

March 8, 2022



CITY COUNCIL AGENDA

City Council Meeting - 7:30 p.m.

Council Chamber | City Hall, 900 Church Street, Lynchburg, VA 24504

IV. Invocation Councilmember Tweedy

V. Recognitions

- Sameria Lamberth, Mayor's Youth Council
 - Marcus Gafford, Mayor's Youth Council
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VI. Consent Agenda

- A)** Consideration of approving the minutes from the December 14, 2021 City Council meeting.
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VII. Public Hearing

- 8)** Consideration of adopting Resolution #R-22-___ approving a CUP to allow the construction of fifty (50) townhomes at 1700 Graves Mill Road.
- 9)** Consideration of adopting Resolution #R-22-___ approving the Tyreeanna and Pleasant Valley Neighborhood Plan as part of the City of Lynchburg's Comprehensive Plan 2013 - 2030.
- 10)** Conduct a public hearing to garner citizen input on the proposals received for the Lynchburg Police Department headquarters building project.
- 11)** Consideration of adopting Ordinance #O-22-___ amending § Section 14-35 of the City Code moving the voting location for Ward IV, Precinct 1 from Crosspoint Community Church to St. Thomas More Catholic Church.
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VIII. Public Comment

**Public Comment Addendum will be posted separately after the citizen sign-up deadline of Friday at noon preceding the Council meeting.*

IX. General Business

- 12)** FY 2023 Proposed Budget Presentation
- 13)** Consideration of adopting Resolution #R-22-___ requesting the transfer of Liberty Mountain Drive as an addition to the City's street inventory.
- 14)** Consideration of adopting Resolution #R-22-___ supporting Virginia Housing Loan Funding for Spencer Pointe Apartments.

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// A regular meeting of the Council of the City of Lynchburg was held on the 14th day of December, 2021, at 4:00 P.M. in the Council Chamber, City Hall, MaryJane Dolan, President, presiding. The following Members were present:

Present: MaryJane Dolan, Beau Wright, Jeff Helgeson, J. Randy Nelson, Sterling A. Wilder,
Chris Faraldi 6

Absent: Treney Tweedy 1

// In the matter of Finance, Agenda Item #1, Chief Financial Officer Ms. Donna Witt and Mr. Chris Banta, Brown Edwards, LLC, presented the Comprehensive Annual Financial Report conducted by Brown Edwards, LLC, the City's external auditing firm. Mr. Banta explained that there are four phases of the audit which resulted in only one immaterial finding from Lynchburg City Schools pertaining to late funding received from the CARES Act and the inability to update the budget based on the timing of the receipt of that transfer of funding.

Councilmember Nelson asked a question regarding the finding from the schools; his understanding was initially the CARES funding came to the City and the expenses were placed on the City's ledger. It was until after the fact that it was determined that the better procedure would have had the school board adopt the expenses as a school expense rather to the city. How would either the schools or the city have known before the year ended what they should have done if they were not given any regulation, policy, or procedure. Mr. Banta stated the City could not have known the proper protocol at that time, so no harm, no foul.

Councilmember Helgeson stated that since the reports are for the prior year, there has not been much CARES or ARPA funding accounted for in the reports. Mr. Banta explained that the funds that are not spent are not on the activity statement but are on the balance sheet. Councilmember Helgeson asked if next year it will show up; Mr. Banta replied that was correct.

// In the matter of African American Cultural Committee, Agenda Item #2, Deputy City Manager Dr. Reid Wodicka, Director of Communications and Public Engagement Ms. JoAnn Martin, and African American Cultural Committee Chair Ms. Pat Price presented Council with a report from the committee. On several

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occasions over the last 30 years, City Council has discussed renaming Fifth Street in honor of Dr. Martin Luther King, Jr. This conversation was renewed during the spring of 2021, and City Council directed City staff to engage in a public campaign to solicit feedback from the community for perspectives on both the idea of renaming Fifth Street and other potential ideas to honor the contributions of African Americans in the community. In response, City staff conducted a survey of community members and held a virtual public forum, engaging with approximately 400 members of the community. Once the information was collected from those engagement efforts, City staff asked a group of community members representing the Fifth Street corridor and other prominent institutions in the community to consider Council's discussions and survey feedback and provide recommendations on how to best honor the contributions African Americans have made in the City. The presentation was an informational item and City Council will formally consider approval of the recommendations at a later meeting.

Councilmember Helgeson stated that a lot of these ideas could be government funded and some could be privately funded.

Councilmember Faraldi echoed Councilmember Helgeson's sentiments about finding an appropriate balance of funding options from both City and private funds. He asked for clarification on what the term "advocacy" is and who is being advocated to? Ms. Martin replied that advocacy is used in reference to supporting these programs and activities. She stated that this does not imply Critical Race Theory but rather as including all African American history with general history.

Councilmember Wilder asked the City Manager to bring these recommendations back for Council action soon.

// In the matter of the Police Department, Agenda Item #3, Police Chief Ryan Zuidema provided Council with an update on the status of the police department headquarters building project. He outlined the project history which included receiving an unsolicited PPEA for the project in March of 2021. From June of 2021 to present, staff have been reviewing potential project sites which include the site at 12th and Kemper Street and a site on Odd Fellows Road. Staff provided a comprehensive list of pros and cons of each site. Mr. Ian Reeves, Architects Design Group, explained that the pandemic drove up the costs of

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building materials and with a project of this magnitude the changes equate to about \$1.5 million dollars per year, no matter the site.

Councilmember Faraldi maintained that his primary concern with the police headquarters was to maintain the original “shovels in ground” date and is skeptical about leaving the Kemper Street site, however, if moving the location of the headquarters results in getting the police force into the building they need, then he is not against moving from the Kemper Street site.

Councilmember Helgeson stated that the rising cost of the building materials is irrelevant because that will be universal no matter which site is selected and the cost of acquiring the land should be what Council considers in its decision.

Councilmember Wilder stated that at the time, the Kemper Street lot was the best of all the options available, however, he had a lot of concerns regarding the site. Now after reviewing the Odd Fellows Road location, he feels the property addresses his concerns, i.e. centrally located and the size of the parcel. He'd like to go ahead with geotechnical survey of the Odd Fellows Road location so that staff can assess if this is feasible and get this project started as soon as possible.

Councilmember Nelson stated the Odd Fellows Road location seems better suited to what the department and city needs in a police headquarters and are spending less for the overall project. He asked about the need to purchase the property; does that suggest that there is a negotiating obstacle or does that simply mean the normal hoops of acquiring it and not there is opposition from the owner? Chief Zuidema replied that staff are currently working through that right now, however, he does not believe there is any opposition from the seller to the sale.

// In the matter of City Code, Agenda Item #4(a), Assistant City Manager Mr. John H. Hughes, IV provided Council with a summary of the request. Mr. Robert Williams addressed Council on May 25, 2021 as a matter of Public Comment to request a rate increase for taxicab fare on behalf of the local taxi companies. After careful consideration, subsequent discussions, consultation with the City Attorney, and a comparison to other localities, City staff supports an increase in Mileage and Waiting Time fares as follows: From \$1.80 to \$2.80 for the first one-ninth of a mile, or fraction thereof; From \$0.25 to \$0.28 for

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each succeeding one-ninth mile, or fraction thereof; From \$.50/min or \$30.00 per hour to \$.60/min or \$36.00 per hour waiting time after the first three minutes of waiting time. This item will appear before City Council for action on the January 11, 2022 General Business agenda.

Councilmember Helgeson stated that he does not think that the city should be regulating the taxifare rates. He would like to see the drivers set whatever rates they want, that this should not be publicly controlled but rather decided in the private market.

Vice Mayor Wright asked the City Attorney what the legal obligations are to set taxicab rates. City Attorney Mr. Matthew Freedman explained that the statute does not require the City to set rates but states that it may set the rates. Mr. Freedman told Council that he would look into past Council action regarding deregulation. Vice Mayor Wright stated that he ultimately wants the taxicab drivers to have the best advantage and wants to be careful of any unintended consequences.

Councilmember Faraldi stated that if Council chooses to set the rate, that he would like to see language stating that the rate shall not exceed a certain number and not actually set the rate to allow the drivers to determine the best rate individually but to not overcharge the public.

Councilmember Wilder asked to hear more from the taxicab owners that they are in fact in agreement to continue the regulations.

Councilmember Nelson stated that due to the current economy, Council does need to adjust the rates to justify some modification to rates that they can charge. Let's deal with that and then let's do our research to find out if it's appropriate to delve into any regulation and if so on what basis. Since the taxicabs have asked for this, Council should look at this.

// In the matter of Roll Call, Agenda Item #5, Councilmember Faraldi commented on the 20th Anniversary of the Monument Terrace Troop Rally. Councilmember Wilder commented on the Main Street Reopening Ribbon Cutting; he encouraged citizens to shop local for the holiday season. Vice Mayor Wright asked staff for an update on the status of the affordable housing white paper; he also asked staff to report on how the city is being helpful to the Electoral Board and Registrar's Office in regards to protecting poll workers from harassment.

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// On motion of Councilmember Wilder, seconded by Vice Mayor Wright, Council, by the following recorded vote, elected to hold a closed meeting to discuss the City's participation in the National Opioid Settlement and Virginia Intrastate MOU concerning the same, pursuant to Sections 2.2-3711(A)(7) and 2.2-3711(A)(8) of the Code of Virginia, 1950, as amended.

With no discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
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Noes:	0
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Absent: Tweedy	1
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// The meeting was reopened to the public.

// Vice Mayor Wright made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2 3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The motion was seconded by Councilmember Helgeson, and Council, by the following recorded vote, adopted the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
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Noes:	0
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Absent: Tweedy 1

// The meeting was recessed at 6:05 p.m.

// City Council reconvened the meeting at 7:30 p.m. The following members were present:

Present: MaryJane Dolan, Beau Wright, Jeff S. Helgeson, J. Randy Nelson, Sterling A. Wilder,
Chris Faraldi 6

Absent: Treney Tweedy 1

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

// In the matter of the Consent Agenda Item (A), Council conducted a second reading and adopted Ordinance #O-21-083 authorizing the City Manager to sell 317 Hancock Street. On motion of Councilmember Wilder, seconded by Councilmember Nelson, Council by the following recorded vote approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi 6

Noes: 0

Absent: Tweedy 1

// In the matter of the Consent Agenda Item (B), Council conducted a second reading and adopted Resolution #R-21-085 approving a grant awarded to assist with response to the infestation of Spotted Lantern Fly. On motion of Councilmember Wilder, seconded by Councilmember Nelson, Council by the following recorded vote approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi 6

Noes: 0

Absent: 1

// In the matter of Planning, Agenda Item #7, a public hearing was held and Council considered adopting Ordinance #O-21-087 approving the petition to rezone property at 2001 & 2003 Enterprise Drive. Council was briefed on this item during its November 9, 2021 Business Item Briefings.

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Mr. Rick Barker of Rick Barker Properties who is petitioning to rezone six and seven tenths (6.7) acres at 2001 & 2003 Enterprise Drive from I-2, Light Industrial District to B-5C, General Business District (Conditional) to allow the use of existing office space for pediatric therapy services while maintaining the continued use of warehousing and distribution.

There was no one to speak in favor or opposition, either by phone, email, or in-person, so the public hearing was closed and the matter rested with Council.

Councilmember Faraldi made the motion to approve the ordinance but stated that as development continues in the southern part of town, to be mindful that there is a large residential presence on Enterprise Drive and that the thoroughfare continues to be used as a cut-through. Councilmember Helgeson seconded the motion stating that the properties surrounding the area are business so rezoning this property from industrial to business makes sense for the area, especially given it is a high-traffic area perfect for businesses.

Councilmember Wilder stated he is in favor of the motion because it is a good utilization of the property and he does not see this adding too much by way of traffic volume.

With no other discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Absent: Tweedy	1

// In the matter of Lynchburg City Schools, Agenda Item #8, a public hearing was held and Council considered adopting a resolution amending the FY 2022 Schools Capital Fund budget and appropriating \$11,296,804 to fund infrastructure upgrades to City Schools facilities and City-wide broadband. The City's Chief Financial Officer Ms. Donna Witt provided Council with a summary of the request. The Lynchburg City Schools has received approximately \$42.5 million as its share of the Coronavirus Relief Fund (CRF) for their II-IV allocations. The Lynchburg School Board has approved \$7,796,804 to be used for upgrades to primarily HVAC and chillers in City School facilities. An additional \$3.5 million was approved for City-

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wide broadband expansion. These funds need to be appropriated in the Schools Capital Fund for spending.

There was no one to speak in favor, either by phone, email, or in-person. The Mayor opened the floor for anyone to speak in opposition. Mr. Andrew Glover, representative of the Conservative Parents of Lynchburg, spoke in opposition regarding the \$3.5 million appropriation for the City-wide broadband expansion. Slow down with proposal and work collaboratively to make more use of the funding. Service more Lynchburg residents and better accomplish the objectives of the WISH project. We do support the goal of providing affordable broadband to the community, however, the method is providing internet to students and staff members only. He asked Council to consider withholding these funds and use them to fund the schools fund balance request.

Mr. Steve Gatzke, Director of Finance and Operations for Lynchburg City Schools, provided Council with a rebuttal. His understanding is that this project is not a broadband connection project but rather sets up a network that provides direct access for students and faculty to the Lynchburg City Schools network.

There was no one to speak in favor or opposition, either by phone, email, or in-person, so the public hearing was closed and the matter rested with Council.

Councilmember Faraldi asked Mr. Gatzke if public school students and staff only would be able to access the network, and who would govern the infrastructure; Mr. Gatzke was unable to answer the question. Councilmember Faraldi asked if the City would have time to facilitate more research or is there a deadline by which the money needs to be spent? Chief Financial Officer Ms. Donna Witt replied that the schools funding is separate from the City's funding, however, it was her opinion that the broadband funding would have to be spent specifically for schools. Councilmember Faraldi stated that it sounds like the city would be building the network and running the network and it is his opinion that the government shouldn't be controlling this type of network, especially since it's only available to a small number of people and would perform a very specific task. He is not opposed to the other line items; however, he would like additional information about this item.

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Councilmember Helgeson made the motion to approve all funding, less the \$3.5 million, in order to garner more information from the schools. The motion was seconded by Vice Mayor Wright

Councilmember Nelson stated that his posture remains that students need to have broadband access as soon as possible; the poor test scores and education gaps among students can be somewhat attributed to the lack of direct internet connection. However, there are several concerns raised by councilmembers that he too would like answers for, and as such, is comfortable in delaying the vote on these particular funds.

Councilmember Faraldi asked to consider expanding the request to homeschooled and privately educated students as well.

Vice Mayor Wright stated that it would be helpful to have the criteria of using these federal funds at the next meeting.

With no other discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Absent: Tweedy	1

// In the matter of Public Comment, Agenda Item (A), Mr. Jamie Maxwell, representative of the group Lynchburg Firefighters Association, previously requested to speak but asked the Clerk of Council to remove him from the agenda prior to the meeting.

// In the matter of City Manager's Office, Agenda Item #9, City Manager Mr. Wynter C. Benda reviewed the draft 2022 Legislative Agenda with the provided input from Council at its November 9, 2021 Work Session, the November 16, 2021 Legislative Meeting, and any citizen input received by the Clerk of Council. The recommendation proposed by Mr. Benda was to take up the additional items one-by-one and then adopt the legislative agenda.

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Councilmember Faraldi made the motion to amend the additional language to the third principle, as follows; “The City ~~will~~ intends to follow this example and in the event of an unanticipated surplus, refund the tax payer with the overage.”, seconded by Councilmember Helgeson.

Ayes: Helgeson, Nelson, Faraldi 3

Noes: Dolan, Wright, Wilder 3

Absent: Tweedy 1

Vice Mayor Wright stated that he is not comfortable with the additional language to the third principle, “The City will follow this example and in the event of an unanticipated surplus, refund the tax payer with the overage.”, explaining that the Legislative Agenda is a document for how the state interacts with localities and not how the locality creates policy . If Council chooses to make this City policy, it can at another time, otherwise the statement is ill-fitted to the intentions of the principles of the document. He made the motion to remove the language, seconded by Councilmember Wilder.

Ayes: Dolan, Wright, Wilder 3

Noes: Helgeson, Nelson, Faraldi 3

Absent: Tweedy 1

Councilmember Helgeson made the motion take out the City Charter change language stating that he is uncomfortable opening the charter if the local delegation will not carry the motion. Councilmember Faraldi seconded the motion. Councilmember Nelson stated that several Virginian localities have moved their election years to odd years and if that is common around the state, he doesn't see why Lynchburg would be treated any differently. He is in favor of keeping the charter change in to see if any other delegation is willing to take it up.

Ayes: Helgeson, Faraldi 2

Noes: Dolan, Wright, Nelson, Wilder 4

Absent: Tweedy 1

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Councilmember Wilder made the motion to remove the language under Early Childhood Education, "The City wishes to be considered as the pilot location for the State's Charter School Initiative. The motion was seconded by Vice Mayor Wright, stating that he is not comfortable with the addition of the language since there are no current details pertaining to the charter school pilot program and the City does not know what it would be getting. Councilmember Faraldi stated that he is in favor of communicating that Lynchburg is at least interested in considering becoming a candidate. Councilmember Nelson stated that he is in favor of backing the charter school pilot program if it truly supports early childhood education.

Ayes: Dolan, Wright, Wilder 3

Noes: Helgeson, Nelson, Faraldi 3

Absent: Tweedy 1

After the vote, Council reached a consensus to soften the language to state that the city would like to explore the opportunity to become a charter school pilot location and to pull the item from the Early Childhood Education section and make it its own independent category.

Mayor Dolan made the motion to adopt the City of Lynchburg's 2022 Legislative Agenda, seconded by Councilmember Wilder.

Ayes: Dolan, Wilder 2

Noes: Wright, Helgeson, Nelson, Faraldi 4

Absent: Tweedy 1

// In the matter of the Police Department, Agenda Item #10, Council conducted its first reading of Resolution #R-21-089 amending the FY 2022 City/Federal/State Aid Fund Budget and appropriating \$38,326 to purchase law enforcement equipment for the Police Department, Sheriff's Office, and Office of the Commonwealth's Attorney.

Police Chief Ryan Zuidema provided Council with a brief summary of the request. The City of Lynchburg was awarded \$38,326 in Edward Byrne Memorial JAG funding. The Lynchburg Police

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Department will use this funding to purchase 28 tactical headsets (\$17,718) to replace current headsets that are outdated and broken. The tactical headsets are used for effective communication in tactical operations. These innovative headsets mount to the rear of an officer's helmet, which frees up the forward rail of the helmet for infrared attachments or riot shields. The Lynchburg Police Department will also purchase a global navigation satellite system (\$12,747) for use in crash reconstruction. The GPS-based global navigation satellite system will provide quicker and more efficient scene mapping and evidence collection. It will be operated by one officer and will create a safer environment for both drivers and officers because it will shorten the amount of time roadways are blocked. The Lynchburg Sheriff's Office will use funds to purchase a file server (\$3,763). The server is required to accommodate expansion needs due to additional software programs. The Office of the Commonwealth's Attorney will use the funds to purchase two desktop computers (\$4,098). The computers will be used by the General District Court and Circuit Court legal assistants. The total equipment cost of \$38,326 is fully reimbursable by the grant. No local matching funds are required.

At its December 14, 2021 meeting, the Finance Committee recommended approval. As Chair of that committee, Councilmember Helgeson brought the committee's recommendation for approval forward as a motion. No second was required, and Council, by the following recorded vote approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Absent: Tweedy	1

// In the matter of the Police Department, Agenda Item #11, Council conducted its first reading of Resolution #R-21-090 amending the FY 2022 City/Federal/State Aid Fund budget and appropriating \$60,000 to purchase 75 replacement ballistic vests for law enforcement officers.

Police Chief Ryan Zuidema provided Council with a summary of the request. The Police Department applies annually for the Bulletproof Vest Partnership through the Office of Justice Programs. For the 2021 Police Bulletproof Vest Partnership, the City was awarded funding that covers the cost of replacement ballistic vests for both the Lynchburg Police Department and the Lynchburg Sheriff's Office.

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The vests provide protection to officers in the line of duty and the life of the vest is five years from the manufacturing date. The total replacement cost for 75 vests is \$60,000. The grant requires a 50% local match; these funds are available in the FY 2022 General Fund Police (\$26,000) and Sheriff's Office (\$4,000) operating budgets.

At its December 14, 2021, meeting, the Finance Committee recommended approval. As Chair of that committee, Councilmember Helgeson brought the committee's recommendation for approval forward as a motion. No second was required, and Council, by the following recorded vote approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Absent: Tweedy	1

// In the matter of Community Development, Agenda Item #12, Council conducted its first reading of Resolution #R-21-091 amending the FY 2022 City/Federal/State Aid Fund budget and appropriating \$50,000 to study potential opportunities in the Dearington neighborhood.

Mr. Kent White, Director of Community Development, provided Council with a brief summary of the request. For the last two years, Dearington community stakeholders have worked jointly with City staff to master plan their neighborhood. As a result of the COVID-19 pandemic and limited funding for the planning effort, the scope primarily focused on improvements to City facilities and infrastructure such as Jefferson Park. However, the plan also recommends study of other neighborhood priorities, including housing opportunities. The City has been selected to receive a Virginia Housing Fiscal Year 2022 Community Impact Grant for community engaged planning. The effort would continue work with neighborhood stakeholders to identify opportunities for infill housing focused on the City's "missing middle" housing types. The City's "missing middle" includes single, two and three-household housing types typically priced between \$100,000 and \$150,000. The grant deliverable would be a plan book with site concepts, schematic designs and recommendations, including funding options, zoning/regulatory changes and a market strategy aspect focused on how the neighborhood and City can work together to repurpose vacant neglected properties and/or get them onto the market.

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At its December 14, 2021, meeting, the Finance Committee recommended approval. As Chair of that committee, Councilmember Helgeson brought the committee's recommendation for approval forward as a motion. No second was required, and Council, by the following recorded vote approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Absent: Tweedy	1

// In the matter of the Library, Agenda Item #13, Council conducted its first reading of Resolution #R-21-092 amending the FY 2022 City/Federal/State Aid Fund budget and appropriating \$22,717 to provide rapid emergency relief to safely reopen libraries, promote digital inclusion, and support library services that meet the needs of the community.

Ms. Beverly Blair, Director of Libraries, provided Council with a summary of the request. The Lynchburg Public Library has received an American Rescue Plan Act IMLS Sub-grant from the Library of Virginia in the amount of \$22,717. The funding is intended to provide rapid emergency relief to safely reopen libraries, promote digital inclusion, and support library services that meet the needs of the community. The award amount is based on the Lynchburg Public Library's FY 2022 state aid allocation of \$180,175. The Lynchburg Public Library plans to use the award money as follows:

- To improve virtual programming capabilities with the purchase of new technology and equipment, which will allow library programs to continue to reach the community despite pandemic and public health challenges.
- To purchase a collection analysis tool to assess the diversity of our materials. This project will provide us with detailed reporting that shows us where we are currently and to help guide us as we work to develop a more diverse and inclusive collection that mirrors the Lynchburg community and the nation.
- To provide library patrons with safe seating options that can be wiped clean and sanitized regularly throughout the day with the purchase of un-upholstered furniture. This furniture will help

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create a welcoming and safe environment for patrons during current and future public health challenges.

At its December 14, 2021, meeting, the Finance Committee recommended approval. As Chair of that committee, Councilmember Helgeson brought the committee's recommendation for approval forward as a motion. No second was required, and Council, by the following recorded vote approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi 6

Noes: 0

Absent: Tweedy 1

// In the matter of Parks and Recreation, Agenda Item #14, Council conducted its first reading of Resolution #R-21-093 amending the FY 2022 City/Federal/State Aid Fund Budget and appropriate \$636 to purchase tennis equipment for the youth tennis programs.

Ms. Jenny Jones, Director of Parks and Recreation, provided Council with a summary of the request. The USTA Grow the Game Grant is designed to help grow the sport of tennis in communities. The grant will be used to purchase tennis equipment including tennis balls, ball carriers, and targets for the youth tennis program. The grant is awarded based on the number of participants in the tennis program and does not require a local match.

At its December 14, 2021, meeting, the Finance Committee recommended approval. As Chair of that committee, Councilmember Helgeson brought the committee's recommendation for approval forward as a motion. No second was required, and Council, by the following recorded vote approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi 6

Noes: 0

Absent: Tweedy 1

// In the matter of the Fire Department, Agenda Item #15, Council conducted its first reading of Resolution #R-21-094 amending the FY 2022 City/Federal/State Aid Fund budget and appropriating \$84,000 to fund equipment for the Fire Department Technical Rescue Team.

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Fire Chief Greg Wormser provided Council with a summary of the request. The Fire Department seeks authorization to apply for a non-matching grant for technical rescue equipment. The Virginia Department of Emergency Management administers this grant from the United States Department of Homeland Security (DHS) through the State Homeland Security Program (SHSP). The grant program provides funding to improve the nation's readiness in preventing, protecting against, responding to, recovering from, and mitigating terrorist attacks, major disasters and other emergencies. The grant reflects DHS's focus on implementation of an all-of-nation, whole-community approach to building, sustaining, and delivering core capabilities essential to achieving a secure and resilient nation. The funds will be used for the purchase of equipment to effectively respond to and mitigate hazards that include water rescues, structural collapse, USAR incidents and confined space rescues. Additionally, the equipment will provide for more effective team communications, search capabilities and team sustainability. The grant is 100% reimbursable; no local match is required.

