- Sec. 35.1-11.8, Terms beginning with "G" through "K," "Group Home"**

RECOMMENDATION: Approval of the *Zoning Ordinance* Amendment

SUMMARY: In April 2012, the General Assembly adopted legislation to eliminate the term "mental retardation" and similar terms from the state code and to replace such language with the term "intellectual disabilities" and similar terms. City Council initiated amendments to the *Zoning Ordinance* to replace the terms "retarded or mentally handicapped" and "mentally ill, or mentally retarded" with the terms "mental illness, intellectual disability or developmental disabilities" on December 11, 2012. This section of the *Zoning Ordinance* also references the "Department of Mental Health, Mental Retardation and Substance Abuse" which is now referred to as the "Department of Behavioral Health and Developmental Services." The Planning Commission recommended approval of the *Zoning Ordinance* amendment because changes would make the *Zoning Ordinance* consistent with state code.

PRIOR ACTION(S):

December 11, 2012: Council initiated amendments to the *Zoning Ordinance* to remove outdated terms and make the ordinance consistent with State Code.

January 9, 2013: Planning Division recommended approval of the *Zoning Ordinance* amendment. Planning Commission recommended approval (6-0, with 1 member absent, Coleman) of the *Zoning Ordinance* amendment.

FISCAL IMPACT: None

CONTACT(S): Anne Nygaard, Engineering & Planning Project Coordinator – 455-3900
Tom Martin, City Planner – 455-3900
Kent White, Director of Community Development – 455-3900

ATTACHMENTS:

- Ordinance
- Planning Commission Memorandum – January 9, 2013
- Planning Commission Minutes – January 9, 2013

REVIEWED BY: lkp

ORDINANCE:

AN ORDINANCE TO AMEND AND REENACT SECTION 35.1-11.8, TERMS BEGINNING WITH "G" THROUGH "K," "GROUP HOME" OF THE CODE OF THE CITY OF LYNCHBURG, 1981.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LYNCHBURG:

1. In order to promote the public necessity, convenience, general welfare, and good zoning practice, Section 35.1-11.8 of the Code of the City of Lynchburg, 1981, be and the same are hereby amended and reenacted as follows:

Sec. 35.1-11.8. Terms beginning with "G" through "K".

Terms used in the zoning ordinance, when defined in this section, shall have the following meaning:

(a) Garden apartment units: Group multiple dwellings consisting of more than one (1) main building containing more than one (1) unit per building for single-family occupancy.

(b) Gasoline station: See Section 35.1-11.2, Automobile service station.

(c) Grade: The intersection of the ground with a wall of a building after all earth movement is completed on a project.

(d) Group Home: A residential facility wherein (a) the operator is not legally related to the individuals supervised and may be licensed by the state, and wherein (b) four (4) or more individuals are provided with room, board, specialized and distinctive care, and daily supervision. For the purpose of the zoning ordinance, a facility providing care to less than four (4) persons shall not be considered a group home. The term "Group Home" would include but not be limited to such groups as: foster family homes, homes for adults, abused women, ~~the retarded or mentally handicapped,~~ individuals with mental illness, intellectual disability, or developmental disabilities, or physically handicapped. This definition does not include pre-release or post-release individuals who have been incarcerated. Facilities for day care for adults or children shall adhere to Section 35.1-54, Care Centers, of the zoning ordinance.

However, a residential facility in which no more than eight (8) ~~mentally ill, mentally retarded, or developmentally disabled persons~~ individuals with mental illness, intellectual disability or developmental disabilities reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single family. For the purposes of this section, mental illness and developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in Section 54.1-3401 of the state code. No conditions more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption shall be imposed on such facility. This type of residential facility shall be deemed to be any group home or other residential facility for which the department of ~~mental health, mental retardation and substance abuse~~ behavioral health and developmental services is the licensing authority pursuant to this code (1990, c.814).

A residential facility, in which no more than four (4) aged, infirm or physically disabled persons reside, with one or more resident counselors or other staff persons, shall be considered for all purposes residential occupancy by a single family. No conditions, more restrictive than those imposed on residences occupied by persons related by blood, marriage or adoption shall be imposed on such a facility. For purposes of the zoning ordinance, "residential facility" means any group home or residential facility in which aged, infirm or disabled persons reside with one or more resident counselors or other staff persons and for which the Virginia department of social services is the licensing authority pursuant to the Code of Virginia.

(e) Guest: Any person hiring and occupying a room for sleeping purposes.

(f) Height of building: See Section 35.1-11.3, Building, height of.

(g) Historic area, historic place, or historic structure:

(1) Any structure, area containing structures, or place in which historic events occurred; or having special public value because of notable architectural or other features, relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation.

(2) Any structure that is:

a. listed individually in the national register of historic places (a listing maintained by the department of the interior) as meeting the requirements for individual listing on the national register;

b. certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;

c. individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the secretary of the interior; or

d. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

i. by an approved state program as determined by the secretary of the interior or

ii. directly by the secretary of the interior in states without approved programs.

(h) Historic building map: The map of Lynchburg indicating certain structures as historic buildings.

(i) Home occupation: An accessory use which:

(1) Is clearly incidental to or secondary to the residential use of a dwelling unit.

(2) Is customarily and traditionally carried on within a dwelling unit by one (1) or more occupants of such dwelling unit, except that, in connection with the practice of a profession, one (1) person not residing in such dwelling unit may be employed.

(3) Occupies not more than twenty-five (25) per cent of the total floor area of such dwelling unit, and in no event more than five hundred (500) square feet of floor area.

(j) Homes association: An incorporated, nonprofit organization operating under recorded land agreements through which (a) each lot and/or homeowner in a planned unit or other described land area is automatically a member; and (b) each lot is automatically subject to a charge for a proportionate share of the expenses for the home association's activities, such as common property maintenance.