At its December 14, 2021, meeting, the Finance Committee recommended approval. As Chair of that committee, Councilmember Helgeson brought the committee's recommendation for approval forward as a motion. No second was required, and Council, by the following recorded vote approved the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Absent: Tweedy	1

// In the matter of the City Attorney's Office, Agenda Item #16(a), Mr. Matthew Freedman, City Attorney, requested Council adopt Resolution #R-21-095 allowing the City to participate in the Virginia Opioid Abatement Fund and Settlement Allocation MOU. In order to advance their common interests, Virginia local governments and the Commonwealth of Virginia, through counsel, have extensively negotiated the terms of a memorandum of understanding relating to the allocation and use of litigation recoveries relating to the opioid epidemic. The Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding ("MOU"), accompanying the attached Resolution as Exhibit "A", illustrates the results of such negotiations. Given the January 2, 2022 deadline, City Council should now decide if

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the City of Lynchburg will participate in such litigation recoveries and such MOU. City Council was previously briefed on this item during a closed session held on December 14, 2021 Work Session.

On motion of Councilmember Faraldi, seconded by Vice Mayor Wright, the following vote approving the resolution was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Absent: Tweedy	1

// In the matter of the City Attorney's Office, Agenda Item #16(b), Mr. Matthew Freedman, City Attorney, requested Council adopt Resolution #R-21-096 approving the City's participation in the proposed settlement of opioid-related claims. Mr. Freedman explained that given a January 2, 2022 deadline, City Council should now decide if the City of Lynchburg will participate in the negotiated settlement proposals that will cause McKesson, Cardinal Health, AmerisourceBergen, and Janssen to pay up to \$26 billion nationwide to resolve opioid-related claims against them. Settlement amounts due to the Commonwealth of Virginia, shall be distributed in accordance with the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding previously considered by City Council. City Council was previously briefed on this item during a closed session held on December 14, 2021 Work Session.

On motion of Councilmember Faraldi, seconded by Vice Mayor Wright, the following vote approving the resolution was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Absent: Tweedy	1

// On motion of Vice Mayor Wright, seconded by Councilmember Wilder, Council, by the following recorded vote, elected to hold a closed meeting to discuss the appointments to the following Boards and Commissions: Central Virginia Alcohol Safety Program Board of Directors, Airport Commission, Horizon Behavioral Health Board of Directors, Planning Commission, City Employees Appeal Board, Community

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Development Advisory Committee, and LynCAG Board of Directors, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended. With no discussion from Council, the following vote was recorded:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi 6

Noes: 0

Absent: Tweedy 1

// The meeting was reopened to the public.

// Councilmember Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2 3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The motion was seconded by Councilmember Wilder, and Council, by the following recorded vote, adopted the motion:

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi 6

Noes: 0

Absent: Tweedy 1

December 14, 2021

// On motion of Councilmember Helgeson, seconded by Councilmember Wilder, Council by the following recorded vote appointed the following members to the respective boards and commissions:

Central Virginia Alcohol Safety Program Board of Directors: Jennipher Lucado – new 3-year term ending August 31, 2024.

Airport Commission: no appointments were made at this time.

Horizon Behavioral Health Board of Directors: Sonya Baker – new 3-year term ending December 31, 2024.

Planning Commission: Robert Bowden – new 3-year term ending December 31, 2024; Kensie Johnson – new 3-year term ending December 31, 2024; Tom Rogers – new 3-year term ending December 31, 2024.

City Employee Appeals Board: Kraig Cole – unexpired term expiring June 30, 2022.

Community Development Advisory Committee: Beau Wright (Council Representative) – new 1-year term ending December 31, 2022; Sterling Wilder (Council Representative) – new 1-year term ending December 31, 2022; Sandra Mitchell – new 1-year term ending December 31, 2022; Sally Schneider - new 1-year term ending December 31, 2022; Brenda Farmer - new 1-year term ending December 31, 2022; Kay Reid - new 1-year term ending December 31, 2022; Lana Musgrave - new 1-year term ending December 31, 2022.

LynCAG Board of Directors: no appointments were made at this time.

Ayes: Dolan, Wright, Helgeson, Nelson, Wilder, Faraldi	6
Noes:	0
Absent: Tweedy	1

// The meeting adjourned at 9:26 p.m.

Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **March 8, 2022**

AGENDA ITEM #: **8**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Conditional Use Permit (CUP) – Spencer Pointe Apartments (formerly known as Wilsons Place Apartments) – 1700 Graves Mill Road

RECOMMENDATION: Approval of the CUP to allow fifty (50) apartments in a B-1, Limited Business District at 1700 Graves Mill Road.

SUMMARY: Woda Cooper Development, Inc. is petitioning for a CUP to allow the construction of a fifty (50) unit apartment development in a B-1, Limited Business District at 1700 Graves Mill Road. A CUP to allow the construction of fifty (50) townhomes on the property was approved on August 11, 2009, yet it has expired.

PRIOR ACTION(S):

February 9, 2022

The Planning Commission recommended Approval (4-0, with 2 members absent, Bowden, Perault) of the rezoning petition.

The Planning Division recommended approval of the rezoning petition.

FISCAL IMPACT:

N/A

CONTACT(S):

Tom Martin, City Planner – 455-3900

Kent White, Director Community Development – 455-3900

ATTACHMENT(S):

- Resolution
- Planning Commission Minutes – February 9, 2022
- Planning Commission Packet – February 9, 2022
 - Zoning Map with Adjoining Property Owners
 - Future Land Use Map
 - Watershed Map
 - Planimetric and Topographic Map
 - Concept Plan and Elevations
 - Narrative
 - Property Photograph
 - Traffic Study

REVIEWED BY: MMB WCB

047A

RESOLUTION:

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO WODA COOPER DEVELOPMENT, INC. TO ALLOW THE CONSTRUCTION OF A FIFTY (50) UNIT APARTMENT DEVELOPMENT IN A B-1, LIMITED BUSINESS DISTRICT LOCATED AT 1700 GRAVES MILL ROAD.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG, that the petition of Woda Cooper Development Inc., for a Conditional Use Permit at 1700 Graves Mill Road to allow the construction of a fifty (50) unit apartment complex in a B-1, Limited Business District is hereby approved subject to the following conditions:

1. Development of the property shall be in substantial compliance with the concept plan and building elevations prepared by D.E. Weatherby & Associates, dated January 14, 2022.
2. Per the traffic study prepared by EPR, PC, dated January 28, 2022, the following recommendations shall be constructed in conjunction with the development of the site:
 - a. Construct a 100' taper for the westbound approach to the entrance.
 - b. Modify the existing entrance to a right-in/out configuration, either by using a "porkchop" island configuration, or by constructing a raised median where the taper space exists on Graves Mill Road along the site frontage.

Adopted:

Certified:

Clerk of Council

February 9, 2022
Minutes have not been approved

Minutes of the Lynchburg Planning Commission, February 9, 2022, 4:00 p.m., City Hall, 900 Church Street, Council Chamber.

MEMBERS PRESENT:

Ms. Kensie Johnson, Vice-Chair
Mr. Cham Light
Ms. Nancy Marion
Mr. Tom Rogers, Chair

MEMBERS ABSENT:

Mr. Bob Bowden
Dr. David Perault

OTHERS PRESENT:

Mr. Tom Martin, City Planner; Ms. Anna Davidson, Planning Technician; and the public.

1. Roll Call:

After a quorum was established, Chair Rogers called the meeting to order at 4:00 p.m.

2. Approval of Minutes. Minutes of the December 15, 2022 and January 12, 2022 meetings were approved as written.

Commissioner Johnson made a motion to approve the minutes as written. The motion was seconded by Commissioner Marion and passed by the following vote:

AYES:	Johnson, Light, Marion, and Rogers	4
NOES:		0
ABSTENTIONS:		0
ABSENT:	Bowden, Perault	2

3. Public Hearings:

a. Petition of Woda Cooper Development, Inc. for a Conditional Use Permit at 1700 Graves Mill Road to allow a fifty (50) unit apartment development in a B-1, Limited Business District.

Mr. Tom Martin, City Planner, provided the following summary to the Commission. This property is approximately ten and nine-tenths (10.9) acres and is zoned B-1, Limited Business District. Standalone residential uses are permitted in a B-1 District with approval of a Conditional Use Permit (CUP). The Future Land Use Map (FLUM) recommends a medium density residential use for this property. The proposed development will be four and one half (4.5) units per acre. The area to the north will remain undeveloped. Stormwater management will be in the form of a detention facility and discharged to the tributary at Tomahawk Creek. The traffic analysis recommends a right in, right out configuration to Graves Mill Road. The development will be serviced by public transportation and will have one-hundred (100) parking spaces.

Mr. Parker Zee was present to speak on behalf of the petition. The apartment complex will be bi-level and split between three (3) and four (4) stories. The parking lot will be accessible on each side of the complex.

Chair Rogers asked if there was anyone present who wished to speak in favor or opposition of the petition.

Ms. Nyomi Tarpley wrote in opposition of the petition. She stated that she does not feel that traffic can accommodate a development of this size and noted her concern of emergency responders being able to access the elderly community in this area.

Ms. Ethel Scott wrote in opposition of the petition. She stated that she is concerned about the noise and light intrusion that may come from this development as well as the increased traffic that the development may cause to the area.

Mr. Zee replied that a traffic analysis was done to help mitigate traffic from the development. He also noted that there is a landscape buffer that will help prevent light or noise intrusion to the homes in that area.

Chair Rogers asked for clarification on the traffic improvements.

Mr. Martin stated the traffic analysis was prepared by Mr. Bill Wench of EPR, P.C. He stated that they do not anticipate the development will create a large amount of additional traffic. He noted that the taper that will be installed will also assist with alleviating traffic. The "pork-chop" traffic configuration is designed to prevent traffic from turning left onto Graves Mill Road. These traffic configurations are written in as conditions to the development. The nearest uses to this development are apartments and offices with approximately four and nine tenths (4.9) acres that separate the development from any residential properties.

Commissioner Marion asked if the "pork-chop" will allow a left turn into the development.

Mr. Martin replied that it will be a right in, right out turn.

Commissioner Johnson noted that if one is leaving the complex they will have to drive to the light and make a left.

Commissioner Light asked if it will look like the "pork-chop" near Aldi on Old Forest Road.

Mr. Martin replied this is correct. Traffic will only turn in right and exit right and will not be able to make a left into the development off of Graves Mill Road.

Chair Rogers noted that this will cause some limited access.

Commissioner Horner asked if there is another traffic light east of the development.

Mr. Martin replied that the Graves Mill Road extension is the closest traffic light.

Chair Rogers noted there is a traffic light near the industrial park. He asked what the proposed use is for the forested area on the property.

Mr. Zee replied that there is a restricted covenant on this property that prevents these four and nine tenths (4.9) acres from being developed until its expiration in 2027. He noted that they are open to extending this as they have no intention of developing this area.

Commissioner Marion noted that if it were to be developed it would have to come before Planning Commission.

Commission Johnson asked if they should request an extension.

Commissioner Marion replied she would like to wait until that time to see what the market requires.

Chair Rogers noted that there is an opportunity for connectivity in this undeveloped land.

Mr. Martin replied that this would more than likely be cost prohibited and that a condition of this development is substantial compliance with the plan which states that this area is to be undisturbed.

Commissioner Johnson asked if this was due to a conservation easement.

Mr. Martin noted that leaving this area undisturbed may be a form of water quality credit.

Commissioner Johnson asked if they will still have to come to Planning Commission for any development on this property after the restricted covenant expiration in 2027.

Mr. Martin replied yes.

Chair Rogers asked what other options there are for a B-1 District.

Mr. Martin replied offices, small retail, or restaurants.

Chair Rogers noted that this development is a good use for the property.

Commissioner Johnson asked what the size of the units will be.

Mr. Zee replied the units will be two- and three-bedroom apartments but there is potential for a unit mix with several one-bedroom units.

Chair Rogers asked what the access is to the apartments.

Mr. Zee replied there will be elevator access.

Commissioner Marion made the following motion, seconded by Commissioner Light, and approved by the following vote:

"Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of Woda Cooper Development, Inc. for a Conditional Use Permit at 1700 Graves Mill Road to allow the construction of fifty (50) apartment units subject to the following conditions:

- 1. Development of the property shall be in substantial compliance with the concept plan and building elevations prepared by D.E. Weatherby & Associates, dated January 14, 2022.**
- 2. Per the traffic study prepared by EPR, PC, dated January 28, 2022, the following recommendations shall be constructed in conjunction with the development of the site:**
 - a. Construct a 100' taper for the westbound approach to the entrance.**
 - b. Modify the existing entrance to a right-in/out configuration, either by using a "porkchop" island configuration, or by constructing a raised median where the taper space exists on Graves Mill Road along the site frontage."**

AYES: Johnson, Light, Marion, and Rogers
NOES:

4
0

ABSTENTIONS:		0
ABSENT:	Bowden, Perault	2

4. Upcoming Meetings:

The next regular meeting will be Wednesday, February 23, 2022.

5. Adjournment:

There being no further business, the meeting was adjourned at 4:22 p.m.

ATTEST: _____	ATTEST: _____
City Planner	Chair Rogers

The Department of Community Development

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

To: Planning Commission
From: Planning Division
Date: February 9, 2022
Re: **Conditional Use Permit (CUP) – Spencer Pointe Apartments – 1700 Graves Mill Road**

I. PETITIONER

Woda Cooper Development, Inc., 500 S. Front Street, 10th Floor, Columbus, OH 43215
Representative: Nick Surak, Woda Cooper Development Inc., 6500 Westfield Boulevard, Indianapolis, IN 46220
Property Owner: AGO Properties, LLC, 828 Main Street, Suite 1803, PO Box 1419, Lynchburg, VA 24505

II. LOCATION

The subject property consists of approximately ten and nine tenths (10.9) acres located at 1700 Graves Mill Road.

III. PURPOSE

The purpose of the petition is to allow the construction of fifty (50) apartments.

IV. SUMMARY

- The *Comprehensive Plan 2013-2030's Future Land Use Map (FLUM)* recommends a Medium Density Residential use for the area.
- The subject property is zoned B-1, Limited Business District. Multi-household dwellings, including apartments, are permitted in the B-1, Limited Business District upon approval of a conditional use permit by City Council.

The Planning Division recommends approval of the CUP petition.

V. FINDINGS OF FACT

- 1. Comprehensive Plan.** The *Comprehensive Plan 2013-2030* recommends a Medium Density Residential use for the area.

These areas are characterized by small-lot single family detached housing, duplexes, and townhouses at densities up to 12 units per acre. Where neighborhoods already exist, infill development should be at a compatible density and housing type. In addition to residential uses, they may include public and institutional uses compatible in scale with single family residential homes. Private recreation uses, including country clubs, swim and racquet clubs, and private open space are also appropriate. (p. 72)
- 2. Zoning.** The subject properties were annexed into the City in 1976. The existing B-3, Community Business District was established on October 13, 1992.
- 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 Council approval in the immediate area:

- On April 14, 1981, City Council approved Iseman's petition to rezone approximately eight (8) acres at the end of Omega Drive from R-1, Single Family Residential District, to R-2C, Single Family Residential District (Conditional).
- On August 12, 1986, City Council approved Hutter Associates, Inc.'s petition to rezone approximately sixty-three (63) acres in the Creekside area, from R-1, Single-Family Residential District, to B-5C, General Business District (Conditional), and R-4, Multi-family Residential District, to allow speculative development of commercial and multifamily uses.
- On October 13, 1992, City Council approved the Graves Mill Road/US 221 Area Land Use Study which rezoned many parcels, including the subject parcel at 1700 Graves Mill Road.
- On January 12, 1999, City Council approved Petrie, Dierman and Kughn's petition to rezone several parcels in the Creekside area from B-5C, General Business District (Conditional) to B-5C, General Business District (Conditional), and a CUP petition to permit fill within the limits of the one hundred (100)-year floodplain to allow construction of a retail development.
- On September 12, 2000, City Council approved First Assembly of God's CUP petition to construct a church and parking area at 1208 Graves Mill Road.
- On December 12, 2000, City Council approved Lowe's Home Centers, Inc.'s CUP petition to allow fill within the limits of the one hundred (100)-year floodplain at Creekside Drive and Graves Mill Road.
- On August 13, 2002, City Council approved Miller-Motte Technical College's CUP petition to allow the petitioner to establish a technical college for up to two hundred and fifty (250) students at 1011 Creekside Drive.
- On July 13, 2004, City Council approved Home Depot's CUP petition to allow fill within the limits of the one hundred (100)-year floodplain at 1200 Graves Mill Road.
- On January 11, 2005, City Council approved Millside Development, LLC's CUP petition to allow construction of a Cluster Commercial Development (CCD) that would include approximately thirty-five thousand (35,000) square feet of office space, an independent living facility with approximately one hundred and twenty (120) units and common use parking facilities at 1602 Graves Mill Road.
- On August 11, 2009, City Council approved JMU, LLC's petition to construct fifty (50) townhouse units with associated parking and amenities at 1700 Graves Mill Road (which is the subject parcel).
- On March 8, 2011, City Council granted an extension to JMU, LLC to construct fifty (50) townhouse units with associated parking and amenities at 1700 Graves Mill Road (which is the subject parcel). The extension expired March 8, 2012.
- On September 11, 2018, City Council adopted the Graves Mill Road Corridor Improvement Study as part of the City's *Comprehensive Plan 2013-2030*.

- On December 10, 2019, City Council approved Millside Development, LLC's CUP petition to amend to construct a memory care and assisted living facility the previously approved Cluster Commercial Development at 1602 Graves Mill Road.
5. **Site Description.** The subject property is approximately ten and nine tenths (10.9) acres. The property is currently vacant, containing only a driveway used by adjoining residences. The property is bordered to the north by single-household residences, to the east by vacant land, to the west by multi-household dwellings, to the south by offices and a multi-household dwelling.
6. **Proposed Use of Property.** If the CUP petition is approved, the property would be used for the construction of fifty (50) apartment units and associated parking.
7. **Transportation & Parking.** The City's Transportation Engineer required a traffic study for this petition. The study recommendations are as follows:
- a. Construct the 100' taper for the westbound approach to the entrance.
 - b. Modify the existing entrance to a right-in/out configuration. This could be accomplished using a "porkchop" island configuration, or by constructing a raised median where the taper space exists on Graves Mill Road along the site frontage.
- One hundred (100) parking spaces are proposed for the development, or two (2) spaces per unit. This exceeds the minimum standard of one (1) space per unit as required by the City's Zoning Ordinance.
- The property is served by Greater Lynchburg Transit Company (GLTC) routes 6/7X and 12. A bus stop is located adjacent to the property entrance along Graves Mill Road.
8. **Stormwater Management.** An Erosion & Sediment Control Plan/Stormwater Management Plan will be required for the development of the property as proposed. The submitted concept plan indicates that stormwater quantity and quality would be addressed by vegetated filter strips, grassed swales, detention and bioretention structures.
9. **Emergency Services:** The City Fire Marshal and the City's Police Department had no comments of concern with the proposed petition.
10. **Impact.** Apartments are permitted in a B-1, Limited Business District upon approval of a conditional use permit by City Council. The proposed density is well below the 12 units per units indicated by the *Future Land Use Map*. The proposed apartments should provide an appropriate transition between the neighboring homes to the north and the multi-family and office uses to the south. The recommendations of the traffic study to construct a westbound taper and limit turning movements to right-in/right-out only should mitigate traffic impacts to the area.
11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the conditional use permit on January 4, 2022. Comments have or will be addressed by the petitioner prior to final site plan approval.

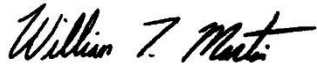
VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of Woda Cooper

Development, Inc. for a Conditional Use Permit at 1700 Graves Mill Road to allow the construction of fifty (50) apartment units subject to the following conditions:

- 1. Development of the property shall be in substantial compliance with the concept plan and building elevations prepared by D.E. Weatherby & Associates, dated January 14, 2022.**
- 2. Per the traffic study prepared by EPR, PC, dated January 28, 2022, the following recommendations shall be constructed in conjunction with the development of the site:**
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 - b. Modify the existing entrance to a right-in/out configuration, either by using a “porkchop” island configuration, or by constructing a raised median where the taper space exists on Graves Mill Road along the site frontage.**

This matter is respectfully offered for your consideration.



William T. Martin, AICP

City Planner

pc: Mr. Wynter C. Benda, City Manager
Dr. Reid Wodicka, Deputy City Manager
Mr. Matthew Freedman, City Attorney
Mr. Kent L. White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Ms. Cynthia Kozarow, Lynchburg Police Department
Battalion Chief Thomas Goode, Fire Marshal
Mr. Doug Saunders, Building Official
Mr. Kevin Henry, Zoning Administrator
Mr. Nick Surak
Woda Cooper Development, Inc.

VII. ATTACHMENTS

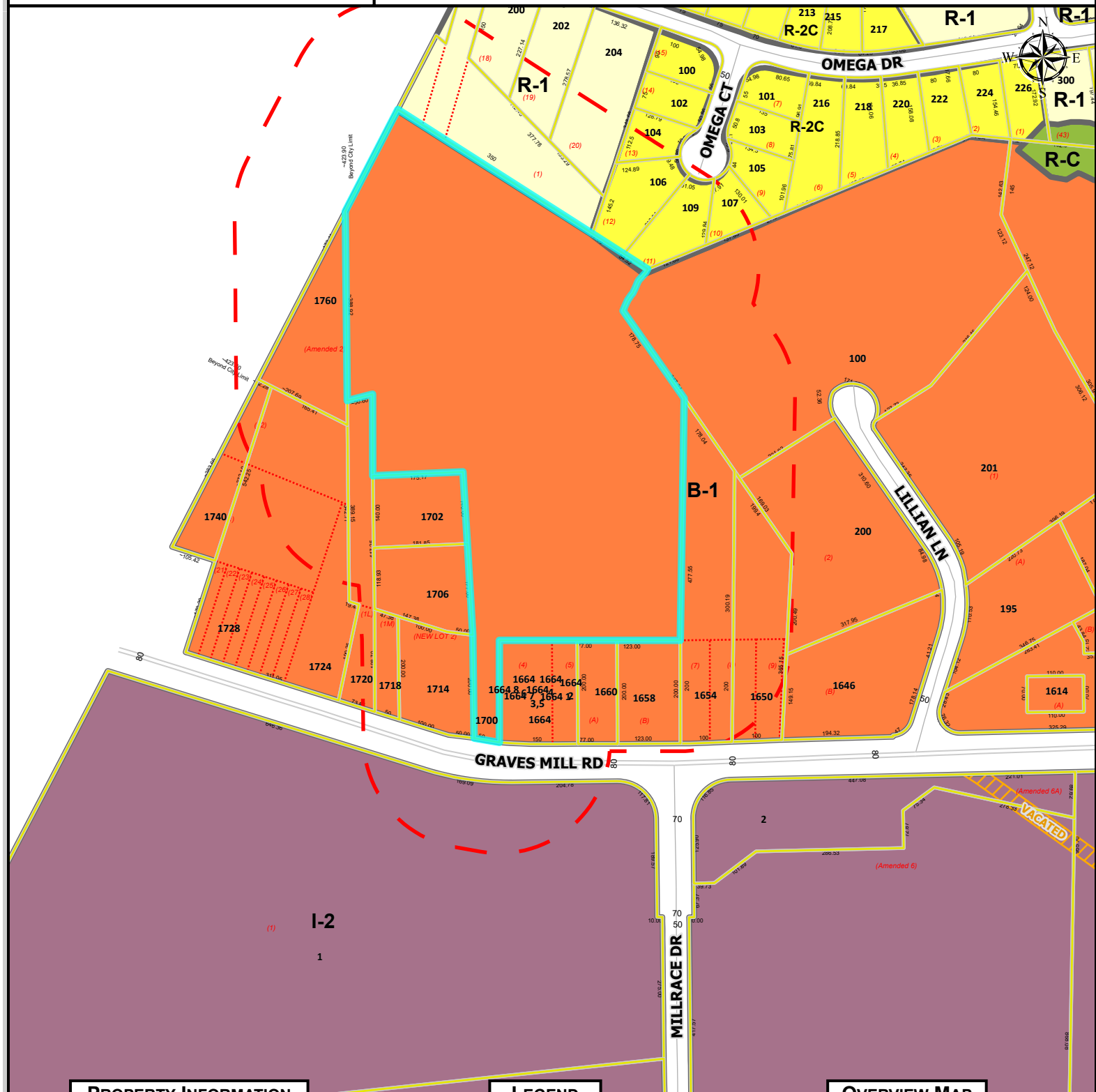
- 1. Zoning Map with Adjoining Property Owners**
- 2. Future Land Use Map**
- 3. Watershed Map**
- 4. Planimetric and Topographic Map**
- 5. Concept Plan and Elevations**
- 6. Narrative**
- 7. Property Photograph**
- 8. Traffic Study**

Zoning

TRC

1700 GRAVES MILL RD

Woda Cooper Development, Inc



PROPERTY INFORMATION

PARCEL ID

ADDRESS

24014001

1700 GRAVES MILL RD

LEGEND

Subject Property

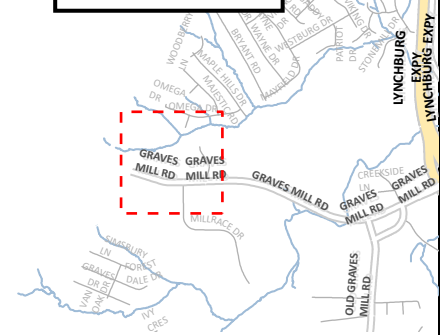
215 Foot Buffer

B-1	I-1	R-1
B-3	I-2	R-2
B-4	I-3	R-3
B-5	IN-1	R-4
R-C	IN-2	

MAP SCALE: 1:48,000

DATE PRINTED: 12/21/2021

OVERVIEW MAP



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.

1700 Graves Mill Road

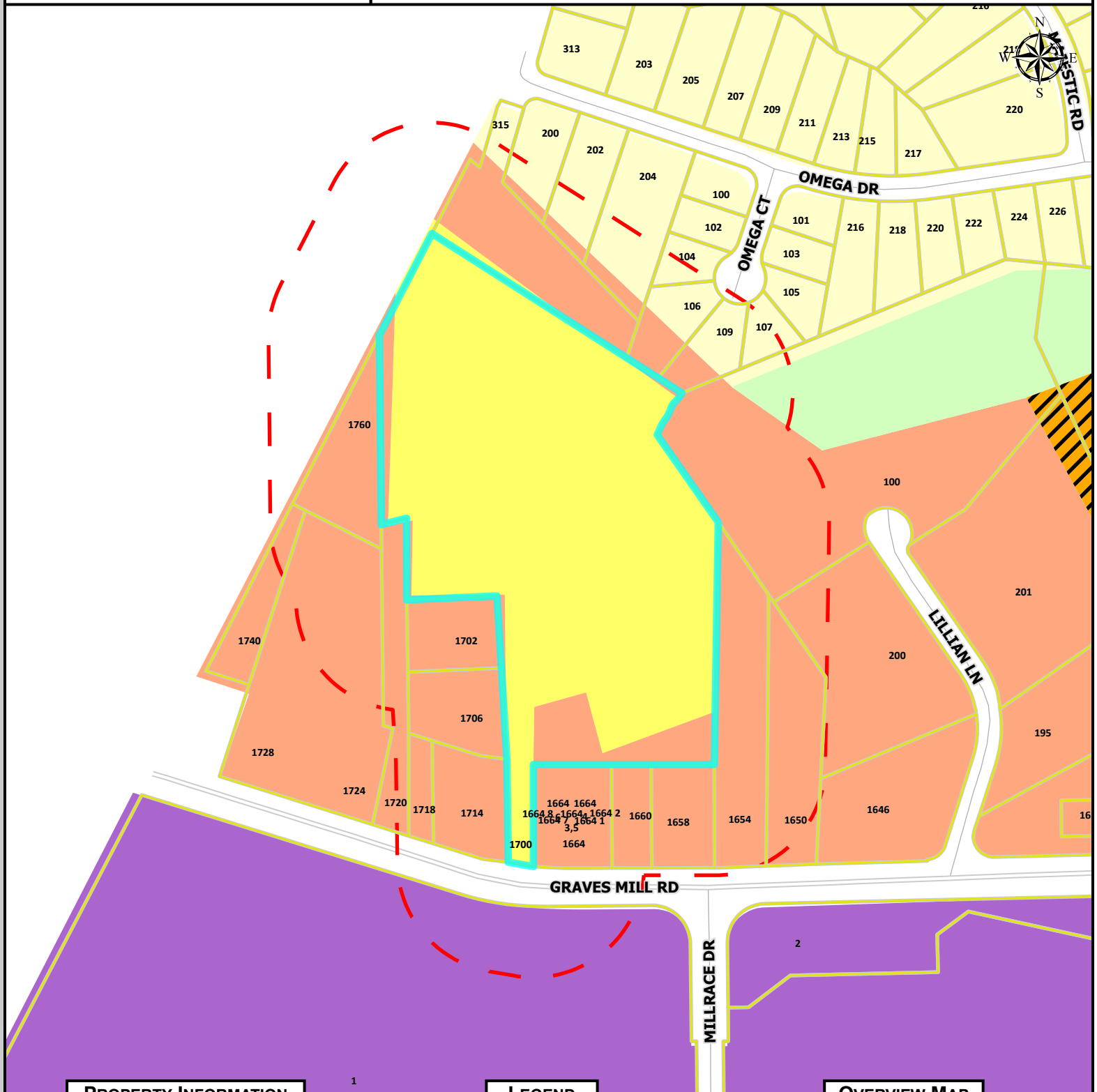
Parcel ID	Address	Owner
24013004	1658 GRAVES MILL RD	CHAPMAN, ROBERT O
24013016	1660 GRAVES MILL RD	WEATHERHOLT, O VICTOR TRS
24013005	1664 GRAVES MILL RD	JCA HOLDINGS LLC
24013006	1714 GRAVES MILL RD	TRG & ASSOCIATES LLC
24013007	1718 GRAVES MILL RD	HUDSON, GARY D
24013001	1646 GRAVES MILL RD	AMERICAN NATIONAL BANK AND TRUST CO
24014003	1706 GRAVES MILL RD	ANGELES PROPERTIES LLC
24013002	1650 GRAVES MILL RD	US2 INVESTMENTS LLC
24014002	1702 GRAVES MILL RD	ANGELES PROPERTIES LLC
24013015	1760 GRAVES MILL RD	JWC INC
24012001	200 LILLIAN LN	200 LILLIAN LANE LLC
24013003	1654 GRAVES MILL RD	ZECHINI, RICHARD R TRUST
24013008	1720 GRAVES MILL RD	BURNETTE, RONALD F JR
24013009	1724 GRAVES MILL RD	BANK BUILDING CORPORATION
24013013	1740 GRAVES MILL RD	TRACER RUN LLC
24011001	100 LILLIAN LN	THREE LYNCHBURG LLC
24014001	1700 GRAVES MILL RD	AGO PROPERTIES
24015002	1 MILLRACE DR	NORCRAFT COMPANIES LP
24007017	109 OMEGA CT	SCOTT, MICHAEL L & E ANN
24007016	107 OMEGA CT	TARPLEY, NYOMI S
24007018	106 OMEGA CT	COFFLIN, MICHAEL W
24007019	104 OMEGA CT	KRAL, STEPHEN J & CHRISTINE A
24006003	204 OMEGA DR	STEVENS, LEWIS G JR
24006002	202 OMEGA DR	LYTLE, KENDRA J
24006004	315 WOODBERRY LN	JOHNSON, ANTHONY L & PAULA A
24006001	200 OMEGA DR	HAYNES, JENNY

FLUM

1700 GRAVES MILL RD

TRC

Woda Cooper Development, Inc



PROPERTY INFORMATION

PARCEL ID

ADDRESS

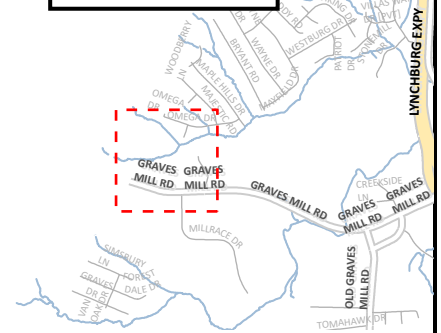
24014001 1700 GRAVES MILL RD

LEGEND

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

MAP SCALE: 1:48,000 DATE PRINTED: 12/21/2021

OVERVIEW MAP

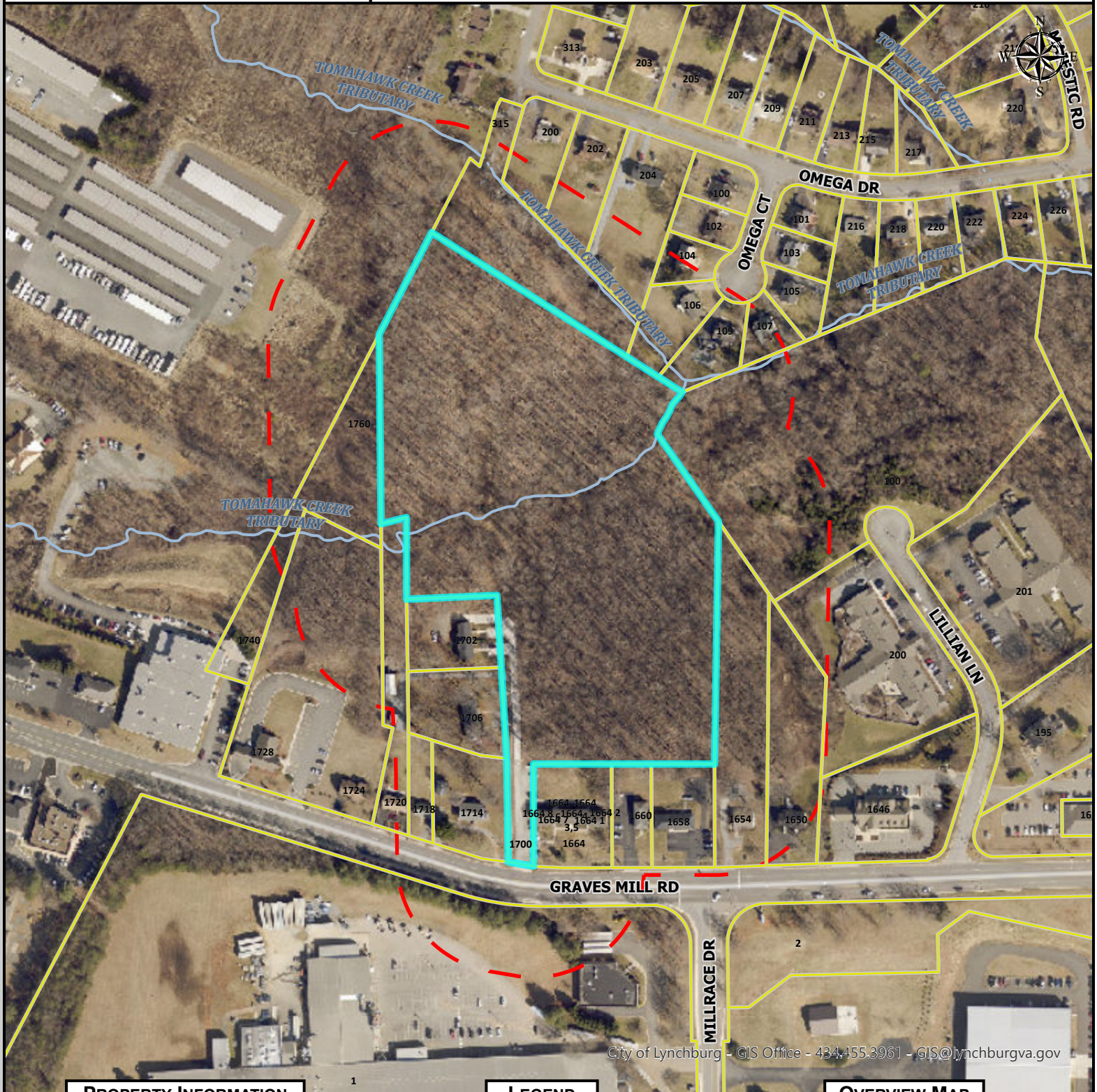


Watershed

1700 GRAVES MILL RD

TRC

Woda Cooper Development, Inc



PROPERTY INFORMATION

PARCEL ID

ADDRESS

24014001

1700 GRAVES MILL RD

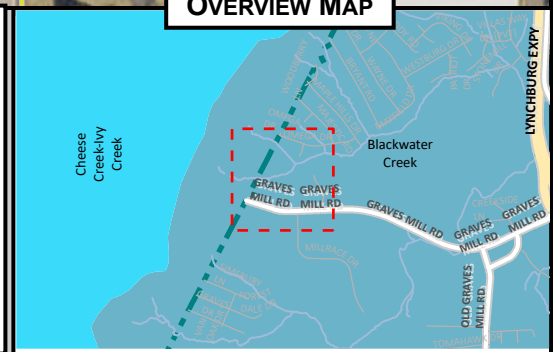
LEGEND

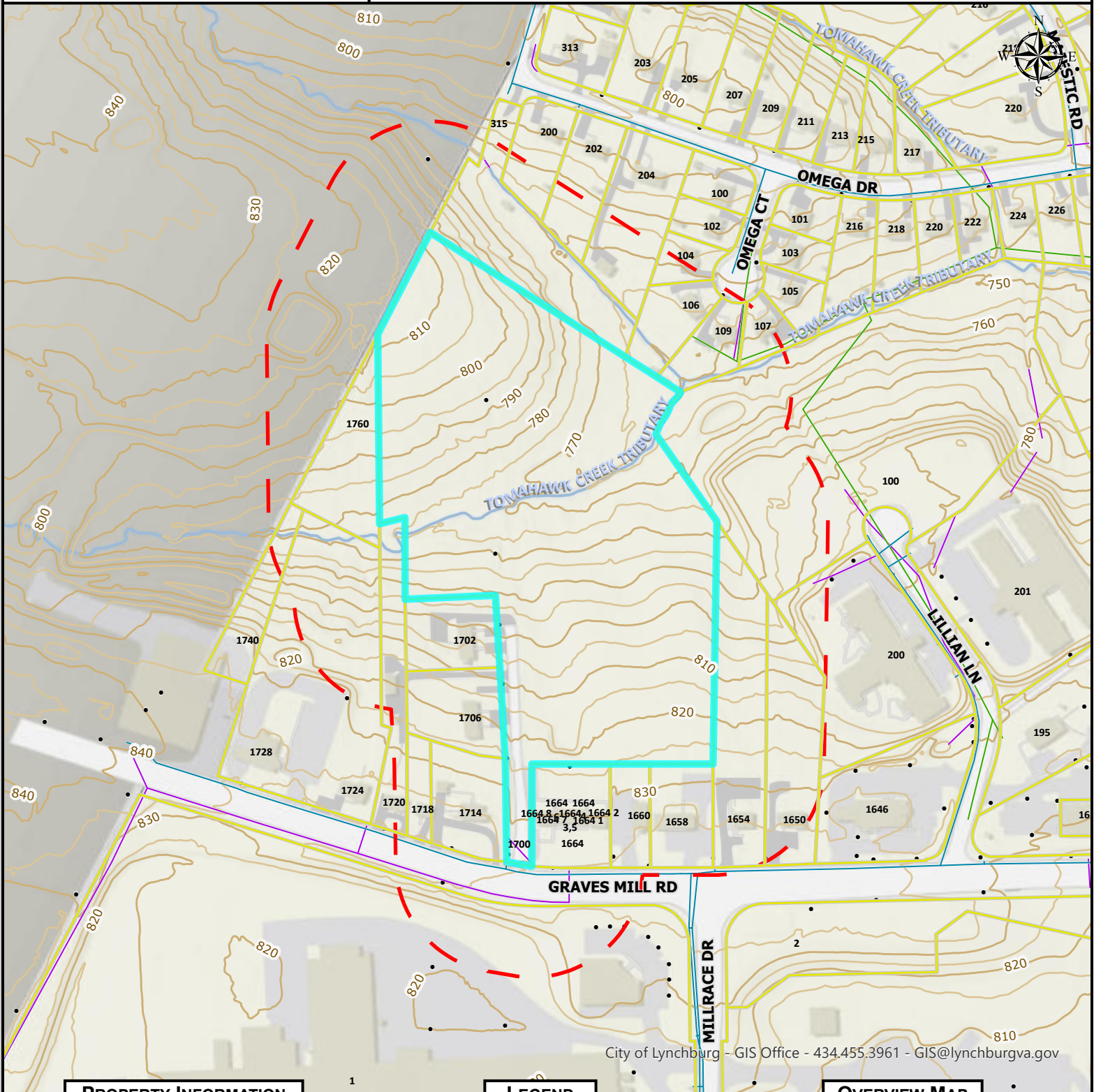
- Subject Property
- Base Flood Elevation
- Floodway
- Floodzone
- River / Lake / Stream

MAP SCALE: 1:48,000

DATE PRINTED: 12/21/2021

OVERVIEW MAP





City of Lynchburg - GIS Office - 434.455.3961 - GIS@lynchburgva.gov

PROPERTY INFORMATION

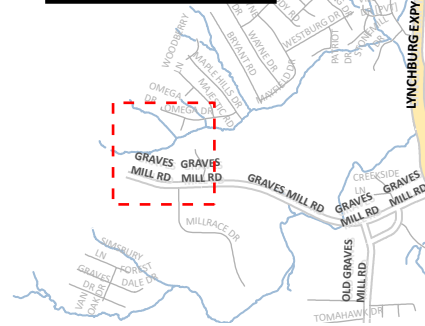
PARCEL ID	ADDRESS
24014001	1700 GRAVES MILL RD

LEGEND

	Active	Proposed	Abandoned
Utilities	Water	Sanitary	Storm
Planimetrics	Structure	Roadway	Parking
	Sidewalk	Driveway	
Topography	Contour		
	100'	50'	
	20'	10'	
	5'	1'	

MAP SCALE: 1"=48' 000' DATE PRINTED: 12/21/2021

OVERVIEW MAP



WILSON PLACE

LYNCHBURG, VA

COUNTY

MULTI FAMILY HOUSING

DEVELOPER

WODA COOPER DEVELOPMENT, INC.

CO- DEVELOPER

PARALLEL HOUSING, INC.

ARCHITECT

D.E. WEATHERBY & ASSOCIATES

OWNER

WILSON PLACE LIMITED PARTNERSHIP

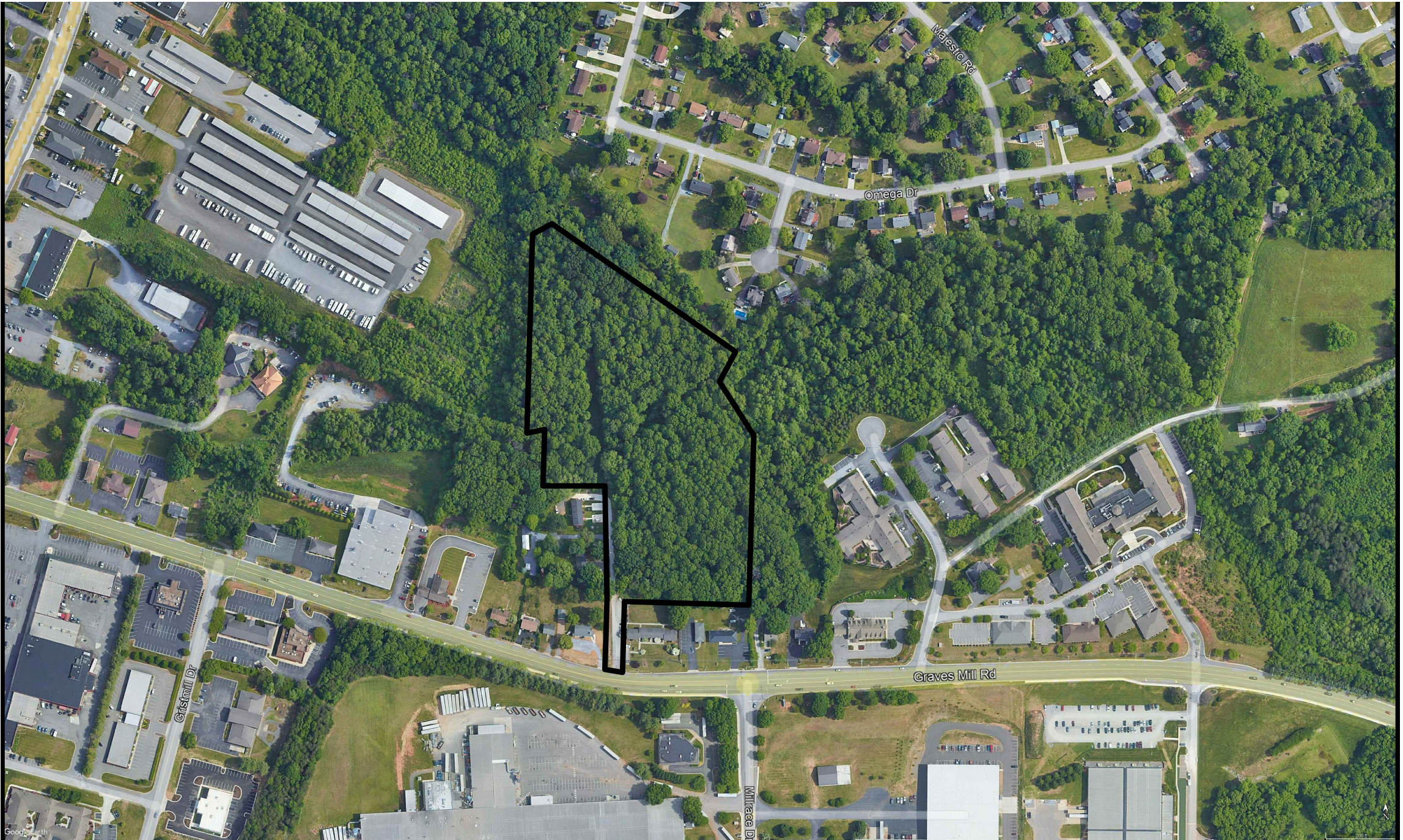
CONTRACTOR

WODA CONSTRUCTION, INC.

[illegible]

RESIDENTIAL UNIT DATA											
UNIT TYPE	UNIT	NET AREA HEATED(SF)	GROSS AREA UNIT/STO/BAL	2BR	2BR ACC	2BR A/V	3BR	3BR ACC	3BR A/V	TOTAL UNIT	
1	2 BEDROOM	863	915	15		1				16	
2	2 BEDROOM	923	984	11						11	
3	2 BR - ACC	923	984		3					3	
4	3 BEDROOM	1041	1155				17		1	18	
5	3 BR - ACC	1041	1155					2		2	
TOTAL				26	3	1	17	2	1		
	GRAND TOTAL	NET AREA HEATED(SF) 53,512	GROSS AREA UNIT/STO/BAL 57,060							TOTAL UNIT	50

BUILDING DATA					
	FLOOR				BLDG TOTAL
	1	2	3	4	
NET AREA HEATED (SF)	10,044	17,769	17,769	17,233	63,951
GROSS BLDG AREA (SF)	10,399	18,391	18,391	18,391	68,572



GENERAL NOTES

FLOOD ZONE:

1. THIS PROPERTY IS NOT IN FLOOD ZONE A OR B. THIS PROPERTY IS IN FLOOD ZONE X AS SCALED FROM F.E.M.A. FLOOD INSURANCE RATE MAP #510049003BD PANEL 38 OF 131 REVISED JUNE 9, 2008.

LEGAL DESCRIPTION:

1. BEARING AND DISTANCES SHOWN ON THE SITE PLAN ARE BASED ON "PLAT SHOWING PROPERTY OF CHRISTINE S. CARPENTER" BY HURT & PROFFITT, INC. DATED JULY 11, 1986.

TOPOGRAPHY:

1. TOPOGRAPHIC INFORMATION SHOWN ON THE SITE PLAN TAKEN FROM CITY OF LYNCHBURG G.I.S. DATA. CONTOUR INTERVAL = 2 FEET.

UTILITIES:

1. THIS PROPERTY IS SERVED BY THE CITY OF LYNCHBURG PUBLIC WATER SYSTEM. PUBLIC SEWER IS AVAILABLE. A 20' UTILITY EASEMENT IS REQUIRED FROM THE PUBLIC SEWER TO THE PROPERTY LINE.

2. EXISTING ELECTRIC SERVICE IS OVERHEAD. NEW SERVICE TO BUILDING WILL BE UNDERGROUND.

3. EXISTING TELEPHONE SERVICE IS UNDERGROUND, NEW SERVICE WILL BE UNDERGROUND.

LANDSCAPING:

1. LANDSCAPING SHOWN ON SITE PLAN IS FOR GRAPHIC PURPOSES ONLY. DETAIL LANDSCAPING PLAN WILL BE PROVIDED FOR SITE PLAN APPROVAL.

STORM WATER MANAGEMENT:

1. THE SITE CONTAINS 10.444 ACRES. THE PROPOSED APARTMENT DEVELOPMENT WILL BE LOCATED ON APPROXIMATELY 6 ACRES OF THE SITE, THE REMAINING 4.944 ACRES WILL REMAIN UNDEVELOPED. THE SITE SLOPES AWAY FROM GRAVES MILL ROAD TO A CREEK FLOWING THRU THE SITE AND ALSO SLOPES FROM THE REAR OF THE CREEK. STORM WATER RUNOFF FROM THE PROPOSED BUILDING AND PARKING WILL BE COLLECTED AND PIPED TO A STORM WATER DETENTION AREA ILLUSTRATED ON THE SITE PLAN. STORM WATER WILL BE RELEASED FROM THE DETENTION AREA INTO THE CREEK AT A RATE NOT TO EXCEED THE PRE-DEVELOPMENT RUNOFF RATE. STORM WATER QUALITY AND QUANTITY WILL BE ADDRESSED THROUGH VEGETATED FILTER STRIPS, GRASSED SWALES, BIOTRETENTION AND DETENTION STRUCTURES. AN ADEQUATE CHANNEL WILL BE PROVIDED FOR THE PROJECT.