(k) Hospitals: An institution receiving in-patients and rendering medical, surgical, and/or obstetrical care to private and charity patients, and usually including research and training activities. This shall include general hospitals and institutions in which service is limited to special fields, such as cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin and cancer, tuberculosis, chronic disease and obstetrics. Hospital patients generally require intensive care for periods generally not exceeding several months. (See also Section 35.1-11.10, Nursing Home, and Section 35.1-11.12, Sanatorium.)

(l) Hotel: A building or part thereof containing five (5) or more guest rooms, without kitchens, where lodging is provided for compensation, excluding a fraternity or sorority house, a school or college dormitory, or a tourist home as defined in Section 35.1-11.13.

(m) Illegal use: Any use, whether of a building or other structure or of a tract of land, in which a violation of any provision of the zoning ordinance has been committed or shall exist.

(n) Industrial district: Any district whose designation begins with the letter "I".

(o) Inventory: The inventory of historic landmarks, buildings and structures as prepared by the board of historic and architectural review.

(p) Junk yard: The use of any space, whether inside or outside a building, for the abandonment, storage, keeping, collection, disassembling or bailing of paper, rags, scrap metal, or other scrap or discarded materials, or for the abandonment, demolition, dismantling, or salvaging of automobiles or other vehicles or machinery or parts thereof; provided, that this definition shall not apply to any such use conducted solely as an accessory use and occupying not more than one hundred (100) square feet of the area of any lot other than any portion of that half thereof that adjoins any street.

(q) Kennel: Any building, enclosure, structure, establishment and/or land where dogs, cats, household pets or any other domestic animals are sheltered, fed or watered, groomed, shown, trained, bred, boarded and exercised, cared for or sold for either commercial gain or in exchange for a fee.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified: _____
Clerk of Council

027V

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 14

CONSENT: REGULAR: X

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: X

INFORMATION:

ITEM TITLE: **Request of Lakeside Crossing Lynchburg, LLC, to purchase 2400 Lakeside Drive (Tax Parcel #23102008) consisting of four hundred twelve thousandths (0.412) acres.**

RECOMMENDATION: Authorize the City Manager to sell the subject property.

SUMMARY: Lakeside Crossing Lynchburg, LLC has requested to purchase City owned property consisting of four hundred twelve thousandths (0.412) acres located at 2400 Lakeside Drive for retail development. (Attachment A) The parcel was created by Council on November 13, 2012 upon vacating excess right-of-way.

The property is adjacent to improvements proposed as part of the 221/501 Intersection Improvement Project approved by Council on July 11, 2006. The land proposed for sale is not needed and sufficient land has been reserved to facilitate construction of the project.

The Office of Economic Development has received no other formal offers to purchase the property. The City's intent to market the property for sale has been made known since November 16, 2012 when notification signs were posted on the property. If Council determines to sell the property, proceeds are required to be used for transportation projects since the property was originally acquired with State transportation funds.

PRIOR ACTION(S):

November 13, 2012: Council vacated right-of-way creating the 0.412 acre parcel.

FISCAL IMPACT: \$125,000 in payment for the property. These proceeds are required to be used for transportation projects. The City would also receive real property tax revenue from the property which is currently not taxed.

CONTACT(S): Marjette Upshur, Director, Office of Economic Development – 455-4492
L. Kimball Payne, III, City Manager – 455-3990

ATTACHMENT(S):

- Resolution
- Attachment "A"
- Aerial Photograph

REVIEWED BY: lkp

RESOLUTION:

A RESOLUTION TO CONVEY THE PROPERTY LOCATED AT 2400 LAKESIDE DRIVE TO LAKESIDE CROSSING LYNCHBURG LLC.

WHEREAS, the City of Lynchburg owns the property located at 2400 Lakeside Drive (Tax Parcel #23102008) consisting of four hundred twelve thousandths (0.412) acres; and

WHEREAS, the property is remnants of land obtained at various points in time by the Virginia Department of Transportation (VDOT) for highway projects; and

WHEREAS, the property was transferred to the City of Lynchburg by the Virginia Department of Transportation; and

WHEREAS, sufficient land is being reserved to construct the 221/501 Intersection Improvement Project as approved by Council on July 11, 2006; and

WHEREAS, the City has no plans for the remainder of the property; and

WHEREAS, Lakeside Crossing Lynchburg, LLC is requesting to purchase the property from the City for the sum of \$125,000 for future retail development.

NOW, THEREFORE, BE IT RESOLVED that City Council determines that the City is reserving sufficient land to construct the 221/501 Intersection Improvement Project and has no need for the remainder of the land located at 2400 Lakeside Drive (TAX Parcel #23102008) and finds the City's continued ownership of the property is no longer necessary or required for the best interests of the City; and

BE IT FURTHER RESOLVED that City Council hereby vacates for any public purpose the property located at 2400 Lakeside Drive; approves the conveyance of the property to Lakeside Crossing Lynchburg, LLC for the sum of \$125,000; authorizes the City Manager to execute a deed and any other documents that may be needed to convey said property to Lakeside Crossing Lynchburg, LLC.

Introduced:

Adopted:

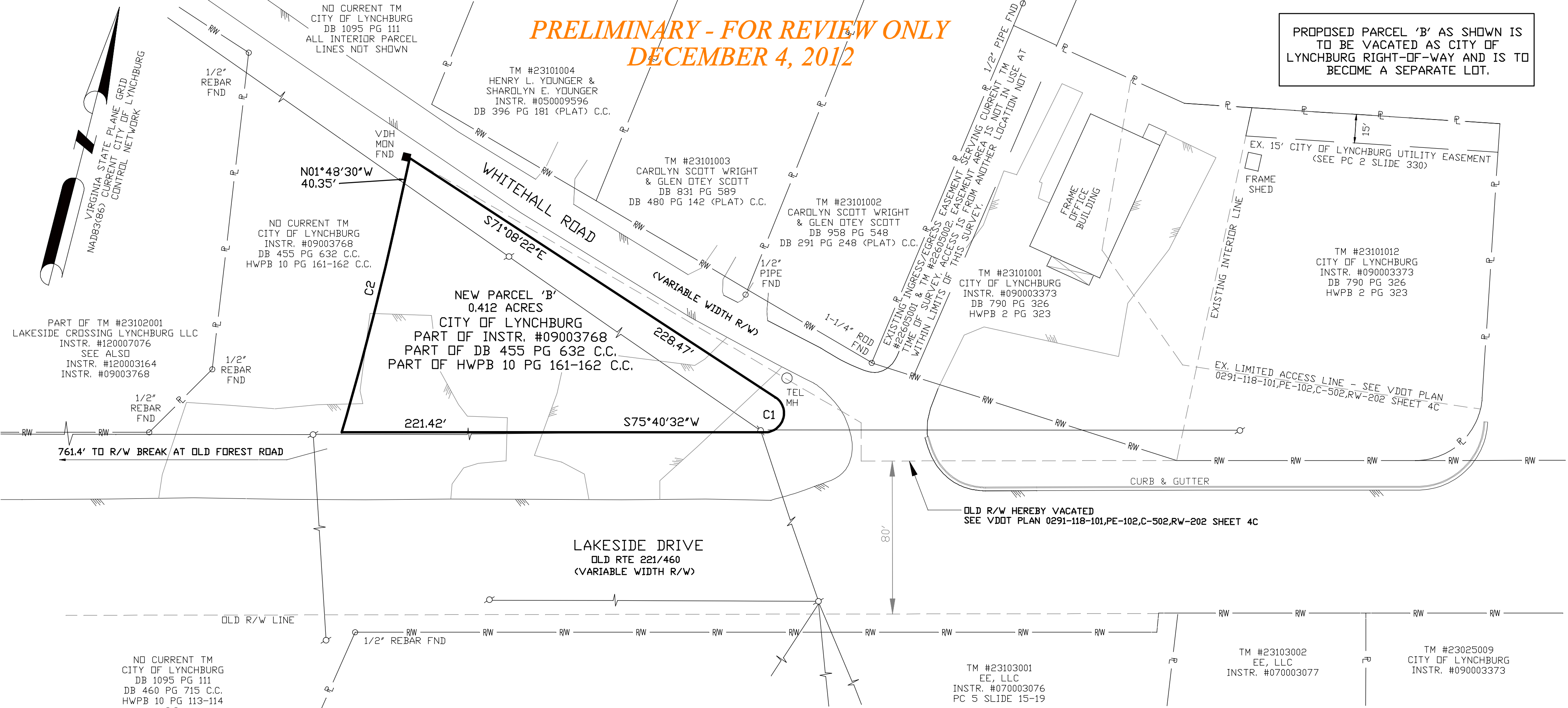
Certified:

Clerk of Council

029V

PRELIMINARY - FOR REVIEW ONLY
DECEMBER 4, 2012

PROPOSED PARCEL 'B' AS SHOWN IS
TO BE VACATED AS CITY OF
LYNCHBURG RIGHT-OF-WAY AND IS TO
BECOME A SEPARATE LOT.



THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY AS OF DATE SHOWN HEREON AND THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS EXCEPT AS SHOWN.

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

THE AREA SHOWN IS LOCATED IN FLOOD HAZARD ZONE 'X' AS INDICATED ON FLOOD INSURANCE RATE MAP BY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), COMMUNITY PANEL NUMBER 5100930101D, DATED JUNE 3, 2008. ZONE 'X' IS DEFINED ON SAID MAP AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

THIS SURVEY WAS COMPLETED AT THE REQUEST OF ECONOMIC DEVELOPMENT AUTHORITY OF CITY OF LYNCHBURG.

SUBJECT PROPERTY CAN BE SERVED BY CITY OF LYNCHBURG PUBLIC WATER.

SUBJECT PROPERTY IS NOT CURRENTLY SERVED BY CITY OF LYNCHBURG PUBLIC SANITARY SEWER. ADDITIONAL PUBLIC SEWER IS REQUIRED.

THE OWNERS DO NOT WISH TO PLACE RESTRICTIONS ON SUBDIVISION AT THIS TIME.

THERE ARE NO NEW UTILITIES PLANNED AT TIME OF SURVEY.

SUBJECT PROPERTIES SHOWN ARE CURRENTLY ZONED B-5 (GENERAL BUSINESS)

THE DEDICATION OF THE SUBDIVISION SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY. THE OWNERS CERTIFY THAT THEY ARE THE FEE SIMPLE OWNERS OF SAID LAND AND ARE LEGALLY ENTITLED TO SUBDIVIDE THE SAME.

CITY MANAGER, LYNCHBURG, VIRGINIA _____ DATE _____

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA - CITY/COUNTY OF _____

I, _____ A NOTARY PUBLIC IN AND FOR THE STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES ARE SIGNED HEREON HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

C2
D 4°00'23"
R 1537.18'
L 107.49'
C 107.47'
CB N00°11'42"W

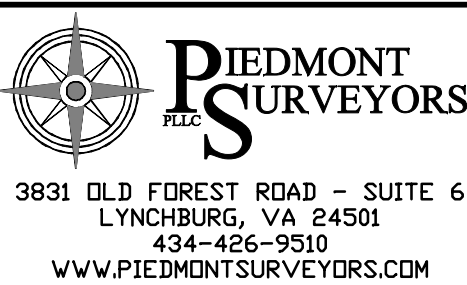
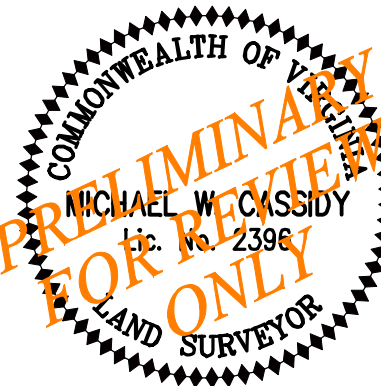
C1
D 146°48'54"
R 10.00'
L 25.62'
C 19.17'
CB S02°16'05"W

SUBDIVISION PLAT APPROVED:

CITY ENGINEER, LYNCHBURG, VA _____ DATE _____

CITY PLANNER, LYNCHBURG, VA _____ DATE _____

- LEGEND
- OVERHEAD UTILITY
 - UTILITY POLE
 - EDGE OF PAVEMENT
 - 1/2" REBAR SET (UNLESS NOTED OTHER)
 - CORNER FOUND AS NOTED
 - R/W MONUMENT FOUND STAMPED AS NOTED



PROJECT NO. 2012-427
DRAWING NO. 2012-427-2
DATE 11/08/2012
SCALE 1" = 40'
SHEET 1 OF 1

PLAT SHOWING
CITY OF LYNCHBURG RIGHT-OF-WAY VACATION
AND CITY OF LYNCHBURG PROPERTY DIVISION,
AREA OF LAKESIDE DRIVE, OLD FOREST ROAD
& WHITEHALL ROAD
CITY OF LYNCHBURG, VIRGINIA

The City of Lynchburg, VA

Legend



Corporate Limit

Street Labels

Addresses



Parcels

Legal Lot Line

Legal Lot Line

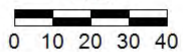
Vacated Right of Way



Title: 2400 Lakeside Drive

Date: 2/4/2013

Feet



1:600 / 1"=50 Feet

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and the city of Lynchburg is not responsible for its accuracy or how current it may be.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 15

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **PUBLIC HEARING AND CONSIDERATION OF REPROGRAMMING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS**

RECOMMENDATION: Conduct a public hearing to receive public input regarding the reallocation of the following Community Development Block Grant (CDBG) funds:

1. Approve the request from the Fifth Street Community Development Corporation (CDC) to reprogram funds from CDBG Program Year 2012-2013 (\$100,000) allocated for the Fifth Street CDC Phase III project to the Fifth Street CDC Phase II project;
2. Approve the request from the Fifth Street CDC and reallocate CDBG Program Year 2010-2011 Lynchburg Redevelopment and Housing Authority (LRHA) Housing Rehabilitation Low-Interest Loan funds (\$100,000) to the Fifth Street CDC Phase II project; and
3. Approve the request from the Fifth Street CDC and reallocate CDBG Program Year 2010-2011 LRHA Property Demolition funds (45,462.78) to the Fifth Street CDC Phase II project.

SUMMARY:

In Fiscal Year 2011 (CDBG Program Year 2010-2011) there remains \$145,462.78 of CDBG funds allocated to LRHA for a Housing Rehabilitation Low-Interest Loan to a potential buyer for the property located at 302 Cabell Street and for the demolition of CDBG-acquired properties that were a threat to the safety, health and welfare of the area in which they were located.

LRHA staff has indicated that \$100,000 of CDBG funds previously earmarked for a potential low interest loan is not needed for the rehabilitation of the property located at 302 Cabell Street. LRHA received a proposal for the redevelopment of this structure and the purchaser did not request financial assistance from LRHA. The property is currently being rehabilitated according to a signed Rehabilitation Agreement between the owner and LRHA. In addition, there is \$45,462.78 of Property Demolition funds that were allocated for the demolition of CDBG-acquired structures that will not be needed as anticipated by LRHA. This was due to the fact that several of the structures that were targeted for demolition were acquired by third parties for renovation.

City and LRHA staff recently reviewed the remaining balances of prior years' CDBG allocations to LRHA for the Spot Blight and Rental Rehabilitation Programs. In this review, it was concluded that these remaining funds could best be utilized for other eligible CDBG activities and would allow the City to expend these funds in a timely manner and could assist with the U. S. Department of Housing and Urban Development's (HUD) requirements imposed on the City for the timeliness of expenditures within the CDBG Program.

Concurrently with this discussion the City received a request from the Fifth Street Community Development Corporation (CDC) for the reallocation of FY 2013 (Program Year 2012-2013) CDBG funds and for additional funds that might be available for the Fifth Street Phase II project. In FY 2013 the Fifth Street CDC was allocated \$100,000 for the Phase III construction project of the Fifth Street Redevelopment Plan. Due to the sequence of construction, Phase III is not expected to start until the fall of 2013 (FY 2014).

The streetscape portion of the Fifth Street Phase II project has a budget of \$921,640 from the following sources: \$100,000 FY 2011 CDBG and \$821,640 Capital Improvement Program. Of the \$921,640, \$300,988 has been expended and \$383,839 has been encumbered. If CDBG funds in the amount of \$245,462.78 are reallocated to the Fifth Street Phase II project, it is proposed that an equal amount of city capital funds be moved to the Fifth Street Phase III project. The Fifth Street Phase II project is currently under construction and can expend the CDBG funds within the necessary time period. If approved, it is requested that the reprogramming of these funds be allowed to be made available for previously incurred construction costs

within the Phase II project beginning on January 1.

In accordance with the Citizen Participation Plan for the CDBG and HOME Program, the reprogramming and redirection of these funds constitutes a “substantial change” in the respective Annual Action Plan and, therefore, a public hearing is required for citizen input. A public notice advertising this public hearing was published on January 28.

City staff has reviewed these requests and recommends approval of the reprogramming of the CDBG funds for the requested project.

PRIOR ACTION(S): January 25, 2011: Reallocation of Spot Blight Program funds for the Housing Rehabilitation Loan Interest Loan Fund (\$100,000)

November 23, 2010: Reallocation of various CDBG project activity funds to the Property Repair, Demolition, and Maintenance Project funds
(Remaining Balance: \$45,462.78)

FISCAL IMPACT: The reprogramming of the CDBG funds will assist in the timely expenditure of previous years' funds and the actual accomplishments for the performance measures that are reported to HUD.

CONTACT(S): Melva Walker, Grants Manager, 455-3916
Bonnie Svrcek, Deputy City Manager, 455-3987

ATTACHMENT(S): Resolution
Letter from Fifth Street CDC dated January 21, 2013
Letter from LRHA dated December 14, 2012

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED that FY 2011 (CDBG Program Year 2010-2011) funds in the amount of \$100,000 for the Spot Blight Low Interest Loan Program; funds in the amount of \$45,462.78 for the Property Demolition Project; and FY 2013 (Program Year 2012-2013) funds in the amount of \$100,000 for the Fifth Street CDC Phase III project be reallocated to FY 2013 (CDBG Program Year 2012-2013) Fifth Street CDC Phase II project;

BE IT FUTHER RESOLVED that the allocated funds may be expended for construction costs incurred beginning January 1, 2013.