WILSON PLACE
LYNCHBURG, VA

SITE DEVELOPMENT DATA

BLDG. TYPE	2 BR	2 BR HC	3 BR	3 BR HC	TOTAL
FIRST FLOOR	2	2	2	0	6
SECOND FLOOR	7	1	4	2	14
THIRD FLOOR	9	0	6	0	15
FORTH FLOOR	9	0	6	0	15
TOTAL	27	3	18	2	50

LAND AREA	476,938.44 S.F.	10.949 ACRES
DENSITY	9,538.77 S.F./UNIT	4.57 U/A
PARKING	100 SPACES	2.0 SPACES/UNIT

CONSTRUCTION TYPE: SLAB ON GRADE, WOOD FRAME W/ BRICK VENEER
AND FIBER CEMENT SIDING. I.B.C. CONSTRUCTION TYPE: 5-A
BUILDING HEIGHT: 3 STORY SIDE 31'-1", 4 STORY SIDE 41'-3" - AVERAGE 36'-2"
OCCUPANCY: FAMILY I.B.C. OCCUPANCY: R-2

DEVELOPMENT AMENITIES

1. SIGN
2. STORM WATER DETENTION AREA
3. DUMPSTER ENCLOSURE
4. PATIO
5. COVERED PICNIC AREA
6. GRILLE
7. PLAYGROUND
8. BENCH
9. DOG PARK
10. UNDISTURBED WOODED AREA
11. VEGETATED BIO-SWALE.
12. WATER METER
13. DENOTES SITE LIGHTING S-1

ARCHITECT OF RECORD:
D.E. WEATHERBY & ASSOC.
4716 KNOTTY KNOLLS DR.
GAHANNA, OHIO 43230

DEVELOPER:
WODA COOPER COMPANIES

PROJECT TYPE:
MULTI- FAMILY
HOUSING

COLOR SITE PLAN

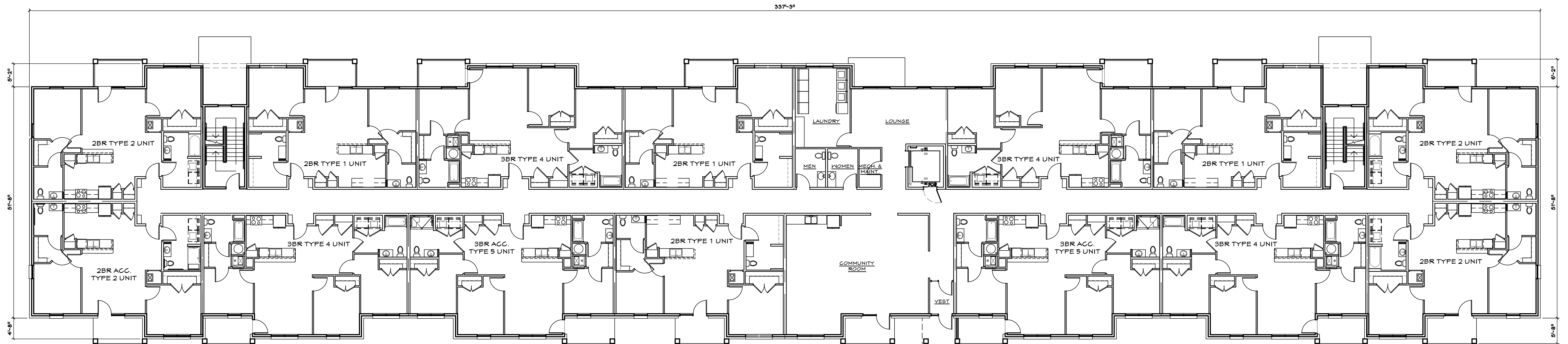
DATE:
01-14-2022

PROJECT NAME:
WILSON PLACE
GRAVES MILL ROAD
LYNCHBURG, VA

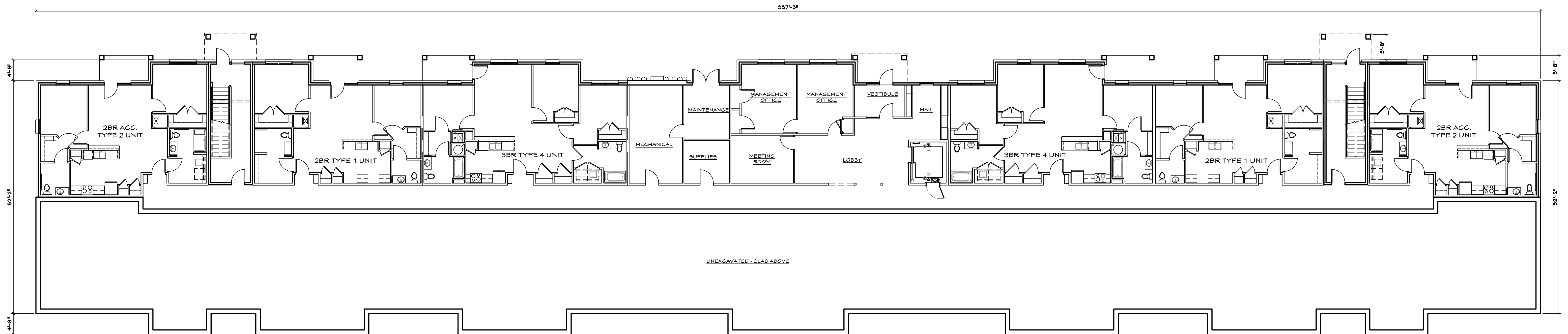
SUBMISSION

SHEET:
S1.2

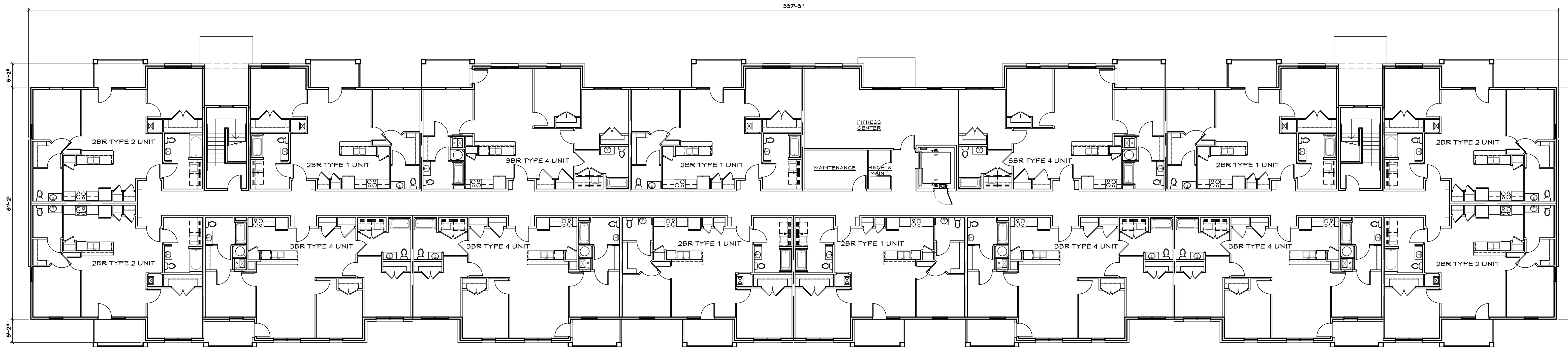




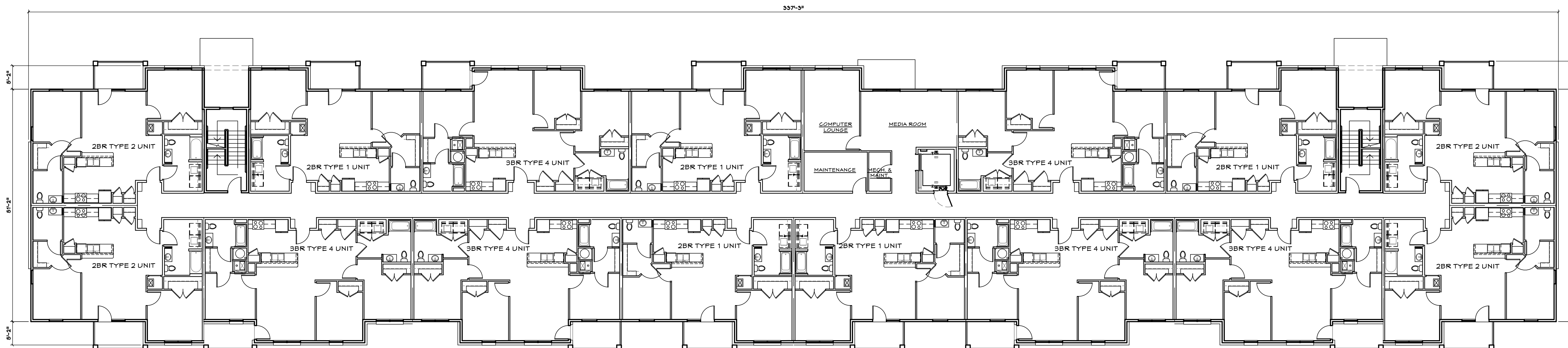
SECOND FLOOR PLAN
SCALE 3/32" = 1'-0"



FIRST FLOOR PLAN
SCALE 3/32" = 1'-0"



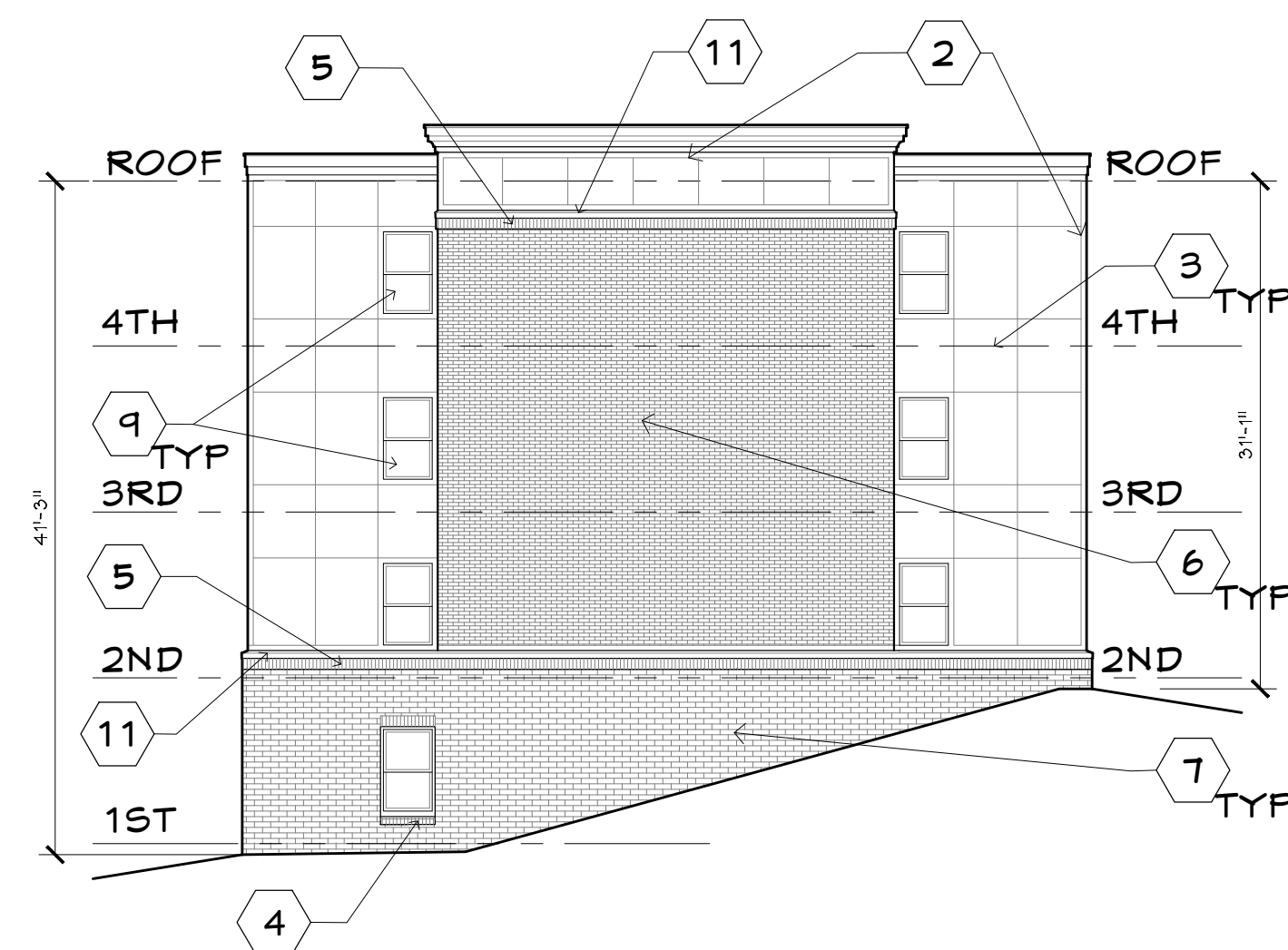
FOURTH FLOOR PLAN
SCALE 3/32" = 1'-0"



THIRD FLOOR PLAN
SCALE 3/32" = 1'-0"



NORTH ELEVATION
SCALE 3/32"=1'-0"



TYPICAL END ELEVATION
SCALE 3/32"=1'-0"

(X) ELEVATION CODED NOTES

1. PVC CORNICE
2. FIBER CEMENT TRIM
3. FIBER CEMENT PANELS
4. BRICK ROWLOCK SILL
5. BRICK SOLDER COURSE
6. STANDARD BRICK
7. KING SIZE BRICK
8. FIBER CEMENT COLUMN WRAP
9. ENERGY STAR WINDOWS
10. FIBER CEMENT FASCIA WRAP & TRIM
11. STONE CAP
12. METAL ROOF



SOUTH ELEVATION
SCALE 3/32"=1'-0"



B SOUTH ELEVATION



A NORTH ELEVATION



Re: Woda Cooper Development, Inc. Application for Conditional Use Permit / LBCS #1200S

Woda Cooper Development, Inc. (the “Applicant”) is seeking a Conditional Use Permit to permit multiple-household dwellings on tax parcel 24014001 located at 1700 Graves Mill Road. The property is currently zoned “B-1” which permits multiple-household dwellings with a Conditional Use Permit. The Applicant submits these applications with authorization from the current landowner, AGO Properties, L.L.C.

The Applicant wishes to develop, construct, and manage a multiple-family apartment development, to be known as Wilson Place, that contains 50 total units on this approximately 10.95-acre parcel, for a density of 4.6 dwelling units per acre. This development would exist on the south side of an existing creek and would leave the portion to the north of the creek undeveloped. This apartment development would contain only residential uses. The units are going to be targeted at affordable workforce households for family occupancy.

Wilson Place will feature a single apartment building that is split level with 3 stories on the southern half and 4 stories on the northern half. Parking lots will exist on both sides of the apartment building to provide direct access into the 1st story from the northern side or into the 2nd story from the southern side. The property will feature a patio and covered picnic area with a grille, a playground for children, and a dog park. There will also be a fitness center, community room, computer room, and a community laundry room inside the building for resident use. Each unit will also be provided free individual wifi access.

The Lynchburg Comprehensive Plan identifies this property to have a future land use of Medium Density Residential. Wilson Place would fall within the suggested density of Medium Density Residential by containing less than 12 units per acre. Wilson Place will also contribute to the Comprehensive Plan’s goals to “support initiatives to increase permanent affordable rental opportunities” and to “ensure that zoning regulations facilitate the creation of a variety of safe, affordable and innovative housing options that serve the community’s diverse needs.”

Thank you for your time and consideration, and please feel free to direct any questions or comments to me at nsurak@wodagroup.com or 317-522-9232.

Sincerely,

Nick Surak, Senior Vice President of Development
Woda Cooper Development, Inc.



12/21/2016

GRAVES MILL RD

GRAVES MILL RD

GRAVES MILL RD

© All Pictometry

MEMORANDUM

TO: ZEE PARKER

FROM: BILL WUENSCH, P.E., PTOE

ORGANIZATION: Woda Cooper Companies, Inc.

DATE: **JANUARY 28, 2022**

Phone number:

sender's reference number:

Re: Wilson Place Apartment Development

Your reference number:

☐ URGENT ☒ FOR YOUR USE ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

As requested, EPR, PC (EPR) performed a traffic access study for the proposed 50 unit apartment site to be constructed along Graves Mill Road in Lynchburg, Virginia. The site will share an entrance with the existing 1664 Graves Mill Road development, which consists of multiunit residential buildings.

The following provides a concise summary of conditions and factors for consideration, along with an analysis of trip generation and turn lane warrants.

Site Location

The site location is shown below (Figure 1). The entrance is approximately 360' (centerline of intersections) west of Millrace Road.



Figure 1: Site Location

Site Trip Generation

The building configuration will be 3-4 story structures with 50 residential units. The Institute of Transportation Engineers Trip Generation Manual, 10th Edition, was used to calculate expected trips. Land use code 221, mid-rise apartments, was used to calculate expected trip generation, as shown in Table 1 (below). The ITE description of this land use code is provided in the attachments.

Land Use	LU Code	Units	Daily	AM		PM	
				in	out	in	out
Mid-Rise Apartments	221	50	271	5	13	13	9

Table 1: Expected Trip Generation

Access Management Considerations

Graves Mill Road is classified as a minor arterial roadway and has a posted speed limit of 45mph in the study area. The Virginia Department of Transportation (VDOT) provides guidelines for commercial entrance and intersection spacing in their Road Design Manual, Appendix F. Table 2 (below) is excerpted from the VDOT manual:

Functional Classification	Design Speed (See Note 2)	Minimum Spacing (Distance) in Feet			
		Type 1 (Signalized)	Type 2 (Unsignalized/ Full Crossover)	Type 3 (Full Access /Directional Crossover)	Type 4 (Partial Access)
Principal Arterial	≤ 30 mph	1,050	880	440	250
	35 to 45 mph	1,320	1,050	565	305
	≥ 50 mph	2,640	1,320	750	495
Minor Arterial	≤ 30 mph	880	660	355	200
	35 to 45 mph	1,050	660	470	250
	≥ 50 mph	1,320	1,050	555	425
Collector	≤ 30 mph	660	440	225	200
	35 to 45 mph	660	440	335	250
	≥ 50 mph	1,050	660	445	360
Local Street	See Note 1				

Table 2: VDOT Minimum Spacing Standards for Commercial Accesses, Intersections and Median Crossovers

The VDOT criteria require 470' between a signalized intersection and a full access commercial entrance. If right-in/out only, this distance is reduced to 250'. While Graves Mill Road is under City maintenance and control, the City utilizes VDOT standards and guidelines for their roadways. When the recommended spacing cannot be met, then there is typically an obligation on the part of the party desiring an access permit to analyze conditions to demonstrate that travel safety and conditions will not be adversely affected by the proposed access configuration. This is typically accomplished through demonstrating that movements in and out of an entrance or intersection can occur outside of the "functional area" of an intersection. The functional area can be described as that part of the intersection where queuing or transition taper geometry occurs.

To consider queuing, this analysis refers to a prior corridor study of Graves Mill Road as sponsored by the Central Virginia MPO in 2018. Modeling was performed for the Mill Race intersection using both 2017 traffic data and projected year 2040 data. The queue summary tables for year 2017 and year 2040 are shown in the following two tables (excerpted from Graves Mill Corridor study).

INTERSECTION	APPROACH	MOVEMENT	STORAGE LENGTH	AM Peak	PM Peak
				95TH QUEUE	95TH QUEUE
1. Graves Mill/Gristmill	Graves Mill EB	EBT/EBR		165	131
	Graves Mill WB	WBL/WBT		93	#225
	Gristmill NB	NBL		20	33
	Gristmill NB	NBR	130	#367	60
2. Graves Mill/Millrace	Graves Mill EB	EBT/EBR		240	162
	Graves Mill WB	WBL	180	12	9
	Graves Mill WB	WBT		50	106
	Millrace NB	NBL		18	62
	Millrace NB	NBR	190	12	47
3. Graves Mill/Millside	Graves Mill EB	EBL/EBT		0	0
	Graves Mill EB	EBR	110	0	0

Table 3: Existing Queuing

INTERSECTION	APPROACH	MOVEMENT	STORAGE LENGTH	AM Peak	PM Peak
				95TH QUEUE	95TH QUEUE
1. Graves Mill/Gristmill	Graves Mill EB	EBT/EBR		384	397
	Graves Mill WB	WBL/WBT		#407	#850
	Gristmill NB	NBL		27	82
	Gristmill NB	NBR	130	#1007	#902
2. Graves Mill/Millrace	Graves Mill EB	EBT/EBR		342	575
	Graves Mill WB	WBL	180	48	16
	Graves Mill WB	WBT		3	430
	Millrace NB	NBL		35	88
	Millrace NB	NBR	190	23	134
3. Graves Mill/Millside	Graves Mill EB	EBL/EBT		0	0
	Graves Mill EB	EBR	110	0	0
	Graves Mill WB	WBL/WBT		3	3
	Graves Mill WB	WBR	110	0	0
	Baush Lomb NB	NBL/NBT/NBR		0	23
	Millside SB	SBL/SBT/SBR		0	98

Table 4: Future (2040) No Build Queuing

These results of the analysis indicate that for year 2017, the modeled queues were 240 feet. By year 2040, the queue is expected to grow to 575 feet. At present, there are 285 feet of available queue distance between the eastern edge of the site entrance and the eastbound STOP bar on Graves Mill Road at Mill Race. **With this small difference, combined with increasing traffic volumes on Graves Mill Road, it is not possible to say that the entrance is conservatively beyond the functional area of the intersection.**

Crash History

The virginiaroads.com website was used to obtain a snapshot history of crashes that have occurred since 2015 in the vicinity of the proposed access location. The image below (Figure 2) is from this website. There is a history of crashes, including rear-end and angle crashes, on the west side of the Millrace Drive signal along Graves Mill Road.

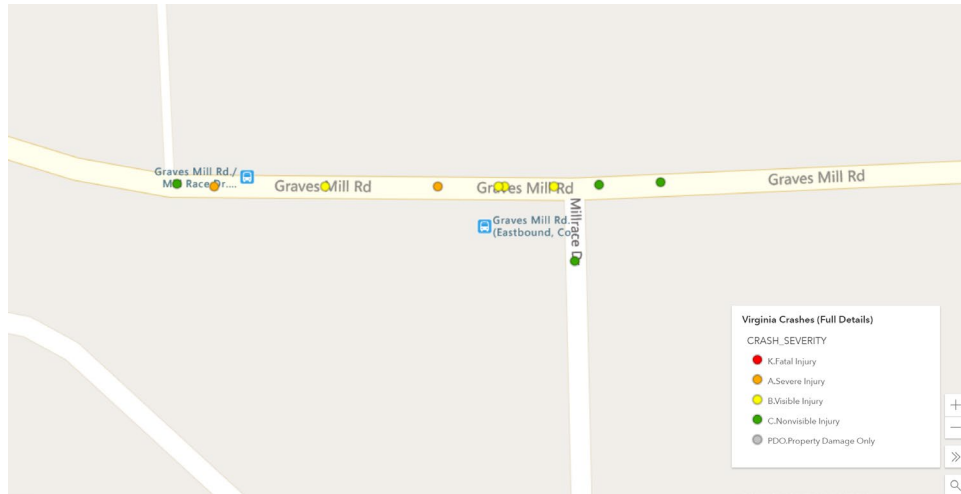


Figure 2: Crash History (since 2015)

As another point of reference, the graphic below (Figure 3) is taken from the 2018 Graves Mill Corridor Plan prepared for the Central Virginia MPO. The graphic shows crash data from 2012 through 2016.

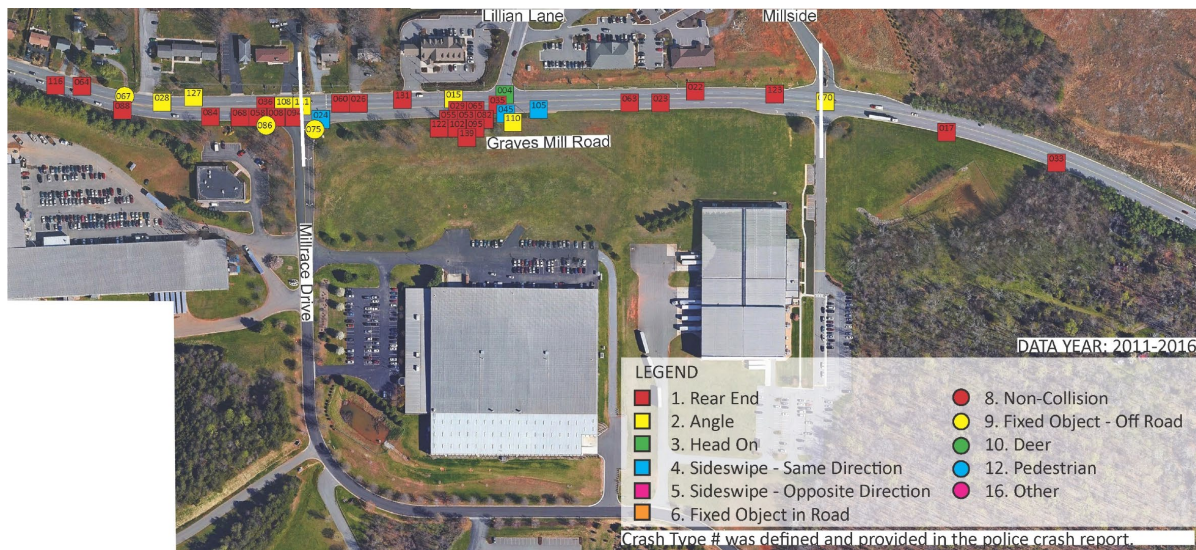


Figure 3: Crash Data (2012–2016)

Existing Traffic Data

Traffic data was assembled as needed to inform the VDOT turn lane warrant analysis. Peak hour turning movement counts were taken for the existing entrance at 1664 Graves Mill Road (the same entrance that will be shared with the new development) on Tuesday January 11th, 2022. The AM peak hour was found to be between 7:30 and 8:30AM and the PM peak hour was 4:30 to 5:30PM. Figure 4 (below) illustrates the AM and PM peak hour turning movement count at the entrance. The counts are shown in the following format: AM (PM).

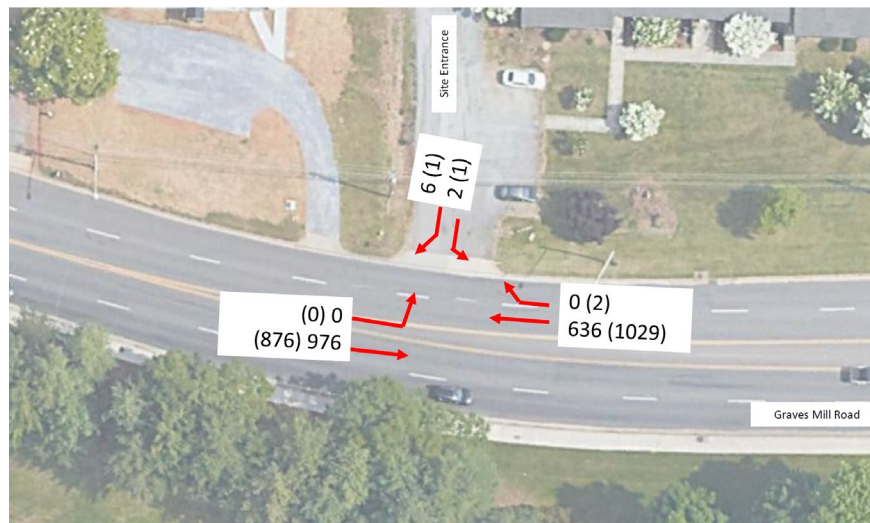


Figure 4a: Existing Peak Hour Turning Movement Count

No pedestrians or bicycles were noted in the peak hour counts. The raw traffic count data is provided in the memorandum attachments.

Note that it appears there are 15 dwelling units currently accessing the existing entrance. Per the ITE Trip Generation Manual, we would expect in the AM 2 vehicles entering and 6 leaving, and in the PM 7 entering and 4 leaving. The field counts are lower than predicted, and it is unknown if all of the units are currently occupied. Figure 4b represents estimates of existing trips based on ITE Trip Gen. Manual.



Figure 5b: Expected Turning Movement Count, per ITE Trip Generation Manual

As a point of reference, the following graphic (Figure 5) illustrates traffic volumes from 2017 as performed for the Graves Mill Corridor Plan (CVMPO Study performed by EPR, PC). By comparison, as is common post-Covid, the year 2021 counts are lower in the AM peak hour, but higher in the PM peak hours.



Figure 6: Traffic Volumes (2017)

Additionally, it is worth noting that with anticipated regional growth, the future year 2040 volumes along Graves Mill Road are projected to increase substantially. The graphic below (Figure 6) is also from the Graves Mill Corridor plan and illustrates projected year 2040 volumes.

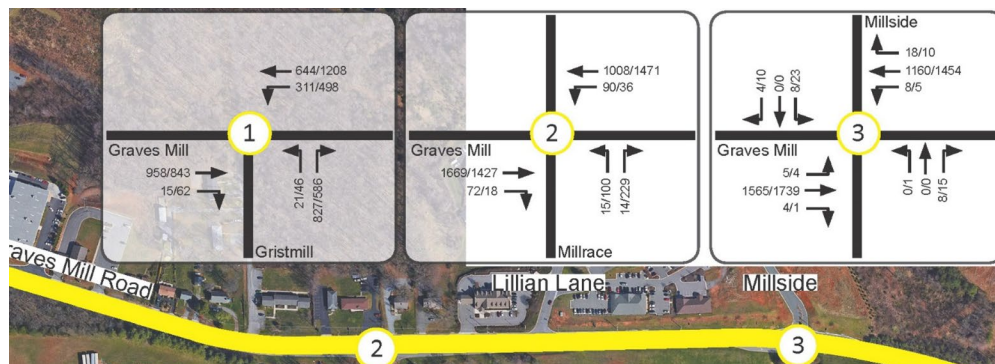


Figure 7: Projected Traffic Volumes (2040)

Site Trip Distribution Estimate

An estimate of site trip distribution was prepared considering multiple factors, including:

- Patterns of existing traffic arriving to and departing from the site
- Patterns of mainline traffic volumes passing the site in the AM and PM peak hours
- Consideration of patterns demonstrated at adjacent intersections, as shown in the 2017 CVMPO Graves Mill Corridor Plan.

A graphic comparing percentages of the first two bulleted items above is included as an attachment to this memo.

Considering these data sources, along with proximity to the City and local colleges, EPR suggests a 40% split to/from the west and 60% to/from the east.

Build Traffic Volume Estimate

The following graphic (Figure 7) overlays the site traffic with the existing traffic count. This data represents the estimate of build conditions volumes and forms the basis for consideration of turn lane needs. This assumes that the site is built within the next 12 months, thus no additional factoring of background traffic was considered.

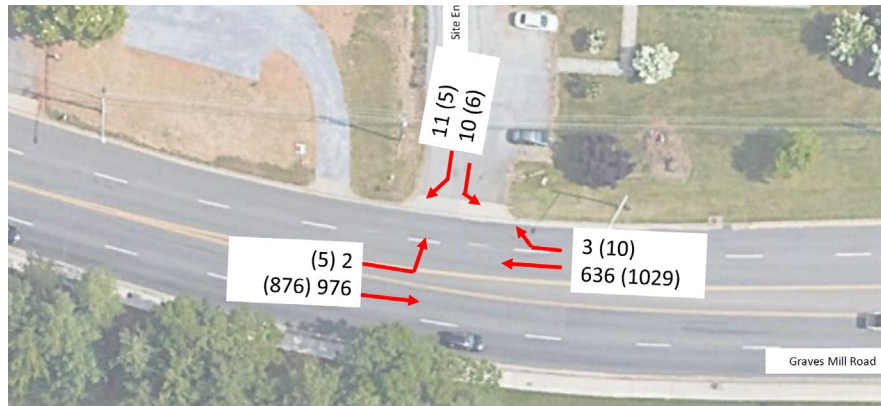


Figure 8a: Build Traffic Volume Estimate



Figure 9b: Representation of Calculated Existing plus Build Traffic Volume Estimate Based Entirely on ITE Trip Generation Manual

Turn Lane Warrants

The turn lane warrants from the VDOT Road Design Manual were examined for a four lane undivided facility. The warrants are included as attachments to this memorandum. The results of the warrant analysis are as follows:

- Eastbound Left Turn Lane – The threshold is approximately 8 left turns, and 5 are predicted if accepting existing counts, or if using calculated estimate then we would expect 7.
- Westbound Right Turn Lane – The threshold for a right turn taper is met based on both the count plus build estimate, and calculated existing plus build (13).

Recall that the counted existing trips were substantially lower than the predicted trips for the existing residential units.

Findings

The entrance for the proposed site is expected to generate a relatively small amount of traffic in the peak hours of the day. Eighteen trips in the morning peak hour, and 22 trips in the PM peak hour are projected, per the ITE Trip Generation Manual. The existing entrance, per the recent traffic count, generates low traffic volumes thus the combined volumes are relatively low.

VDOT access management standards indicate that the entrance does not meet spacing standards for a minor arterial roadway with a posted speed of 45 mph. The entrance is also situated within approximately 40' of the queue length distance, as reported in the 2017 Graves Mill Road corridor plan. Traffic volumes along Graves Mill Road are projected to grow substantially as the region, and particularly Bedford County, continues to develop. Thus, the eastbound queue at Millrace Road is expected to grow significantly in the future. This means that the entrance can not be considered as being situated beyond the functional area of the intersection.

Results of the turn lane warrant analysis indicate that a westbound right turn taper is warranted. The westbound left turn lane warrant is not currently met, but with continued growth in traffic along Graves Mill Road, will be warranted in the future.

Note that EPR did not examine intersection sight distance for the new entrance. This will need to be addressed in the site plan review.

Recommendations

Based on the analysis and information presented in this memorandum, the following summarizes EPR's recommendations:

1. **Construct the 100' taper for the westbound approach to the entrance.**
2. **Modify the existing entrance to a right-in/out configuration. This could be accomplished using a "porkchop" island configuration, or by constructing a raised median where the taper space exists on Graves Mill Road along the site frontage.**

END OF MEMORANDUM

Attachments:

1. Trip Generation Documentation (from ITE Trip Generation online manual)
2. Trip Distribution Figures
3. Turn Lane Warrant Forms
4. Traffic Turning Movement Counts at Site Entrance

Attachment 1

Trip Generation Information

ITE Trip Generation Manual Land Use Code 221 Description

Land Use: 221 Multifamily Housing (Mid-Rise)

Description

Mid-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have between three and 10 levels (floors). Multifamily housing (low-rise) (Land Use 220), multifamily housing (high-rise) (Land Use 222), off-campus student apartment (Land Use 225), and mid-rise residential with 1st-floor commercial (Land Use 231) are related land uses.

Additional Data

In prior editions of *Trip Generation Manual*, the mid-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of vehicle trip data found no clear differences in trip making patterns between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

For the six sites for which both the number of residents and the number of occupied dwelling units were available, there were an average of 2.46 residents per occupied dwelling unit.

For the five sites for which the numbers of both total dwelling units and occupied dwelling units were available, an average of 95.7 percent of the total dwelling units were occupied.

Time-of-day distribution data for this land use are presented in Appendix A. For the eight general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:00 and 8:00 a.m. and 4:45 and 5:45 p.m., respectively.

For the four dense multi-use urban sites with 24-hour count data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 7:15 and 8:15 a.m. and 4:15 and 5:15 p.m., respectively. For the three center city core sites with 24-hour count data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 6:45 and 7:45 a.m. and 5:00 and 6:00 p.m., respectively.

For the six sites for which data were provided for both occupied dwelling units and residents, there was an average of 2.46 residents per occupied dwelling unit.

For the five sites for which data were provided for both occupied dwelling units and total dwelling units, an average of 95.7 percent of the units were occupied.

The average numbers of person trips per vehicle trip at the five center city core sites at which both person trip and vehicle trip data were collected were as follows:

- 1.84 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.94 during Weekday, AM Peak Hour of Generator
- 2.07 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 2.59 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 32 dense multi-use urban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.90 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.90 during Weekday, AM Peak Hour of Generator
- 2.00 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 2.08 during Weekday, PM Peak Hour of Generator

The average numbers of person trips per vehicle trip at the 13 general urban/suburban sites at which both person trip and vehicle trip data were collected were as follows:

- 1.56 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 7 and 9 a.m.
- 1.88 during Weekday, AM Peak Hour of Generator
- 1.70 during Weekday, Peak Hour of Adjacent Street Traffic, one hour between 4 and 6 p.m.
- 2.07 during Weekday, PM Peak Hour of Generator

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), British Columbia (CAN), California, Delaware, District of Columbia, Florida, Georgia, Illinois, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, Ontario, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Virginia, and Wisconsin.

Source Numbers

168, 188, 204, 305, 306, 321, 357, 390, 436, 525, 530, 579, 638, 818, 857, 866, 901, 904, 910, 912, 918, 934, 936, 939, 944, 947, 948, 949, 959, 963, 964, 966, 967, 969, 970

Trip Generation Weekday 271 Total Trips per Day

Query Filter

DATA SOURCE:

Trip Generation Manual, 10th Ed

New data edition is available. [Click here to upgrade.](#)

SEARCH BY LAND USE CODE:

221



LAND USE GROUP:

(200-299) Residential

LAND USE :

221 - Multifamily Housing (Mid-Rise)

LAND USE SUBCATEGORY:

All Sites

SETTING/LOCATION:

General Urban/Suburban

INDEPENDENT VARIABLE (IV):

Dwelling Units

TIME PERIOD:

Weekday

TRIP TYPE:

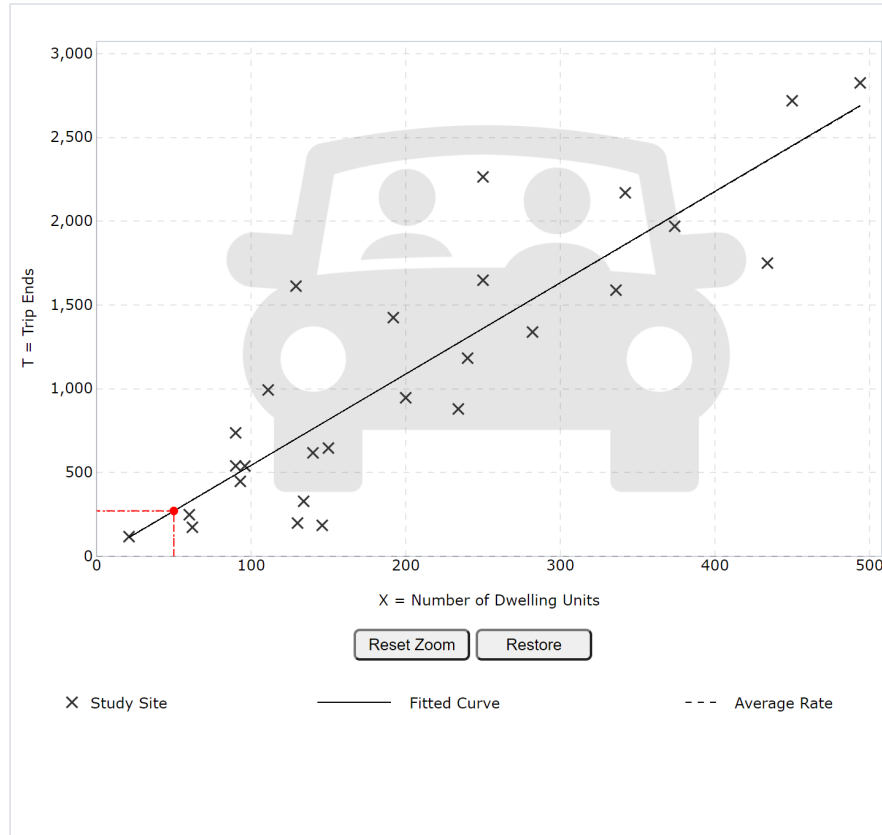
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

50

Calculate

Data Plot and Equation



Use the mouse wheel to Zoom Out or Zoom In.
Hover the mouse pointer on data points to view X and T values.

DATA STATISTICS

Land Use:

Multifamily Housing (Mid-Rise) (221) [Click for Description and Data Plots](#)

Independent Variable:

Dwelling Units

Time Period:

Weekday

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

27

Avg. Num. of Dwelling Units:

205

Average Rate:

5.44

Range of Rates:

1.27 - 12.50

Standard Deviation:

2.03

Fitted Curve Equation:

$T = 5.45(X) - 1.75$

R²:

0.77

Directional Distribution:

50% entering, 50% exiting

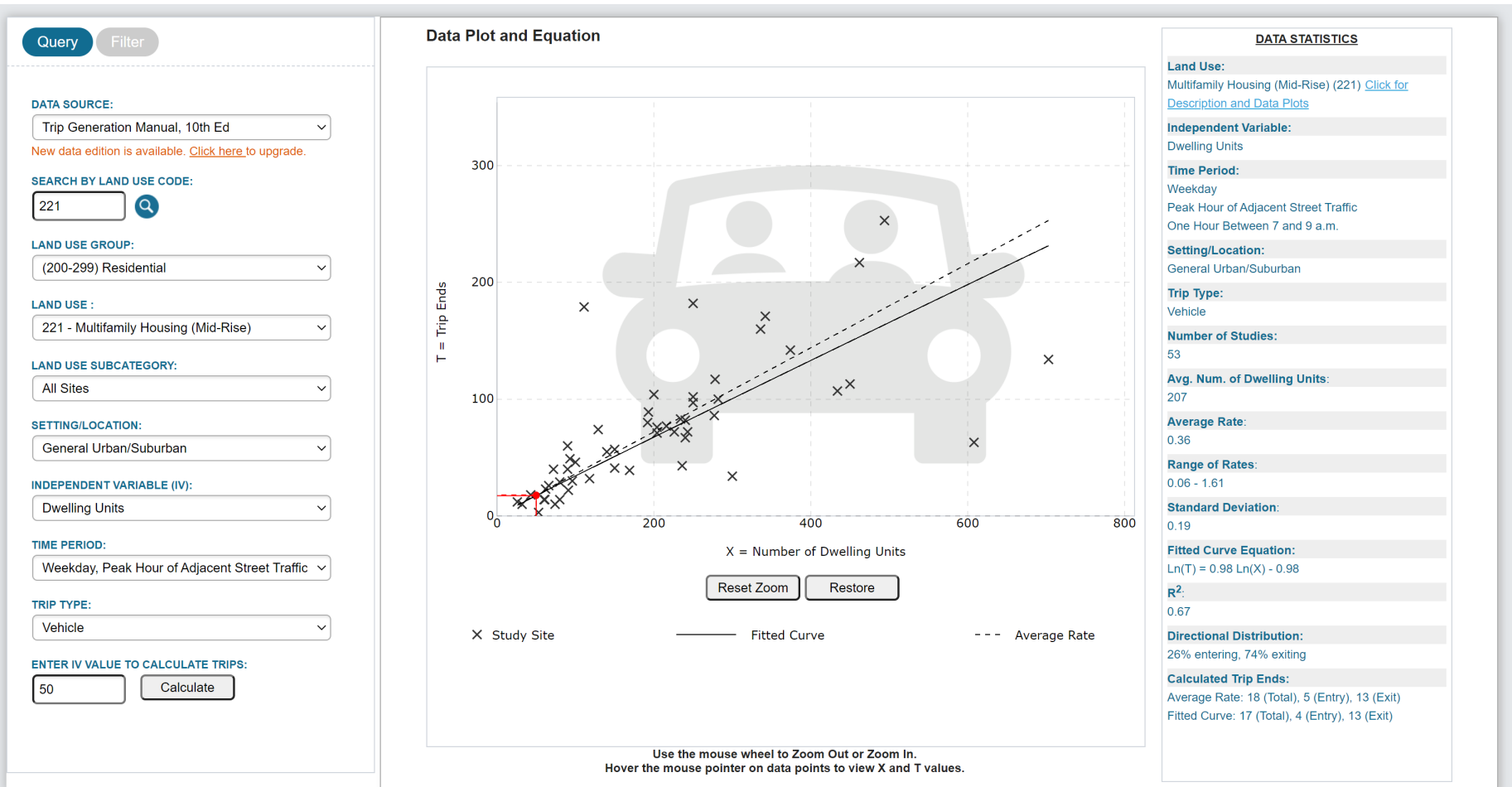
Calculated Trip Ends:

Average Rate: 272 (Total), 136 (Entry), 136 (Exit)

Fitted Curve: 271 (Total), 135 (Entry), 136 (Exit)

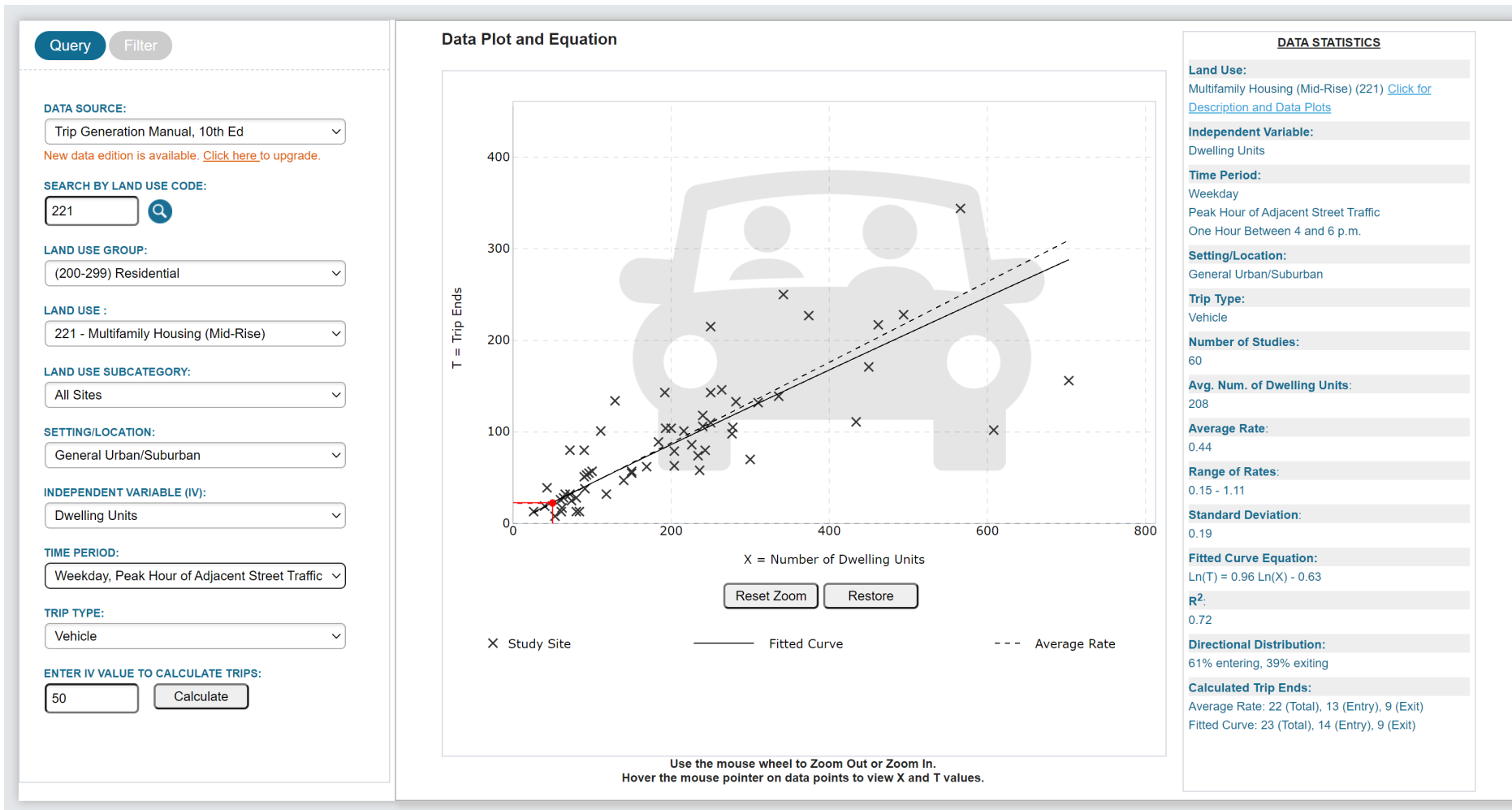
Trip Generation AM Peak Hour

18 Total – 5 in and 13 out



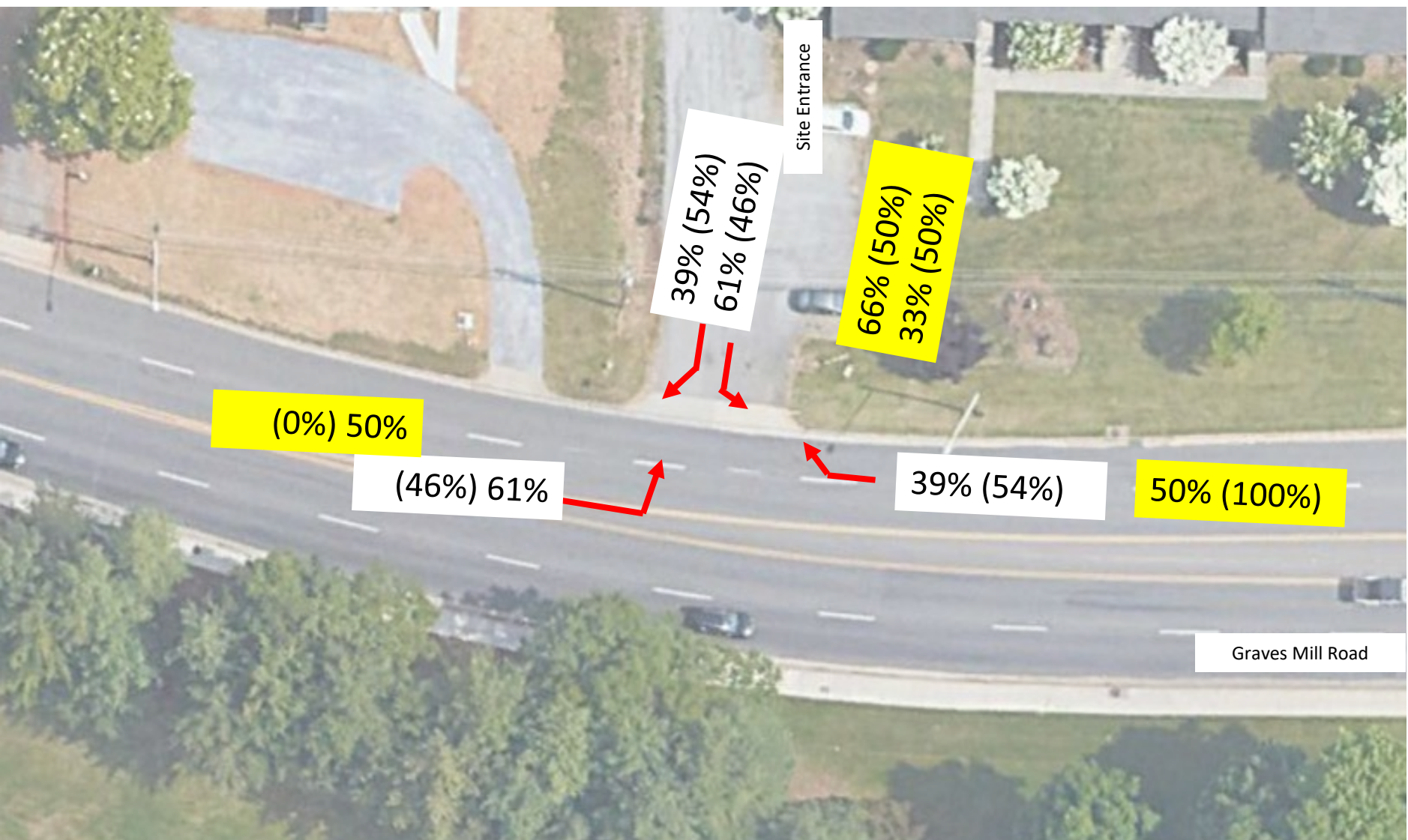
Trip Generation PM Peak Hour

22 total -13 in and 9 out



Attachment 2

Trip Distribution Considerations



Pattern of passing traffic in the peak hours.