Adopted:

Certified:

Clerk of Council

022V



January 21, 2013

Ms. Melva Walker
City of Lynchburg
Grants Manager
900 Church Street
Lynchburg, VA 24504

RE: Community Development Block Grant (CDBG) Reprogramming Request

Dear Ms. Walker:

The Fifth Street Community Development Corporation (CDC) is requesting that the FY 2012-2013 CDBG allocation of \$100,000 for Phase III construction of the Fifth Street Master plan be reprogrammed to Phase II construction.

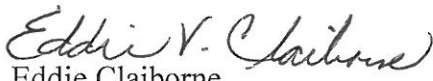
It is the understanding of the Fifth Street CDC that CDBG funds need to be expended by May 1, 2013. The Fifth Street CDC in partnership with the City of Lynchburg is unable to expend the funds on Phase III of the project due to construction sequencing. The Fifth Street CDC is also requesting that any additional CDBG funds that are available be reprogrammed for Phase II construction.

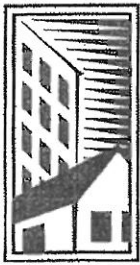
Phase II of the project is currently under construction and has previously expended allocated CDBG funds. Since Phase II of the project has previously used CDBG funds it is currently proceeding and meeting the reporting requirements for CDBG.

If reprogrammed for use in Phase II, the funds will be used for the elements of the project that are eligible under CDBG. All reprogrammed funds can be expended prior to May 1, 2013.

If you have any questions, please contact me at (434) 660-7339.

Sincerely,


Eddie Claiborne
President, Fifth Street CDC



LYNCHBURG
REDEVELOPMENT AND
HOUSING AUTHORITY

DEBRA GUYOT
Executive Director

December 14, 2012

Bonnie M. Svrcek
Deputy City Manager
City of Lynchburg
900 Main Street
Lynchburg, Virginia 24504

Re: *LRHA – CDBG Grant Monies*

Dear Bonnie:

It was a pleasure meeting with Melva Walker and you regarding the Lynchburg Redevelopment & Housing Authority's ("LRHA") Community Development Block Grant ("CDBG") funding. It appears we have a plan to spend down & reprogram the LRHA's outstanding CDBG fund balances. The purpose of this letter is to summarize our plan and to request the City of Lynchburg to reprogram certain CDBG funds.

As we discussed, the LRHA reasonably believes it can spend, before the May 1, 2013 deadline imposed by the United States Department of Housing and Urban Development ("HUD"), the outstanding balances under the following CDBG program categories: (i) rental rehab, (ii) property maintenance, (iii) minor property repairs, and (iv) spot blight program. We also believe we can spend \$20,000 from the property demolition category. Certain aspects of these expenditures are contingent upon the actions of third-parties we do not control. Accordingly, we may need to modify the plan, in the event those parties do not proceed as we reasonably anticipate.

Given the foregoing, the LRHA would be left with fund balances as follows: (i) \$45,462.78 in property demolition funds, and (ii) \$100,000 in spot blight loan program funds. Initially, we anticipated the need to raze more structures than we did. Surprisingly, several of the structures we targeted for demolition were acquired by third-parties for renovation. While we consider this a success of the spot blight program, it left the LRHA with an unanticipated CDBG fund balance in the category.



EQUAL HOUSING
OPPORTUNITY

We Do Business In Accordance With the Federal Fair Housing Law

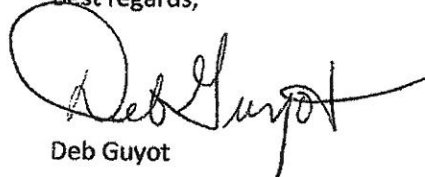
phone: 434.485.7200 • fax: 434.845.9144 • TTY: 800.828.1120 VA 711
918 Commerce Street • P.O. Box 1298
Lynchburg, VA 24505

The \$100,000 spot blight loan program money was earmarked for a large home on Cabell Street. The LRHA originally believed it would be required to make low interest financing available to entice redevelopment of this structure, which is in an important historic district of the City. However, the LRHA received a proposal for the redevelopment that was not contingent upon obtaining low interest financing from the LRHA. In the interest of being good fiscal stewards of tax dollars, the LRHA's Commissioners accepted this proposal. The outcome of which, however, is that it leaves the LRHA with \$100,000 in unexpended CDBG funds in this category.

Given the anticipated balances that will remain in the property demolition and spot blight loan CDBG fund categories, I ask on behalf of the LRHA that the City reprogram the amount \$145,462.78 from the LRHA to other allowed uses. Depending on the desire of LRHA's board, we may seek funding in these categories in the next CDBG cycle. Robert Vincent or I will be in touch after the next meeting of the board of commissioners to discuss our plans with you.

I look forward to talking with you about this soon.

Best regards,

A handwritten signature in black ink, appearing to read "Deb Guyot", with a large circular flourish at the beginning.

Deb Guyot

Cc: Melva Walker
Bill Canfield
Bob Vincent

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 16

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Electoral Board/Registrar's Request for Supplemental Funding and Other Matters**

RECOMMENDATION: Amend the FY 2013 City/Federal/State Aid Fund budget and appropriate \$24,327 with resources of \$7,600 from the State Board of Elections and \$16,727 from the General Fund Reserve for Contingencies to replace 53 electronic pollbook laptop computers and carrying cases.

SUMMARY: Outgoing member of the Electoral Board John Falcone will be in attendance at Council's meeting to explain the supplemental funding request and to address two other issues.