Pattern of existing traffic using the entrance

Attachment 3

Turn Lane Warrants
(VDOT RDM Appendix F)

For undivided conditions, less than 10 left turns trigger a left turn lane given the opposing volumes.

Warrants for Left Turn Storage Lanes on Four-Lane Highways

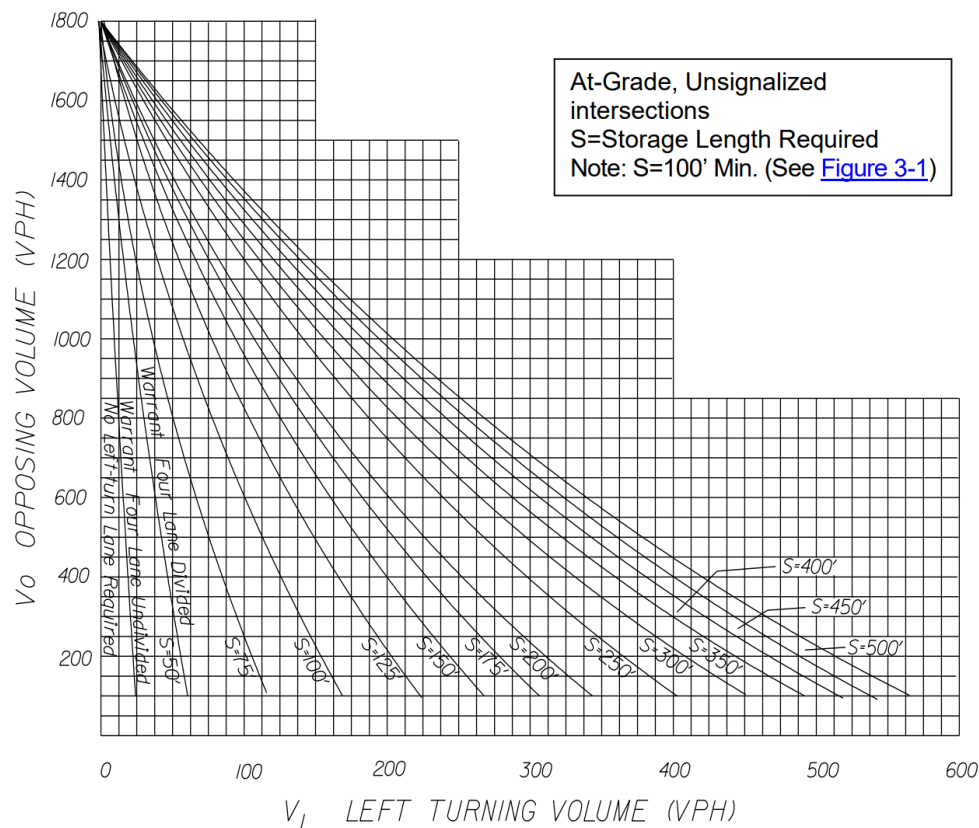
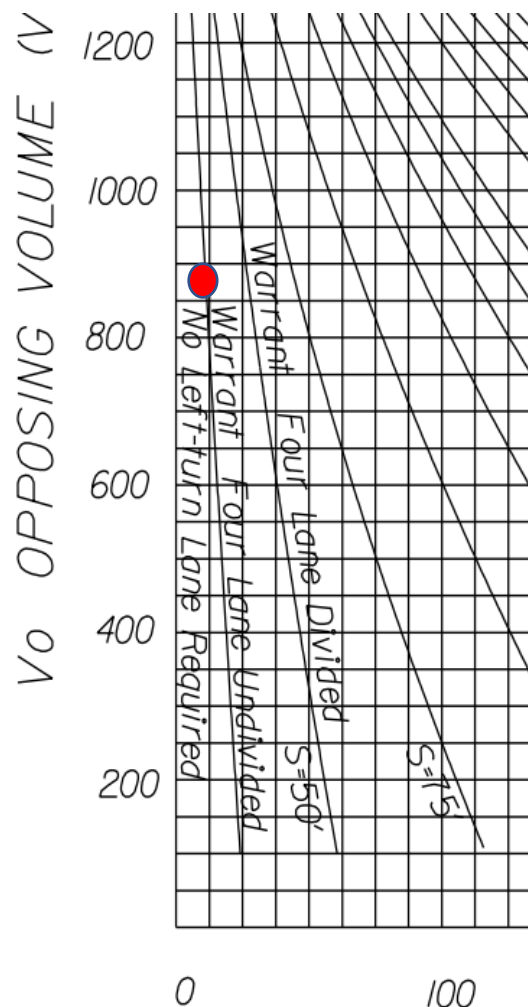


FIGURE 3-3 WARRANTS FOR LEFT TURN STORAGE LANES ON FOUR LANE HIGHWAYS

Figure 3-3 was derived from *Highway Research Report No. 211*.

Opposing volume and left turning volume in vehicles per hour (VPH) are used for left turn storage lane warrants on four-lane highways.

For plan detail requirements when curb and/or gutter are used, see VDOT's [Road Design Manual, Section 2E.3](http://www.virginiadot.org/business/locdes/rdmanual-index.asp) on the VDOT web site:
<http://www.virginiadot.org/business/locdes/rdmanual-index.asp>.

Graves Mill westbound has greater than 1000 vph. Only 10 vehicles in the peak hour trigger the taper warrant.

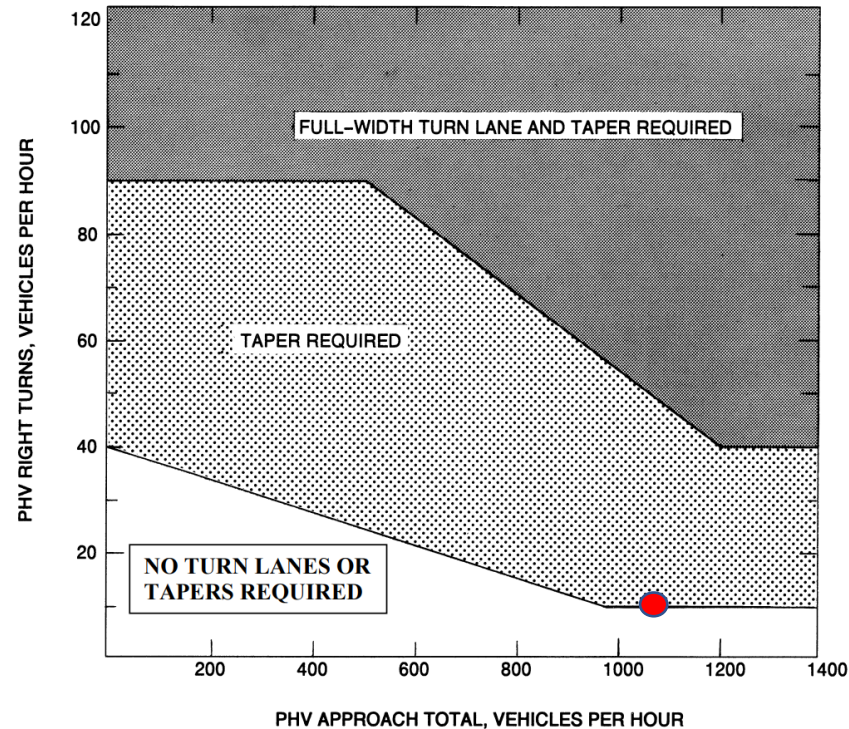


FIGURE 3-27 WARRANTS FOR RIGHT TURN TREATMENT (4-LANE HIGHWAY)

Appropriate Radius required at all Intersections and Entrances (Commercial or Private).

LEGEND

PHV- - Peak Hour Volume (also Design Hourly Volume equivalent)

Adjustment for Right Turns

If PHV is not known use formula: $PHV = ADT \times K \times D$

K = the percent of AADT occurring in the peak hour

D = the percent of traffic in the peak direction of flow

Note: An average of 11% for K x D will suffice.

When right turn facilities are warranted, see [Figure 3-1](#) for design criteria.*

Attachment 4

Traffic Turning Movement Counts

Peggy Malone & Associates
(888) 247-8602

File Name : Graves Mill Rd & Driveway AM
Site Code :
Start Date : 1/11/2022
Page No : 1

Groups Printed- Cars

Start Time	Driveway Southbound				Graves Mill Rd Westbound				Graves Mill Rd Eastbound				Int. Total
	Right	Left	Peds	App. Total	Right	Thru	Peds	App. Total	Thru	Left	Peds	App. Total	
07:00 AM	0	0	0	0	0	68	0	68	158	0	0	158	226
07:15 AM	0	2	0	2	0	101	0	101	184	0	0	184	287
07:30 AM	0	0	0	0	0	130	0	130	293	0	0	293	423
07:45 AM	4	0	0	4	0	179	0	179	291	0	0	291	474
Total	4	2	0	6	0	478	0	478	926	0	0	926	1410
08:00 AM	0	0	0	0	0	163	0	163	194	0	0	194	357
08:15 AM	2	2	0	4	0	147	0	147	188	0	0	188	339
08:30 AM	0	0	0	0	0	145	0	145	171	0	0	171	316
08:45 AM	1	0	0	1	1	125	0	126	159	0	0	159	286
Total	3	2	0	5	1	580	0	581	712	0	0	712	1298
Grand Total	7	4	0	11	1	1058	0	1059	1638	0	0	1638	2708
Apprch %	63.6	36.4	0		0.1	99.9	0		100	0	0		
Total %	0.3	0.1	0	0.4	0	39.1	0	39.1	60.5	0	0	60.5	

	Driveway Southbound			Graves Mill Rd Westbound			Graves Mill Rd Eastbound			
Start Time	Right	Left	App. Total	Right	Thru	App. Total	Thru	Left	App. Total	Int. Total
Peak Hour Analysis From 07:00 AM to 08:45 AM - Peak 1 of 1										
Peak Hour for Entire Intersection Begins at 07:30 AM										
07:30 AM	0	0	0	0	130	130	293	0	293	423
07:45 AM	4	0	4	0	179	179	291	0	291	474
08:00 AM	0	0	0	0	163	163	194	0	194	357
08:15 AM	2	2	4	0	147	147	188	0	188	339
Total Volume	6	2	8	0	619	619	966	0	966	1593
% App. Total	75	25		0	100		100	0		
PHF	.375	.250	.500	.000	.865	.865	.824	.000	.824	.840

February 9, 2022

PLEASE PRINT CLEARLY

[illegible]

Hi,

I live close by the 1700 Graves Mill property and was not able to make the meeting due to work. I wanted to know if there are any updates on this development after that meeting was held. I don't think traffic can handle another property of that size there at this time. Especially with the access needed for emergency responders needing to get to the elderly communities on that road. I appreciate any information you can provide on the status of the plan. I would love to be at the next meeting but I'm unable as I work until 5:30. If there is any way you all do virtual meetings for the next one please let me know.

Thank you,

Nyomi Tarpley

Name: Ethel Scott

Public hearing comment:

I am writing to oppose the building of 50 apartments at 1700 Graves Mill Road. Fifty apartments would drastically change the quiet community and especially the quality of life of the home owners that are immediately adjacent to the proposed building. There are already times when a lot of noise and loud music can be heard from that area. We are concerned about the construction noise itself as well as the light intrusion from the parking lot. We purchased these homes because we wanted a quiet single-family neighborhood. Don't think it's fair that we have to give up our quality of life to accommodate developers. Both Graves Mill Road and 221 can be very crowded during rush hour. Please consider the detriment to the value of the properties to the current homeowners. I realize that there are studies that suggest that it does not decrease property values but there are a lot more studies that show it does. Thanks for your time.

RESOLUTION:

#R-22-018

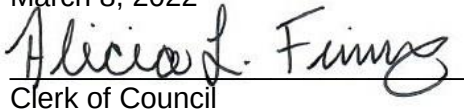
A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO WODA COOPER DEVELOPMENT, INC. TO ALLOW THE CONSTRUCTION OF A FIFTY (50) UNIT APARTMENT DEVELOPMENT IN A B-1, LIMITED BUSINESS DISTRICT LOCATED AT 1700 GRAVES MILL ROAD.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG, that the petition of Woda Cooper Development Inc., for a Conditional Use Permit at 1700 Graves Mill Road to allow the construction of a fifty (50) unit apartment complex in a B-1, Limited Business District is hereby approved subject to the following conditions:

1. Development of the property shall be in substantial compliance with the concept plan and building elevations prepared by D.E. Weatherby & Associates, dated January 14, 2022.
2. Per the traffic study prepared by EPR, PC, dated January 28, 2022, the following recommendations shall be constructed in conjunction with the development of the site:
 - a. Construct a 100' taper for the westbound approach to the entrance.
 - b. Modify the existing entrance to a right-in/out configuration, either by using a "porkchop" island configuration, or by constructing a raised median where the taper space exists on Graves Mill Road along the site frontage.

Adopted: March 8, 2022

Certified:


Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **March 8, 2022**

AGENDA ITEM #: **9**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Tyreeanna & Pleasant Valley Neighborhood Plan

RECOMMENDATION: Approval of the plan as part of the *Comprehensive Plan 2013-2030*.

SUMMARY: The Tyreeanna and Pleasant Valley Neighborhood Plan is a product of the input received from neighborhood residents, citizen members of the project's Steering Committee, City of Lynchburg staff and the consultant firm Hill Studio working together to envision opportunities for sustainable growth in the neighborhood. The draft plan includes recommendations for recreation improvements for parks and trails, neighborhood gateway enhancements, opportunities for scalable residential and commercial growth, as well as quality of life improvements in the neighborhood.

The plan has been developed under the direction established by the City's *Comprehensive Plan 2013 - 2030* to build strong neighborhoods; conserve the City's unique places and resources; promote business vitality; enhance the attractiveness of gateways and travel corridors; and protect the natural environment while also promoting sensitive development and redevelopment.

PRIOR ACTION(S):

February 22, 2022: City Council reviewed the key recommendations of the Tyreeanna & Pleasant Valley Neighborhood during their work session.

December 15, 2021: The Planning Commission recommended adoption (6-0, with 1 member absent, Marion) of the Tyreeanna & Pleasant Valley Neighborhood Plan.

The Planning Division recommended adoption of the Tyreeanna & Pleasant Valley Neighborhood Plan.

FISCAL IMPACT: None associated with adoption of the Neighborhood Plan. It is expected that implementation of the plan's recommendations would use a variety of neighborhood, non-profit, grant and public resources.

CONTACT(S): Rachel Frischeisen, Planner II – 455-3900
Kent White, Director Community Development – 455-3900

ATTACHMENT(S):

- Resolution
- Planning Commission Minutes – December 15, 2021
- Planning Commission Resolution – December 15, 2021
- Presentation Slides
- Tyreeanna & Pleasant Valley Neighborhood Plan

Note: Due to file size, the Tyreeanna & Pleasant Valley Neighborhood Plan may be difficult to load on some devices. The plan may also be viewed at the following link: [Tyreeanna & Pleasant Valley Neighborhood Plan Draft | City of Lynchburg, Virginia \(lynchburgva.gov\)](https://www.lynchburgva.gov/tyreeanna-pleasant-valley-neighborhood-plan-draft)

- Speaker Signup Sheet

REVIEWED BY: MMB WCB

048A

RESOLUTION:

A RESOLUTION ADOPTING THE TYREEANNA & PLEASANT VALLEY NEIGHBORHOOD PLAN AS PART OF THE CITY OF LYNCHBURG'S COMPREHENSIVE PLAN 2013-2030.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the Tyreeanna & Pleasant Valley Neighborhood Plan is hereby approved and adopted as part of the City's *Comprehensive Plan 2013-2030*.

Adopted:

Certified: _____
Clerk of Council

December 15, 2021

Minutes of the Lynchburg Planning Commission, December 15, 2021, 4:00 p.m., City Hall, 900 Church Street, Council Chamber.

MEMBERS PRESENT:

Mr. Bob Bowden
Ms. Kensie Johnson, Vice-Chair
Mr. Cham Light
Mr. Mark Lowe
Dr. David Perault
Mr. Tom Rogers, Chair

MEMBERS ABSENT:

Ms. Nancy Marion

OTHERS PRESENT:

Mr. Tom Martin, City Planner; Ms. Rachel Frischeisen, Planner II; Ms. Anna Davidson, Planning Technician; and the public.

1. Roll Call:

After a quorum was established, Chair Rogers called the meeting to order at 4:01 p.m.

2. Approval of Minutes. Minutes of the November 10, 2021 meeting were approved as written.

Commissioner Johnson made a motion to approve the minutes as written. The motion was seconded by Commissioner Bowden and passed by the following vote:

AYES:	Bowden, Johnson, Light, Lowe, Perault, Rogers	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Marion	1

3. Public Hearings:

- a. Consideration of adopting the Tyreeanna & Pleasant Valley Neighborhood Plan as part of the City's Comprehensive Plan 2013 -2030. The proposed neighborhood plan proposes connectivity improvements, new recreation facilities including a greenway trail system and park at the former Concord Turnpike landfill, recommendations for the preservation of historic resources in the neighborhood, a compact neighborhood design concept, and gateway improvements at the entry to the neighborhood/city.**

As part of the plan, the Future Land Use Map is recommended for amendment at the Concord Turnpike Convenience Center from Public Park to Public Use; for property at 2340 Concord Turnpike from Employment 2 to Public Use; for property at 5031 Tyreeanna Road from Low Density Residential to Public Park; for property at 5106 and 5110 Tyreeanna Road from Public Park to Medium Density Residential; for property at 2600 Concord Turnpike (partial) and 2704 Concord Turnpike from Public Use to Neighborhood Commercial; for property at 2600 Concord Turnpike (partial) from Public Use to Mixed Use; for property at 200 Nickerson Road (partial) from Low Density Residential to Employment; for property at 5118, 5122, 5124, 5128, 5132, 5136, and 5206 Pleasant Valley Road from Resource Conservation to Neighborhood Commercial; 5205 Pleasant Valley Road from Community Commercial to Neighborhood Commercial;

property at 208, 214, 222, 244 Poston Street, 212, 218, 304, 310 Holcomb Path Road, from Low Density Residential and Medium Density Residential to Mixed Use.

Ms. Rachel Frischeisen, Planner II, provided the following summary to the Commission. The Comprehensive Plan is the guiding document for making the City a great place for citizens. In addition, there are smaller area plans such as the Tyreeanna Neighborhood Plan. Ms. Frischeisen described the specific aspects of the Comprehensive Plan that the Tyreeanna Neighborhood Plan will implement. This plan is attempting to focus on neighborhood scale and quality of life improvements to strengthen the existing neighborhood. There are other departments in the City that are also looking at how they can best serve neighborhoods such as Tyreeanna. She noted that Lynchburg has a limited amount of developable land but does continue to grow. Tyreeanna has a large amount of open green space that can be repurposed. This plan sets the vision for how this should occur. She stated a number of residents have expressed that they like the neighborhoods rural character, thus this plan seeks to find a balance to preserve that character and progress in a way that meets the needs of the neighborhood.

Ms. Frischeisen described the process of the 2019 Steering Committee that was formed to outline the larger concerns that the neighborhood citizens expressed. The key concerns given in this process were the importance of the historic sites in the neighborhood, lack of public gathering space, safety concerns for walking and biking, and the maintenance/appearance. These guiding principles were established: 1) ensure the neighborhood is a great place to live, 2) enhance and preserve the neighborhood's natural resources, 3) celebrate the history of the neighborhood, 4) make this neighborhood a multigenerational community, and 5) improve the connections to and within this neighborhood. Ms. Frischeisen outlined the vision statement of this plan. She then showed the Commission an aerial view on the area with the key recommendations for this neighborhood. She shared the Future Land Use Map (FLUM) and its proposed changes. She noted the FLUM is a guiding document to base zoning decisions. It does not change what the owners are doing with their properties. Ms. Frischeisen noted that the recommendation of a park on the former Concord Turnpike landfill has remained constant since the 2003 plan was adopted. She stated there is no dedicated recreational space in this neighborhood. She noted that converting a former landfill into a park is a common use, as there are not many alternatives for landfills. There is a proposed connection to the park from the James River Parkway. There is also an entrance option off of Tyreeanna Road from a City owned property.

Ms. Frischeisen explained the pocket neighborhood concept that is proposed nearby the proposed park entrance. This project would be within an existing property. This is a housing model that is oriented around a community gathering space in the middle, such as a playground or garden. She also explained the Neighborhood Commercial areas that will be mixed land uses, encouraging people to walk or bike more. This can increase property value. They are strategically located typically near housing blocks.

Holcomb Path Road Bridge is a connector over Highway 460 and will be used as a neighborhood link that is part of the greenway system. The greenway system is three (3) phases. This will be a dedicated pathway for pedestrians and cyclists, connecting the Tyreeanna neighborhood and the Pleasant Valley neighborhood. The Historic Mile was designed to preserve important historic sites. Some of this route also coincides with the proposed greenway route. This plan reinforces other departments such as Economic Development and Tourism, and improves connectivity. Ms. Frischeisen noted the economic and environmental impacts that the implantation of sewer in this area would cause. Water resources has acknowledged the need for sewer here and are in the process of creating the master plan.

Chair Rogers opened the meeting for public comment.

Ms. Lana Musgrave was present to speak in favor of the petition. She has lived in the Tyreeanna neighborhood for more than twenty (20) years and bought a house here in 2012. She stated she appreciates the attention given to the development of the neighborhood in this meeting and encouraged the Commission to continue that attention. She stated that the neighborhood was given promises when the landfill was first established that were never were fulfilled. She stated she hopes that this will be the start of plans for the community and for the promises made to come to fruition.

Mr. Hans Schubert was present to speak in opposition of the petition. In 1977 he moved to Holcomb Path Road and since that time there has not been any connection to the Tyreeanna neighborhood. He noted it would be nice to get to downtown Lynchburg easily. He stated the residents of this area have been waiting for years for the highway construction to be completed. He noted that the City annexed this area and it still does not have mailboxes, a bus stop, or sewer on Holcomb Path Road. He stated the City should compensate the residents for disposing of their sewer since they are a part of the City of Lynchburg. Mr. Schubert asked what mixed use would be defined as.

Ms. Frischeisen stated she would address questions when the public hearing was closed.

Mr. Schubert stated he wanted to ensure that there would not be a fast food restaurant next door to his home. He remarked that he would like to see something that would make money for the City other than residential taxation. He also stated that the timing of the stop light at Concord Turnpike is not adequate.

Ms. Yvette Harris present to speak in favor of the petition. She stated she is excited about landfill opportunities and asked for the rationale for why several changes were being made such as rezoning from R-C, Resource Conservation district to B-3, Neighborhood Commercial district and others as she is concerned about the resident's quality of life. Ms. Harris noted that the summary given stated there will be no impact to the zoning but she is concerned about going from R-C, Resource Conservation to, Neighborhood Commercial. She stated that everything looks great in terms of putting stores in the landfill area but not in the areas that there are homes.

Mr. Schubert asked what the Holcomb Path Bridge will look like and where it will be.

Chair Rogers replied they will address this later in the meeting.

Ms. Frischeisen stated that in regard to Ms. Musgrave's concern about getting the plan implemented, the Planning Division is already starting to look at funding sources for the future projects, such as the City's Capital Improvements Program, future Community Development Block Grants (CDBG), and the funding mechanisms chart located in the back of the plan. She stated the City is considering how to prioritize these things. She also noted in regard to Mr. Schubert's question, that mixed use means an area will have a variety of uses. These would be residential and commercial and City Council action would be required along with the Planning Commission's input to establish such uses through rezoning's and/or Conditional Use Permits. She stated that there is no current proposal to build any mixed used projects. She reiterated that this does not impact the zoning but the FLUM is what that the Planning Department will consult and take into consideration as the petitions for land use changes are received.

Chair Rogers noted that the citizens are concerned that the summary states this will not impact zoning but do not understand how it will not. He clarified that when the City is looking at the future land use they are looking in the future.

Ms. Frischeisen stated that changing the FLUM does not change the zoning until somebody petitions the City to rezone it.

Commissioner Perault noted that there is a shift in emphasizing more development than what is currently in the FLUM. He noted a lot of Low Residential going to Higher Residential with the loss of Resource Conservation. He stated that we should not downplay what is being done to the FLUM because it is our guide.

Ms. Frischeisen showed the FLUM and explained what several parcels in the plan are currently zoned and what they are being used for. She noted any commercial uses in this area would be to scale with the neighborhood and will be used to meet the needs of the residents such as a B-1 or B-3 zoning. She noted the FLUM allows discretion when rezoning petitions come in.

Ms. Harris asked what Resource Conservation is. She stated there are two homes in an area shown on the map and would like to know what it means to go from Resource Conservation to Neighborhood Commercial.

Ms. Frischeisen responded that the parcels mentioned by Ms. Harris do have residences on them and that she spoke with one of the residents who asked if the City will attempt to acquire these properties. She stated the answer is no and the City is not actively seeking Commercial uses in these locations, but that in terms of long-term land use, Commercial would be a better fit for these properties given the location near U.S. 460. The FLUM is a guiding document, as it does not bind anything to a specific use, but is something the City can consult for future land use decisions.