Laptops: Until March 31, 2013, the State Board of Elections is offering localities the opportunity to receive partial reimbursement for purchasing new laptops to replace the refurbished laptops initially used to implement the electronic pollbook program. A maximum of two laptops per precinct (38 laptops) may be reimbursed at \$200 each; it is anticipated the City will receive \$7,600. The new laptops with carrying cases are projected to cost \$459 each and include up-to-date operating systems able to support simpler, more user friendly versions of the pollbook software. The Electoral Board/Registrar's Office recommends 53 laptops be purchased in order to replace all the refurbished ones.

The City share for each eligible laptop computer replacement is \$259; fifteen additional laptop computers are recommended at \$459 each for a total City cost of \$16,727. These funds are not available in the Electoral Board/Registrar's Office budget and are requested from the General Fund Reserve for Contingencies.

Relocation of Polling Place: The Electoral Board and the Registrar recommend that the polling place for Ward 4, precinct 1 which is presently located at the Elks Lodge be relocated to Cornerstone Community Church on Old Graves Mill Road. There have been numerous complaints from poll workers and voters about the Elks Lodge facility during the last few years, primarily because of a pervasive residue of cigarette smoke. The Electoral Board has visited and examined Cornerstone and find it to be much better suited as a polling place. Pastor Willie Taylor has given consent and said the church would be pleased to provide that service to the City. It has also been verified that handicap accessibility will not be a problem. With Council's consent a public hearing to receive comment on the proposed relocation will be scheduled for February 26th. There will be plenty of time to have this changed approved by the Justice Department prior to the November election.

Funding Needs: Mr. Falcone also plans to share with Council a list of funding needs in the Registrar's Office. A list of those needs is attached. Staff is aware of these needs and is considering them as it prepares the FY 2014 Proposed Budget.

PRIOR ACTION(S): None

FISCAL IMPACT: Replacement of the laptops requires \$16,727 from the FY 2013 General Fund Reserve for Contingencies. Costs related to the relocation of the polling place are negligible. Costs for the Registrar's Office are as noted on the attached sheet.

CONTACT(S): Carolyn C. Sherayko, Registrar, 847-1609

ATTACHMENT(S): Resolution; List of funding needs for the Registrar's Office

REVIEWED BY: lkp

RESOLUTION:

BE IT RESOLVED That the FY 2013 City/Federal/State Aid budget is amended and \$24,327 is appropriated with resources of \$7,600 from the State Board of Elections and \$16,727 from the General Fund Reserve for Contingencies to replace 53 electronic pollbook laptop computers and carrying cases.

Introduced:

Adopted:

Certified:

Clerk of Council

031V

Needs for Registrar's Office:

Part-time Staff	.5 FTE @ \$10.00/hr (increase of .16 FTE to current position)	\$10,400
Temporary Staff for largest elections	1-2 FTE @ \$10.00/hr	\$4,000-\$8,000
Electronic Pollbook Laptop Replacements (+ shipping)	38 @ \$190 ea 22 @ \$390 ea	\$7,220 \$8,580
Office Furniture & Storage Cabinets		
Desk chairs	3 @ \$300 ea	\$900
Filing Cabinets		
4-drawer letter	2 @ \$450 ea	\$900
7-drawer card	2 @ \$1000 ea	\$2,000
Election Day Communications		
Tracfone (or similar)	25 @ \$60 ea	\$1,500
Voting System Replacement (current system is approaching 20 years old)	22 @ \$7,000 ea	\$154,000

Other needs:

Secure, physical storage space for voting equipment & peripherals
Updated office phone system

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 17

CONSENT: REGULAR: X

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: X

INFORMATION:

ITEM TITLE: **Appropriation of Fund Balance from Unexpended FY 2012 School Operating Funds**

RECOMMENDATION:

Adopt a resolution to amend the FY 2013 General Fund Budget and appropriate \$1,143,687 from unexpended FY 2012 School Operating appropriations to fund designated reserves and expenditures as identified in the attached letter from the Schools Superintendent.

SUMMARY:

This action is requested in accordance with an agreement signed by the Lynchburg City Council and the Lynchburg City School Board dated December 14, 1993. This agreement provides for the creation and maintenance of a school operating fund balance for "the purpose of underwriting any occasional shortfalls from the various budgetary categories of direct State funding support as well as other applications, all based upon the required expenditure approval of the School Board."

The audited FY 2012 unexpended Schools operating fund balance is \$2,138,086. On November 27, 2012 the Lynchburg City School Board unanimously approved the recommendation of the Superintendent to appropriate \$2,118,687 of the fund balance. Included in the request is \$975,000 for FY 2013 Capital Improvement Program projects. These projects were appropriated in the FY 2013 Adopted Budget for major building maintenance and roof replacements at various City schools with FY 2012 Schools unexpended operating fund balance identified as the source of funding. Funding in the amount of \$19,399 is not requested at this time as these funds have not yet been received by the Schools.

The details of this request can be found in the attached letter from the Superintendent of the Lynchburg City Schools dated February 5, 2013.

PRIOR ACTION(S):

May 22, 2012, \$975,000 appropriated in the FY 2013 Adopted Budget Schools Capital Fund.

FISCAL IMPACT:

Transfer of available fund balance to the School Operating Fund and increase in General Fund Committed School Reserves as noted on the attached letter from the Superintendent

CONTACT(S):

Dr. Scott Brabrand, Ed.D 455-5070

ATTACHMENT(S):

Letter from Dr. Brabrand dated February 5, 2013
Resolution

REVIEWED BY: lkp

RESOLUTION

BE IT RESOLVED THAT the FY 2013 General Fund Budget is amended by \$993,862 and the following Committed Fund Balance Reserves are hereby authorized: \$300,000 for school health insurance; \$372,862 for school textbooks; and \$321,000 for Special Education Disproportional reserve.

BE IT RESOLVED THAT the FY 2013 School Operating Fund Budget is amended and \$149,825 is appropriated with resources from unexpended FY 2012 School Operating appropriations.

Introduced:

Adopted:

Certified:

Clerk of Council

023V



LYNCHBURG CITY SCHOOLS

SCHOOL ADMINISTRATION BUILDING

915 Court Street
Post Office Box 2497
Lynchburg, VA 24505-2497
www.lcsedu.net

February 5, 2013

Mr. L. Kimball Payne, III
City Manager
900 Church Street
Lynchburg, Virginia 24504

Dear Mr. Payne:

I am requesting to be placed on the agenda for the February 12, 2013, meeting of the Lynchburg City Council. The Lynchburg City School Board is requesting re-appropriation of \$2,138,086 from the FY2012 fund balance to be used to return of the health insurance reserve used in FY2011; placed in the textbook reserve State textbooks funds not spend in FY2012; fund FY2012-13 CIP; replace telephone system in all schools with IP telephones; and provide a Special Education Disproportional reserve.

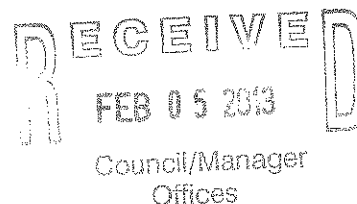
Please see the attached itemized list of proposed expenditures. Thank you for your attention to this matter. Please call if you have any questions.

Sincerely,

Scott S. Brabrand, Ed.D.
Superintendent

SSB/wls

cc: Members, Lynchburg City School Board
Anthony E. Beckles, Sr., Chief Financial Officer



**Lynchburg City Schools
Use of FY2012 Fund Balance**

FY2012 Fund Balance	\$2,138,086
Less: Workers Comp. receivable not yet received	<u>(\$19,399)</u>
	\$2,118,687
Proposed use of funds	
Return of health insurance reserve used in FY2011	(\$300,000)
Place on reserve State textbook funds not spent in FY2012	(372,862)
FY2012-2013 CIP	(975,000)
IP Phone replacement in all schools	(149,825)
Special Education Disproportional penalty set aside	<u>(321,000)</u>
	(2,118,687)
Remaining FY2012 Fund Balance	<u><u>\$0</u></u>

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: **18**

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **State Historic Tax Credits for the Renovation of the Miller Center**

RECOMMENDATION:

Adopt a resolution authorizing the City Manager, Deputy City Manager and the City Attorney to execute documents and take other appropriate action to secure state historic tax credits for the renovation of the Miller Center.

SUMMARY:

The potential exists for the City to receive approximately \$800,000 - \$1.2 million from the sale of state historic tax credits, related to the renovation of the Miller Center, located at 301 Grove Street.

In order to realize the tax credits the City must enter into a 40-year lease of the building to either the Economic Development Authority (EDA) or to a limited liability corporation established by the Economic Development Authority. Subsequently, the City will lease the building back from the EDA and continue to operate the building as a community center. The EDA has agreed to provide the required limited liability corporations necessary to manage the project and realize the revenue from the sale of the tax credits.

The City has engaged experienced legal counsel to advise on establishing the legal structures and documents required to utilize the tax credits. The City has used similar legal structures for past renovation projects, including the Carter Glass Building, EC Glass High School, the J.W. Ould Building for the Department of Human Services, Kemper Street Station and the Old Court House.

Adopting the resolution will allow legal counsel, City staff and the EDA to proceed with establishing the structure and execute legal documents necessary to proceed with financing the project and realizing the full potential of state historic tax credits.

PRIOR ACTION(S):

Proposals to utilize historic tax credits have been included in all past project briefings with City Council.

FISCAL IMPACT:

The project cost is currently estimated at \$6.1 million. The sale of state historic tax credits should realize \$800,000 - \$1,200,000 in revenue.

CONTACT(S):

L. Kimball Payne, City Manager, 455-3990

Walter Erwin, City Attorney, 455-3973

ATTACHMENT(S):

Resolution

REVIEWED BY: lkp

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNCHBURG, VIRGINIA

WHEREAS, the City Council of the City of Lynchburg, Virginia (the "Council") has determined that the City of Lynchburg, Virginia (the "City") has an immediate need for the renovation of the historic Miller Center building, located at 301 Grove Street in the City, to serve the needs of the residents of the City (the "Project"); and

WHEREAS, there has been presented to the Council a plan for financing of the Project which would not create debt of the City for purposes of the Virginia Constitution; and

WHEREAS, pursuant to such financing plan, the City will enter into a forty-year, long term lease (the "City Lease"), leasing the Property, either directly or through an intermediary lease with the Economic Development Authority for the City of Lynchburg, Virginia (the "EDA"), at a rental rate of \$1 per year to a "to be formed" for-profit Virginia limited liability company (the "LLC"), which will undertake the Project and harvest Virginia state rehabilitation tax credits; and

WHEREAS, the City will contribute to the EDA an amount of approximately \$6.3 million dollars (the "Funds"), and the EDA will then loan the Funds to the LLC; and

WHEREAS, the LLC's investor member will make a substantial capital contribution to the LLC; and

WHEREAS, the LLC will use the Funds and the substantial capital contribution of the LLC's investor member to undertake the Project; and

WHEREAS, in order to induce the investor member to make its substantial capital contribution, the City may enter into a Moral Obligation Agreement under which the City will evidence its intent, but not its obligation, to repay the investor member's capital contribution in the event certain unexpected contingencies occur, and to otherwise underwrite and support the Project and the LLC; and

WHEREAS, the EDA will agree to contribute all consideration received by the EDA pursuant to its role in the Project, minus its reasonable expenses, to the City; and

WHEREAS, the City will have an option to buy-out the City Lease following the completion of the Project (the "City Option").

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LYNCHBURG, VIRGINIA:

1. The City Manager or Deputy City Manager are hereby authorized to negotiate the final terms of and approve the Moral Obligation and the City Lease, whose approval shall be evidenced conclusively by the execution and delivery of the Moral Obligation and the City Lease by the City Manager or Deputy City Manager.

2. The City Manager and the Deputy City Manager are hereby further authorized to negotiate the final terms of and execute on behalf of the City all other documents and to undertake such other actions as are reasonably related to the Project, including, but not limited to, executing a lease extension agreement to ensure the City Lease has a term of forty years from the date the Project is placed in service.