Chair Rogers noted that there is a trucking company in the area shown on the map.

Ms. Frischeisen stated that Neighborhood Commercial uses surrounding the trucking company would be more beneficial to that site because the odds of that property ever being zoned anything other than Commercial are slim. She noted it makes sense for the land around it to be zoned as Commercial. She also noted the proximity to Highway 460 is something else to consider when zoning these surrounding areas as commercial.

Commissioner Bowden asked if this land was designated on the FLUM as Resource Conservation and if any rezoning had occurred.

Ms. Frischeisen replied it was most likely designated as Resource Conservation because it sits on a slope from Highway 460 and these areas are typically zoned as Resource Conservation but this does not mean it is a requirement.

Commissioner Light commended Ms. Frischeisen for the effort she has put into this presentation. He stated that 2205 Concord Turnpike was all owned by at one point by Charles Lynch and the house that is currently there is not thought to be his house but some of it may have been incorporated into the current house. He noted there is a grave on the property that Charles Lynch may be buried. He stated the marker has lettering on it but has deteriorated with age and that this is not part of the study but from a historical standpoint there needs to be an archaeological or architectural study of the property.

Ms. Frischeisen stated they will include a short section in the historic resources chapter for the potential of future study of this area.

Commissioner Light stated he would be interested to see if the owner would be cooperative with having a survey of the property done.

Ms. Frischeisen stated she will edit the plan to include a recommendation for future research on the history of the Charles Lynch property.

Commissioner Light stated it would be beneficial to get the land closer to Concord Turnpike included in the study.

Commissioner Bowden clarified what was talked about regarding the FLUM and its changes. He noted that the FLUM is a guide but does not indicate that those uses must happen. He also reiterated that any changes made to the FLUM will come before the Planning Commission and City Council. These would both be public hearings.

Ms. Harris noted her concern if the FLUM is changed from Resource Conservation to Neighborhood Commercial that it opens the door to commercial development.

Commissioner Bowden clarified that this meeting is about the conversation not about the conclusion. He also noted that if the FLUM is changed this does not mean the City advertises this for commercial use.

Commissioner Perault asked what is the current zoning of the parcels in question and noted that whatever they are currently zoned is going to designate what can and cannot be done.

Ms. Frischeisen replied that a small portion is zoned B-3, Community Business but the majority is zoned R-2, Low-Medium Density Residential. She noted that the proposed change to Neighborhood Commercial is a more appropriate use for these parcels.

Mr. Schubert asked if there are any plans on for employment opportunities for residents.

Ms. Frischeisen replied there is potential for mixed use development on the south side of U.S. 460 which would contain both commercial and residential uses, there is potential employment in the commercial portions.

Chair Rogers asked if there are any local examples of mixed use for reference. He asked for clarification if this will be a commuter neighborhood.

Ms. Frischeisen stated that a Traditional Neighborhood Development (TND) is a possibility for the southside of Highway 460. She noted in the plan that there is a designation for employment area off of Nickerson Road.

Chair Rogers asked if there are only houses and no commercial uses along Nickerson Road.

Chair Rogers noted that we cannot develop large pieces of land for employers without having the appropriate infrastructure. He asked if sewer was something that the City was looking into.

Ms. Frischeisen replied that the Department of Water Resources is looking at the cost per lot of extending sewer in several neighborhoods throughout the city through a sewer master plan process. She noted that because of the topography in the neighborhood, it is expensive.

Chair Rogers asked where the connecting bridge will be and end.

Ms. Frischeisen replied it is simply a connector to Holcomb Path Road and Tyreeanna Road.

Chair Roger noted that these two roads did connect at one time and this bridge would follow the same path.

Ms. Musgrave asked if you would be able to exit U.S. 460 at Holcomb Path Road and go across Tyreeanna Road.

Chair Rogers stated it looked as if there is no connection with U.S. 460 associated.

Ms. Frischeisen stated that the plan is proposing it as a connector between the two halves of the neighborhood. It would not have direct access onto the bridge from U.S. 460.

Ms. Harris commented that with the bridge, you could come straight across U.S. 460.

Chair Rogers noted that this is a plan and that it is just showing how it could work. He noted there are a lot of opportunities and potential in this plan.

Ms. Frischeisen stated that U.S. 460 belongs to VDOT and any changes done around U.S. 460 would be

in collaboration with them. The plan is not meant to articulate the exact details or the “how,” but “what could be.”

Commissioner Perault asked if the James River Parkway is conceptual.

Ms. Frischeisen stated the James River Parkway will connect from downtown Lynchburg into the landfill park.

Mr. Martin stated it would connect at Main Street and where it ties into Tyreeanna is conceptual.

Commission Perault asked if this would allow to bypass the Railroad crossing on Concord Turnpike.

Mr. Martin replied yes.

Chair Rogers noted that there are some good images of these concepts that are accessible to the public.

Commissioner Perault stated a citizen’s survey was done several years ago and riverfront access was asked about in this survey. He stated this area was identified as potential and asked if this was discussed in the plan.

Ms. Frischeisen stated it was not discussed in plan because of issues with the railroad. She noted that in terms of the greenway as it runs through Holcomb Path Road, over the proposed bridge, up Pleasant Valley Road, there is potential of Amherst extending their trail from riverfront park. There may be long term potential of access from the Amherst County side.

Commissioner Perault noted this area was identified in the survey since there is land between the railroad tracks and river.

Ms. Frischeisen stated this is correct but how to get people there safely has not been identified.

Chair Rogers asked if the area shown on the map is private farm land.

Ms. Frischeisen replied yes and that the railroad owns some pieces of land as well.

Commissioner Perault stated that Richmond has solved the railroad issue with putting crossings in place. He noted that the bigger issue is the ownership of the property.

Chair Rogers noted this is a good trail master plan discussion.

Ms. Frischeisen stated this something that can be added to the plan, studied, and options can be looked at for riverfront access.

Commissioner Perault stated that it is important.

Commissioner Lowe stated several years ago a concept plan was given with loop that went along the river by Percival’s Island and came down by the downtown market but was lacking a comeback underneath the bridge to complete the loop.

Ms. Frischeisen noted this was the recreation loop from the Downtown 2040 plan. She stated the challenge is the Carter Glass Bridge. If the trails were to expand, the proposed greenway in Tyreeanna could connect.

Commissioner Lowe stated there is a similar plan in a neighboring city.

Ms. Frischeisen noted that the City owns the John Lynch Bridge and it would not be as challenging to get some of the features discussed. She stated the City would have to work with VDOT on any of the other Lynchburg bridges across the river.

Commissioner Lowe stated he brought this up because it has been looked at in the past.

Ms. Frischeisen stated the 2040 Plan looks at river access at Foundry Park.

Chair Rogers noted that many of the questions have been addressed and the next goal is to send this to City Council.

Ms. Frischeisen replied this is correct and the several edits noted in the meeting will be made.

Chair Rogers asked if at Concord Turnpike if the road will be redone to put a bike trail into it.

Ms. Frischeisen stated this is a priority to look for opportunities to retrofit streets into "complete streets" or those with bike/pedestrian features but it will need evaluation. The plan recommends evaluating which streets are priority candidates for "complete streets."

The audience asked if there is any property in Tyreeanna that the city owns that is for sale.

Ms. Frischeisen noted that the city isn't actively marketing property for sale in the area but directed the audience to the department of Economic Development if they want to inquire about a specific property.

Commissioner Johnson made the following motion, seconded by Commissioner Lowe, and approved by the following vote:

"Based on the preceding Findings of Fact, the Planning Commission recommends to City Council, adoption of the Tyreeanna & Pleasant Valley Neighborhood Plan, including the amendments to the Future Land Use Map as outlined in the plan, for inclusion in and as part of the City's Comprehensive Plan 2013-2030."

AYES:	Bowden, Johnson, Light, Lowe, Perault, and Rogers	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Marion	1

Commissioner Perault applauded the work going into this.

Chair Rogers noted this a real effort to address the unkept promises noted by the audience.

4. Resolution of Service for Commissioner Mark Lowe:

Commissioner Light made a motion to accept the Resolution of Service, seconded by Commissioner Johnson, and approved by the following vote:

AYES:	Bowden, Johnson, Light, Lowe, Perault, and Rogers	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Marion	1

5. Upcoming Meetings:

The next regular meeting will be Wednesday, January 12, 2022.

6. Adjournment:

There being no further business, the meeting was adjourned at 5:26 p.m.

ATTEST: _____ ATTEST: _____
City Planner Chair Roger



Memorandum

Planning Division • Community Development

900 Church Street
Lynchburg, Virginia 24504
P 434-455-3900

To: Planning Commission

From: Rachel Frischiesen, Planner II

CC: Mr. Wynter C. Benda, City Manager; Dr. Reid Wodicka, Deputy City Manager; Mr. Matthew Freedman, City Attorney; Mr. Kent L. White, Director of Community Development; Mr. J. Lee Newland, City Engineer; Ms. Cynthia Kozerow, Lynchburg Police Department; Battalion Chief Thomas Goode, Fire Marshal; Mr. Doug Saunders, Building Official; Mr. Kevin Henry, Zoning Administrator

Date: December 10, 2021

RE: Tyreeanna & Pleasant Valley Neighborhood Plan

The Tyreeanna and Pleasant Valley Neighborhood Plan is a product of the input received from neighborhood residents, citizen members of the project's Steering Committee, City of Lynchburg staff and the consultant firm Hill Studio working together to envision opportunities for sustainable growth in the neighborhood. The draft plan includes recommendations for recreation improvements for parks and trails, neighborhood gateway enhancements, as well as quality of life improvements in the neighborhood.

The plan has been developed under the direction established by the City's Comprehensive Plan 2013 - 2030 to build strong neighborhoods; conserve the City's unique places and resources; promote business vitality; enhance the attractiveness of gateways and travel corridors; and protect the natural environment while also promoting sensitive development and redevelopment. To achieve this vision, the Tyreeanna and Pleasant Valley Neighborhood Plan is to be adopted as a supplement to the Comprehensive Plan 2013 - 2030; as such, it reinforces and extends its goals and policies.

At the December 15, 2021 Planning Commission meeting, city staff and Josephine Arbaugh from the City's consultant firm Hill Studio will present the plan findings/recommendations and answer questions from the Commission.

After discussion, it is the recommendation of the Planning Division that the plan be forwarded to Council for inclusion in the City's Comprehensive Plan 2013-2030.

If you have questions, please contact me at (434) 455-3900 or rachel.frischeisen@lynchburgva.gov.

Attachment: Resolution

RESOLUTION OF THE LYNCHBURG PLANNING COMMISSION

WHEREAS: The *Tyreeanna & Pleasant Valley Neighborhood Plan* has been developed under the direction established by the *Comprehensive Plan 2013 - 2030* to build strong neighborhoods; conserve the City's unique places and resources; promote business vitality; enhance the attractiveness of gateways and travel corridors; and protect the natural environment while also promoting sensitive development and redevelopment.

WHEREAS: The *Comprehensive Plan 2013-2030* recommends working with residents to develop community-based neighborhood plans that address neighborhood issues.

WHEREAS: the *Tyreeanna & Pleasant Valley Neighborhood Plan* has been prepared in collaboration with neighborhood residents and city departments.

WHEREAS: the *Tyreeanna & Pleasant Valley Neighborhood Plan* reflects the aspirations of the community, sets realistic goals and identifies specific recommendations to achieve those goals.

NOW THEREFORE BE IT RESOLVED by the Lynchburg Planning Commission that in order to promote the public necessity, convenience, general welfare and good zoning practice, the Planning Commission recommends to City Council, adoption of the *Tyreeanna & Pleasant Valley Neighborhood Plan*, including the amendments to the *Future Land Use Map* as outlined in the plan, for inclusion in and as part of the *City's Comprehensive Plan 2013-2030*.

Adopted: 12/15/21

Certified: Willie J. McFarland

Secretary, Lynchburg Planning Commission

Tyreeanna & Pleasant Valley Neighborhood Plan

City Council Public Hearing

March 8, 2022

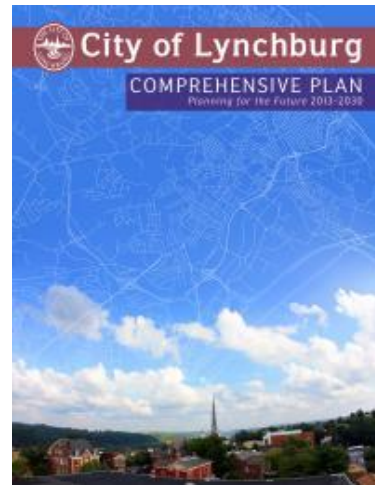
David P. Hill, ASLA

President, Hill Studio



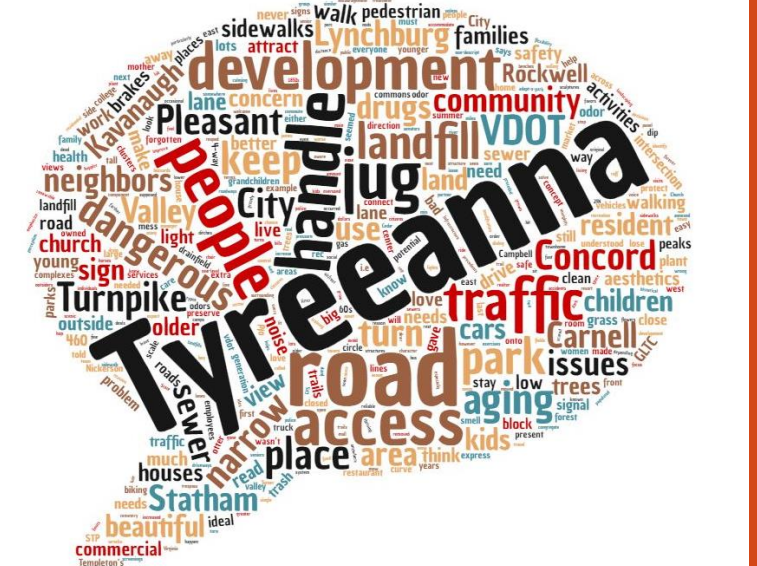
Purpose & Need

- Comprehensive Plan
- Other current plans
- Growth



Planning Process

- Steering Committee
- Community Workshop
- COVID-19 impact
- Virtual Meeting
- Planning Commission



Key Takeaways from Public Input



- History
 - Important sites within the neighborhood



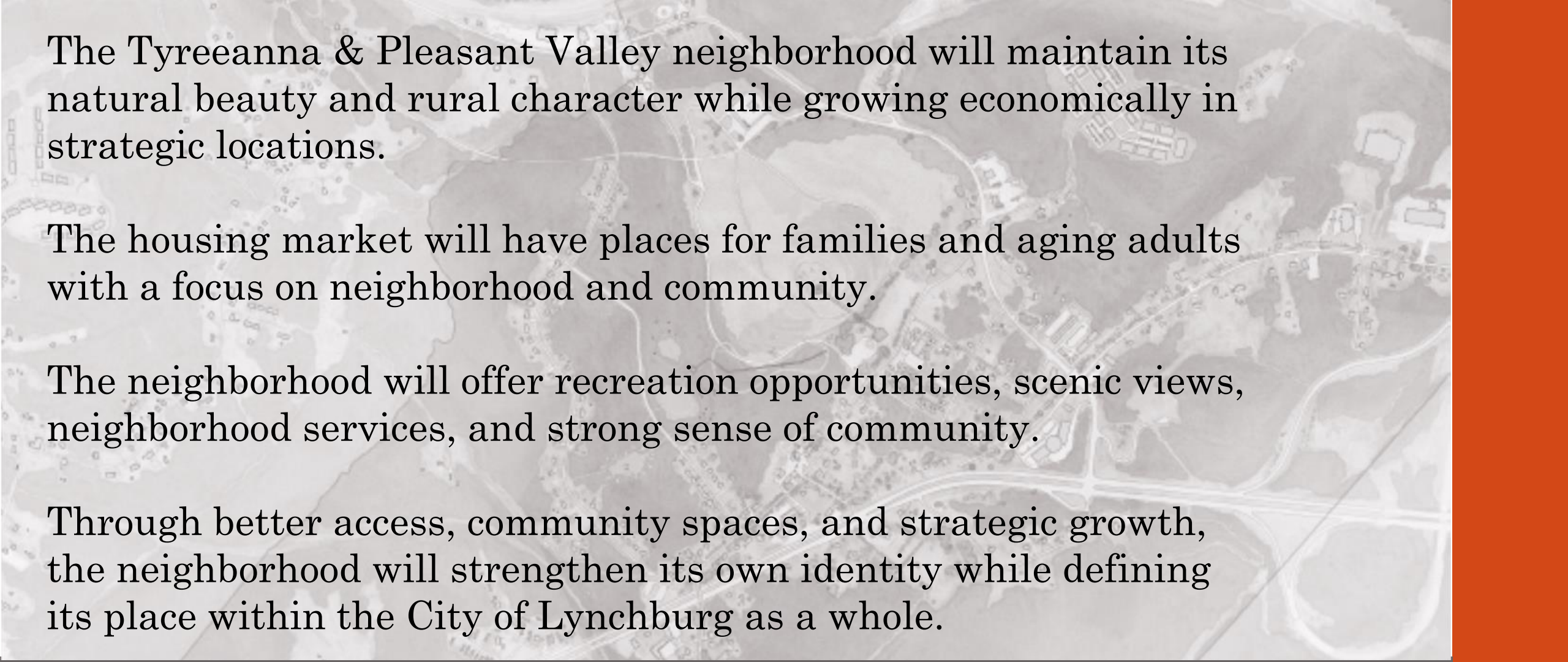
- Land Use
 - Need for a multi-generational community
 - Lack of public gathering space



- Mobility
 - Safety concerns for walking & biking
 - Traffic speeds



- Maintenance & Appearance

An aerial photograph of a suburban neighborhood with houses, trees, and winding roads. The image is faded and serves as a background for the text.

The Tyreeanna & Pleasant Valley neighborhood will maintain its natural beauty and rural character while growing economically in strategic locations.

The housing market will have places for families and aging adults with a focus on neighborhood and community.

The neighborhood will offer recreation opportunities, scenic views, neighborhood services, and strong sense of community.

Through better access, community spaces, and strategic growth, the neighborhood will strengthen its own identity while defining its place within the City of Lynchburg as a whole.

Vision Statement

REPURPOSED LANDFILLS



BALLOON FLETA PARK

Location: Albuquerque, NM
Area: 358 acres

Key features: Balloon Flesta

Amenities: Ballooning, golfing, model aircraft flying, bicycle racing, car shows, concerts, movie productions, weddings, picnics, special events

① ②

CESAR CHAVEZ PARK

Location: Berkeley, CA
Area: 90 acres

Key features: Berkeley Kite Festival

Amenities: Large multi-purpose turf area, picnic areas, hiking trails, off-leash dog area, wildlife sanctuary

⑤ ⑥ ⑦



Cesar Chavez, built on the site of a former landfill, offers a wide range of recreational opportunities in a marina setting with spectacular views of the three bay bridges, Alcatraz, and Angel Island.

⑦ CESAR CHAVEZ PARK

GREEN HILLS COUNTY PARK

A day at Green Hills County Park provides a variety of recreational activities for all ages. The park includes a playground, trail access, picnic shelter and restroom facilities.



McALPINE CREEK COMMUNITY PARK

The disposal area was covered with grass and trees. Soccer fields, walking paths, a dog park, and a parking lot were located on the disposal area.



MOUNT TRASHMORE PARK

MOUNT TRASHMORE PARK

Location: Virginia Beach, VA
Area: 165 acres

Key features: World-famous, 24,000-sf skate park graced by professional skateboarders

Amenities: Two manmade mountains, two lakes, two playgrounds, a skate park and vert ramp, and multi-use paths

③ ④

GREEN HILLS COUNTY PARK

Location: Raleigh, NC
Area: 73 acres

Amenities: Picnic tables, shelters, walking trails, mountain biking trails, a multi-use trail "Top of the Hill Trail", playground, open play area,

⑧ ⑨ ⑩



⑪ ⑫ ⑬

For nine days in October, the New Mexico skies are painted as hundreds of balloons lift off from Albuquerque's Balloon Fiesta Park.



Tyreanna Park

- 1 James River Pavilion & Walk
- 2 Interactive Sculpture
- 3 Dog Park
- 4 Pollinator Valley
- 5 Healing Arts Trail Loop
- 6 Tent Camping Loop
- 7 Tiny House Camping
- 8 RV Loop
- 9 Wild Flowers Field
- 10 Kite / Frisbee/ Balloon field
- 11 Slide & Sled
- 12 Community Center & Multi-Gen. Play
- 13 Elevated Canopy Walk
- 14 Active Sports Pump Track