3. The EDA's role and participation in the Project as described herein is hereby consented to and endorsed by the City.

4. The City Attorney is hereby authorized to record or cause to be recorded the City Lease (or a memorandum thereof) in the Clerk's Office of the Circuit Court of the City.

5. All acts of the City Manager, Deputy City Manager, and officers of the City and the EDA, regardless of whether such acts occurred prior to or occur after the adoption of this Resolution, that are in conformity with the purposes and intent of this Resolution and in furtherance of the execution, delivery and performance of the City Lease and the Moral Obligation, the plan of financing, and the undertaking of the Project are hereby

approved and ratified.

6. The Project is hereby declared to be essential to the efficient operation of the City, and the Council anticipates that the Project will continue to be essential to the operation of the City. The Council, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make appropriations in future fiscal years in amounts sufficient to fulfill its obligations under the Moral Obligation, if any, and hereby recommends that future Councils do likewise.

7. This Resolution shall take effect immediately upon its adoption.

Adopted:

Certified:

Clerk of Council

028V

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 12, 2013**

AGENDA ITEM NO.: 19

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Designation of the City's Rental Property Inspection Districts**

RECOMMENDATION: Adopt an ordinance amending Section 11-163 of the City Code designating the City's rental property inspection districts.

SUMMARY: The State Code allows local governments to adopt a residential rental property inspection program. The purpose of such a program is to address problems with substandard residential rental dwelling units by providing for periodic inspections of residential rental properties within designated rental districts to make sure such units comply with the requirements of the Uniform Statewide Building Code. The City of Lynchburg first adopted an inspection program for residential rental dwelling units on September 28, 1993. On March 8, 2005, Section 11-163 of the City Code was amended to designate the boundaries of the City's residential rental property inspection districts. The City's residential rental property inspection districts are located in the inner City and are described by census tracts. As a result of the 2010 Census tracts #12 and #13 were combined into census tract #19. It is necessary to amend Section 11-163 of the City Code to reflect this change.

PRIOR ACTION(S): The City's residential rental property inspection program was originally adopted on September 28, 1993, and was last amended on March 8, 2005.

FISCAL IMPACT: None

CONTACT(S): Walter C. Erwin, telephone no. 455-3973 and Douglas Saunders, telephone no.455-3899

ATTACHMENT(S): An ordinance amending Section 11-163 of the City Code.

REVIEWED BY: lkp

AN ORDINANCE TO AMEND AND REENACT SECTION 11-163 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, THE AMENDED SECTION RELATING TO THE DESIGNATION OF THE CITY'S RENTAL PROPERTY INSPECTION DISTRICTS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That Section 11-163 of the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted as follows:

Sec. 11-163. Designation of rental inspection districts.

The city council finds that (i) there is a need to protect the public health, welfare and safety of the occupants of residential rental dwelling units inside the rental inspection districts that are designated below; and (ii) the residential rental dwelling units within the rental inspection districts that are designated below are either (a) blighted or in the process of deteriorating, or (b) the residential rental dwelling units are in need of inspection by the inspections division to prevent deterioration, taking into account the number, age and condition of the residential rental dwelling units inside the rental inspection districts designated below, and (iii) the inspection of residential rental dwelling units inside the rental inspection districts designated below is necessary to maintain safe, decent and sanitary living conditions for tenants and other residents living in the rental inspections districts designated below. Therefore, the areas described in this section are hereby designated as rental inspection districts as provided by Section 36-105.1:1 of the Code of Virginia for the purpose of conducting periodic inspections at specific time intervals in order to determine that the buildings are in compliance with current building code regulations. The provisions of this division shall be applicable to all residential rental dwelling units, whether occupied or not, that are located in the following areas of the city:

- (a) That area of the city designated as census tract #4 by the ~~2000~~ 2010 Census Data.
- (b) That area of the city designated as census tract #5.00 by the ~~2000~~ 2010 Census Data.
- (c) That area of the city designated as census tract #6 by the ~~2000~~ 2010 Census Data.
- (d) That area of the city designated as census tract #7 by the ~~2000~~ 2010 Census Data.
- (e) That area of the city designated as census tract #11 by the ~~2000~~ 2010 Census Data.
- (f) That area of the city designated as census tract #19 ~~12~~ by the ~~2000~~ 2010 Census Data.
- ~~(g) That area of the city designated as census tract #13 by the 2000 Census Data.~~

The census tracts identified above encompass that area of the city beginning at the eastern corporate limit of the city, thence northwest along the James River and the corporate limits of the city to the Norfolk Southern Railway tracks near Riverside Park, thence south along said tracks to Blackwater Creek, northwest along Blackwater Creek to an unnamed tributary creek, along said tributary southwest to the intersection of Page Street and Hillcrest Avenue, northwest on Page Street to Tate Springs Road following said road southeast to Langhorne Road; continuing on Langhorne Road southeast to Memorial Avenue, southwest on Memorial Avenue to Fort Avenue continuing northeast on said road to its intersection with Rutherford Street, continuing on Rutherford Street southeast to its intersection with Craighill Street, thence southeast on Craighill Street to its intersection with Edley Place, continuing southeast on Edley Place to its intersection with the Norfolk Southern Railway tracks, south along the said tracks to a railroad intersection, continuing southeast along Norfolk Southern Railway tracks to their intersection with the southeastern corporate limits of the city; thence northeast along the corporate limits of the city to the point of beginning.

An individual residential rental dwelling unit outside of the above designated rental inspection districts will be subject to the rental property inspection ordinance based upon a separate finding for each individual dwelling

unit by city council that (i) there is a need to protect the public health, welfare and safety of the occupants of that individual residential rental dwelling unit; (ii) the individual residential rental dwelling unit is either (a) blighted or (b) in the process of deteriorating; or (iii) there is evidence of violations of the building code that affect the safe, decent and sanitary living conditions for tenants living in such individual residential rental dwelling unit.

2. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Clerk of Council

021V