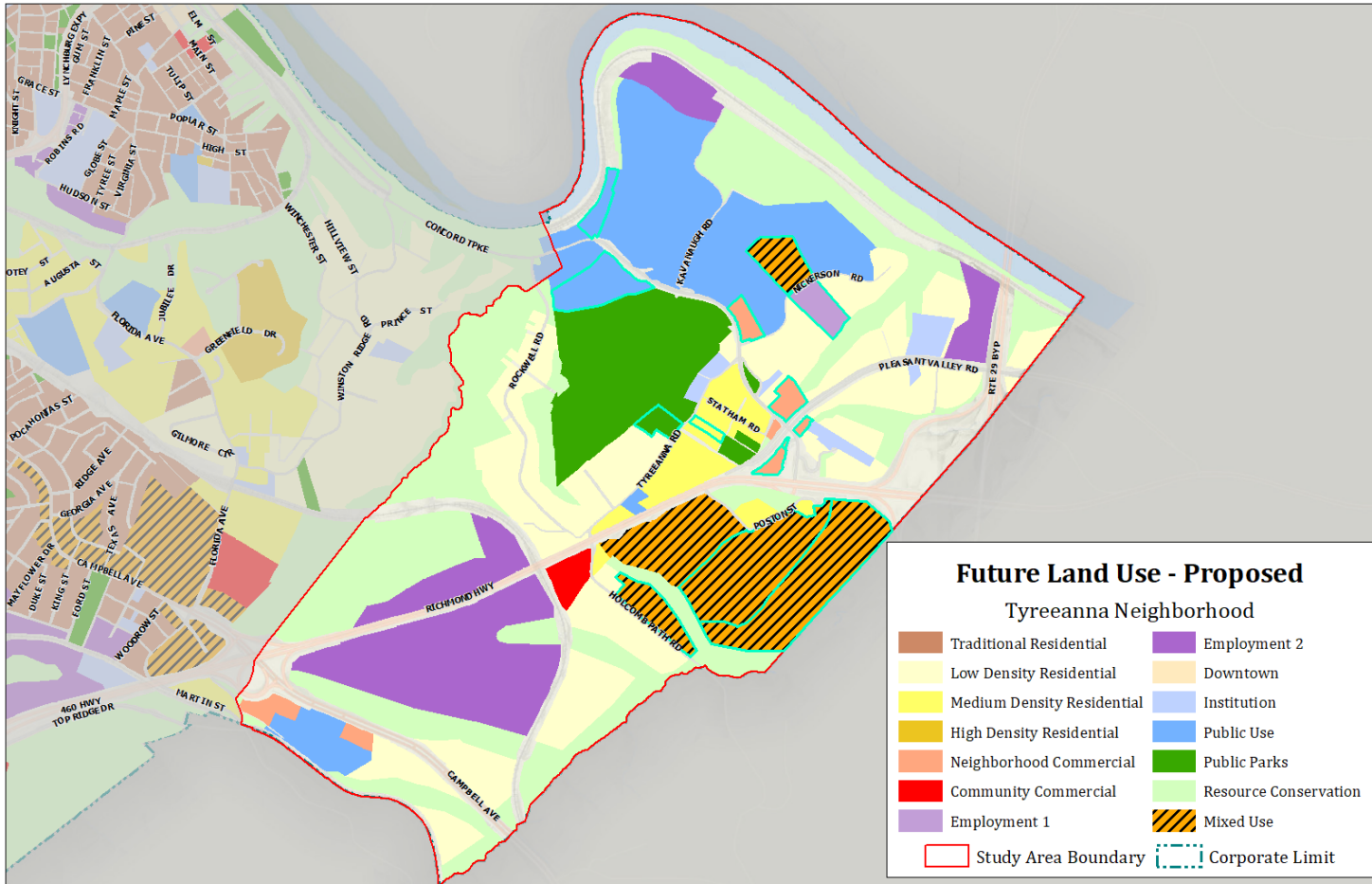


Pocket Neighborhood Concept



Economic Development

- Mixed Use Areas
- Business/Research Park
- Neighborhood Commercial



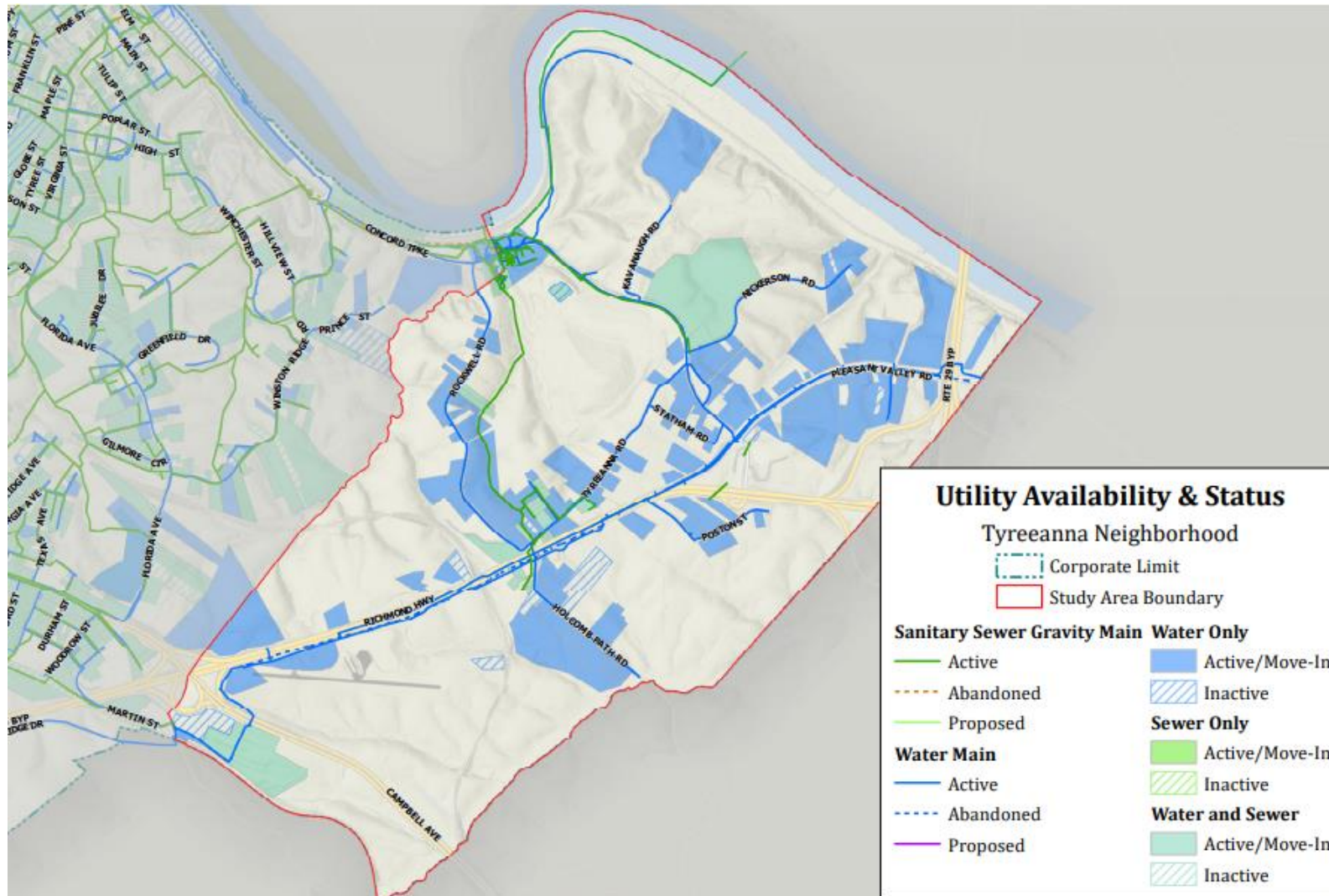
Neighborhood Commercial Areas



Crystal Springs commercial corner in a residential neighborhood. Roanoke, VA



Utility Infrastructure

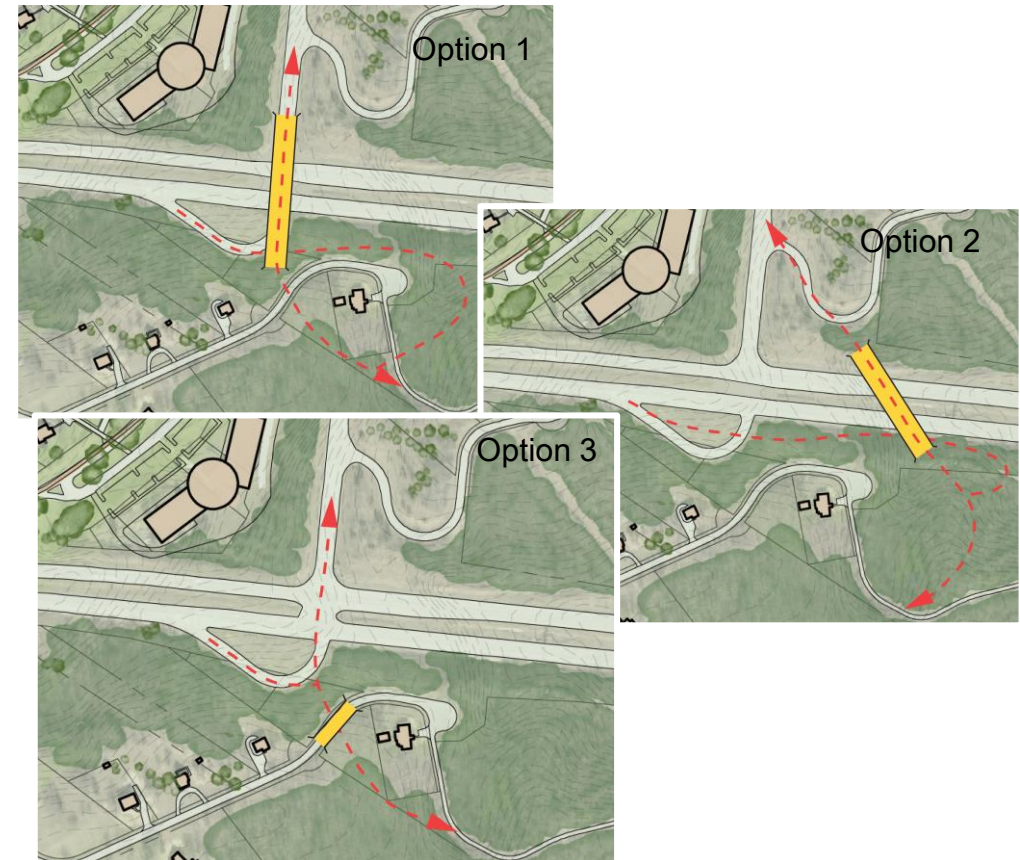


Connectivity

- James River Parkway

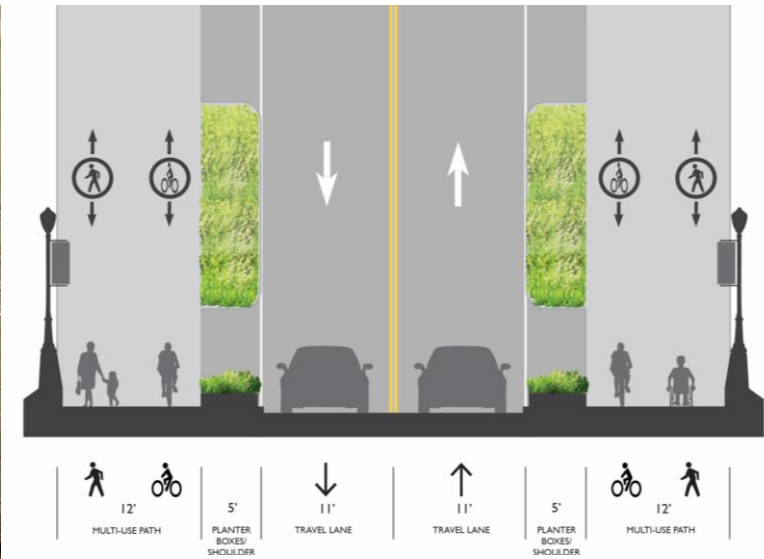


- Concord Turnpike & U.S.29/460 Bypass – “the Jughandle”



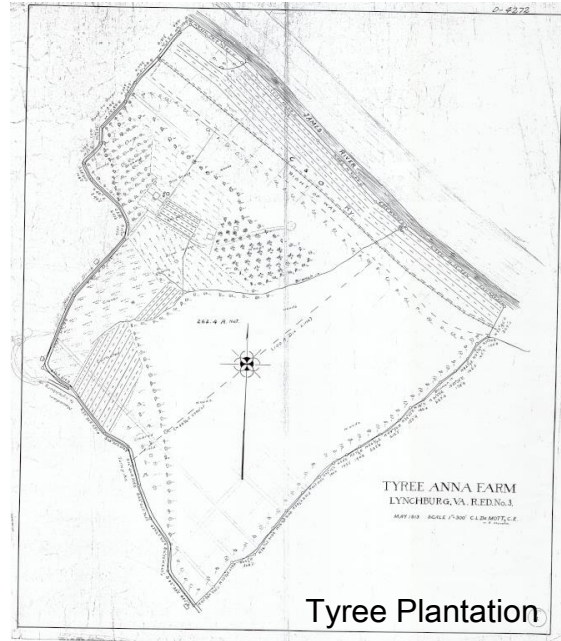
Connectivity

- Holcomb Path Road Bridge



Historic Resources

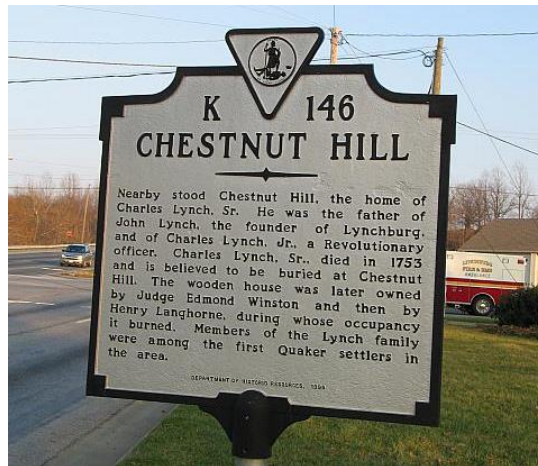
- Pleasant Valley
- Tyree Plantation
- Chestnut Hill
- Lower Basin



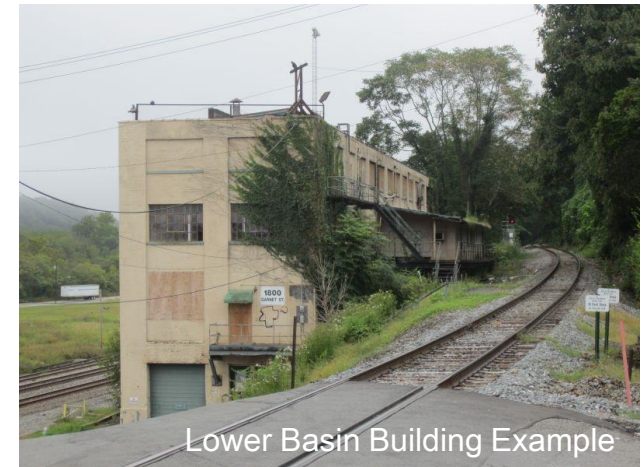
Tyree Plantation



Megginson School



Megginson Homestead



Lower Basin Building Example

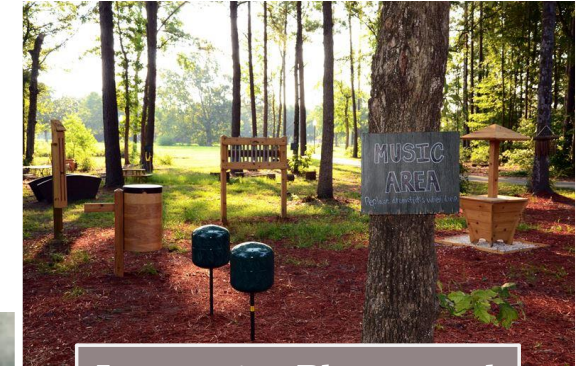
Greenway System



Community Garden/Courtyard



Heritage Sculpture Park



Interactive Playground



Fitness Stations

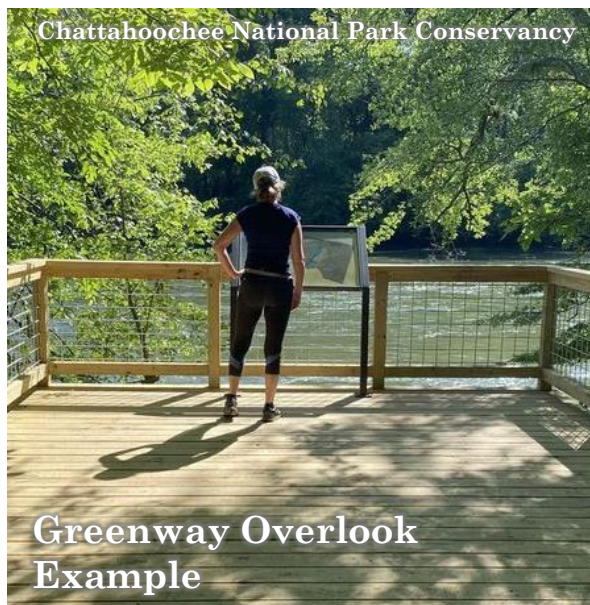


Kipp Teague
(Flickr)



Crystal Springs, Roanoke

Neighborhood
Commercial Examples



Chattahoochee National Park Conservancy

Greenway Overlook
Example



Neighborhood Gateway
Example



Pocket Neighborhood

Arlington Place



Riverside Park
Pollinator Garden
(BeeCity USA)

1. An Identity from history and assets.
2. An Urban design palette
3. A neighborhood commercial area
4. A greenway system.
5. Repurpose of brownfield sites
6. An attractive public outdoor destination.
7. Protection of historic sites
8. Housing types for diverse demographics (young families and aging population groups)
9. A streetscape plan for complete streets.
10. City and neighborhood gateways.

Key Recommendations

Questions & Discussion

Tyreeanna Neighborhood Plan

December 15, 2021

PLEASE PRINT CLEARLY

[illegible]

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **March 8, 2022**

AGENDA ITEM #: **10**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Lynchburg Police Department Headquarters Building Project

RECOMMENDATION: Receive public input on Public-Private Education Act (PPEA) proposals received for the Lynchburg Police Department headquarters building project.

SUMMARY: In March 2021, the City of Lynchburg received an unsolicited PPEA proposal from English Construction for the Lynchburg Police Department (LPD) headquarters building project. After review and determination that the proposal met all requirements, the City chose to consider the proposal and advertised for competing proposals. One other proposal was received from Jamerson-Lewis Construction in May 2021.

PRIOR ACTION(S):

January 10, 2017: City Council reviewed the key recommendations of a Space Needs Assessment for the LPD.

May 23, 2017: City Council approved Capital Improvement Plan Budget that includes construction of a new LPD headquarters building.

December 14, 2021: Chief Zuidema provided an update on the status of the LPD headquarters building project.

FISCAL IMPACT: \$47,448,904

CONTACT(S): Ryan M. Zuidema, Chief of Police, 455-6145
Stephanie Suter, Procurement Manager, 455-3963

ATTACHMENT(S): N/A

REVIEWED BY: MMB WCB

049A

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **March 8, 2022**

AGENDA ITEM #: **11**

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

ITEM TITLE: Change of Voting Location in Ward IV, Precinct 1 from Crosspoint Community Church to St. Thomas More Catholic Church

RECOMMENDATION: After a public hearing, adopt an ordinance amending Section 14-35 (paragraph 1) of the City Code moving the voting location for Ward IV, Precinct 1 from Crosspoint Community Church, 7619 Timberlake Road to St. Thomas More Catholic Church, 3015 Roundelay Rd.

SUMMARY: Crosspoint Church is the Ward IV, Precinct 1 polling location, the church no longer wishes to be a polling location effective immediately. St. Thomas More Catholic Church has agreed to serve as a polling location for Ward IV, Precinct 1.

PRIOR ACTION(S): N/A

FISCAL IMPACT: Cost of printing and mailing new voter notices to approximately 5,267 as well as required legal ads in the local newspaper.

CONTACT(S): Christine Gibbons, Registrar, 477-5995
David Neumeyer, Electoral Board Chair, 477-5999

ATTACHMENT(S):

- Ordinance
- Map
- BMS Direct Cost Estimate
- Estimate with Budget Lines
- Affidavit

REVIEWED BY: alf

043A

ORDINANCE:

#O-22-__

AN UNCODIFIED ORDINANCE TO CHANGE THE POLLING PLACE OF THE FIRST PRECINCT OF THE CITY'S FOURTH WARD FROM CROSSPOINT CHURCH TO ST. THOMAS MORE CATHOLIC CHURCH

WHEREAS, Section 14-35 of the Lynchburg City Code provides that Crosspoint Church, 7619 Timberlake Road, Lynchburg, Virginia 24502, shall be the polling place for the First Precinct of the City's Fourth Ward through the November 2019 election; and

WHEREAS, as of the adoption date of this Ordinance, for reasons communicated to the City's Registrar and Electoral Board by Crosspoint Church, Crosspoint Church is no longer an option to be used as a polling place for the First Precinct of the City's Fourth Ward; and

WHEREAS, St. Thomas More Catholic Church, 3015 Roundelay Road, Lynchburg, Virginia 24502 is a feasible and permissible polling place for the First Precinct of the City's Fourth Ward; and

WHEREAS, the intent of this Ordinance is to lawfully change the polling place of the First Precinct of the City's Fourth Ward for the primary elections which may occur in the year 2022; and

WHEREAS, the polling place for the First Precinct of the City's Fourth Ward shall be codified at a later date once the City finalizes its election ordinances this year in accordance with Virginia law; and

WHEREAS, a public hearing concerning the adoption of this Ordinance was held on March 8, 2022, at 7:30 p.m., or as soon thereafter as could have been heard, after being duly published and advertised in The News & Advance on February 15, 2022, and February 23, 2022, a newspaper having general circulation within the City and the First Precinct of the City's Fourth Ward.

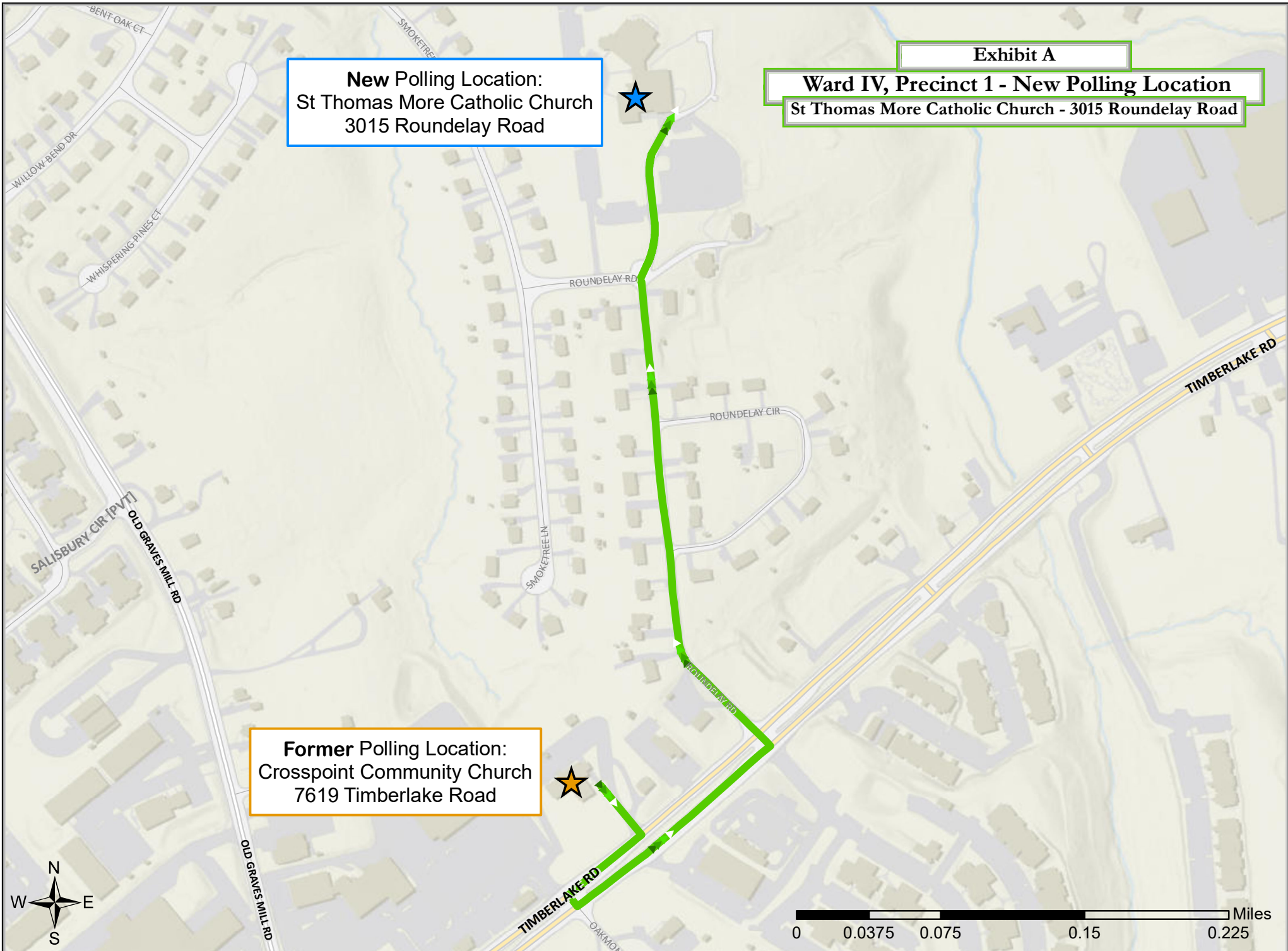
THEREFORE, BE IT ORDAINED BY COUNCIL OF THE CITY OF LYNCHBURG:

1. That the polling place of the First Precinct of the City's Fourth Ward is hereby moved and relocated from Crosspoint Church, 7619 Timberlake Road, Lynchburg, Virginia 24502, to St. Thomas More Catholic Church, 3015 Roundelay Road, Lynchburg, Virginia 24502. A GIS map showing the location of such new polling place is attached hereto as Exhibit "A".
2. That this Ordinance shall expire and be automatically repealed upon (i) the City's 2022 redistricting process being finalized and (ii) an ordinance being adopted in 2022 which codifies a polling place for the First Precinct of the City's Fourth Ward.
3. That this Ordinance shall be effective upon its adoption.
4. That the City Manager and City Attorney, on behalf of this Council and the City, are hereby authorized and directed to take the appropriate steps necessary to ensure the Commonwealth of Virginia's preclearance requirements for this matter are duly satisfied.

Adopted:

Certified:

Clerk of Council



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.



Estimate

Estimate #: 44795

Est Date: 11/1/2021

CustCode: CLBC&M

BMS Direct - 37 Millrace Drive - Lynchburg, VA 24502-4343

Phone: (866) 816-2378 Fax: (434) 455-7749

CUSTOMER INFO	JOB INFO	Estimate # 44795
Attn: Christine Gibbons City of Lynchburg Commun. & Public Engage 900 Church Street Lynchburg VA 24504 Phone: (434) 477-5999 x Cell: Email: christine.gibbons@lynchburgva.gov	Account Rep: Byrrl Sheppard Email: Job Name: Registrar's Office - Polling Change Lette Terms: Net 30 Days Data Due: Pstg \$ Due: Material Due: Drop Date:	

Estimated Quantity: 5,187

Data Processing

SubTotal: \$542.16

Lettershop

SubTotal: \$200.61

Print

SubTotal: \$259.35

*Postage must be received 24 hours in advance of mail date

*This estimate is valid for 30 days and is subject to change based on review of 'live' data and material

Sub Total:	\$1,002.12
Tax:	\$0.00
Total Services:	\$1,002.12
Postage:	\$0.00
Total Incl. Postage:	\$1,002.12

Comments

City of Lynchburg to supply the following items:

- City provide PDF images of all letters
- Artwork for #10 window carrier, to print in blue ink (BMS has artwork from last year)
- Artwork for the letter, to print 8.5 x 11, simplex

BMS will provide the following services:

- Print #10 window carriers, 1/0 (blue ink)
- Print all PDF images, add 2D barcode for sequence information, simplex, b/w
- Print polling change notice 24# white, non-perf, 8.5 x 11, b/w, simplex (no Bleed)
- Fold letter and insert
- Seal, sort, tray
- Deliver to LYN USPS

NOTE: postage is not included in the processing total above. First Class estimated postage for 5,000 pieces x \$0.426 each = \$23,301.77 Exact postage will be determined by how your mailing list sorts. Postage must be received three days prior to mailing.

Electoral Board/Registrar's Breakdown of Estimated Costs Notification to Voters in Ward 4 Precinct 1 of polling place relocation		
1001-2065-0151-30900-0099	Misc Confs Sv (Bulk Mailing Service)	\$1,002
1001-2065-0151-55850-1001	Postage (mailing notifications to approximately 5,267	\$23 301
1001-2065-0150-30500.001	Advertising: legal notice	\$350
	Total:	\$24,653

The News & Advance

Advertising Affidavit

101 Wyndale Drive
Lynchburg, Virginia 24501
(434) 385-5400

Account Number

3658778

Date

March 02, 2022

CITY OF LYNCH./GENERAL REGISTRAR
P.O. BOX 10036
LYNCHBURG, VA 24506-0036

Date	Category	Description	Ad Size	Total Cost
03/04/2022	Legal Notices	NOTICE IS HEREBY GIVEN that a public hearing will be held c	2 x 19 L	368.80

NOTICE IS HEREBY GIVEN that a public hearing will be held on **March 8, 2022, at 7:30 p.m.**, or as soon thereafter as may be heard, before the Lynchburg City Council in the Council Chamber of the City Hall located at 900 Church Street, Lynchburg, Virginia 24504 for purposes of receiving public comment on a proposed change in the polling place of the First Precinct of the City's Fourth Ward. Such change in polling place is proposed to be from Crosspoint Church, located at 7619 Timberlake Road, Lynchburg, Virginia 24502 to St. Thomas More Catholic Church, 3015 Roundelay Road, Lynchburg, VA 24502. A copy of the ordinance and GIS map associated with such proposed change are available for inspection and review during normal business hours (Monday-Friday, 8:30 a.m. to 5:00 p.m.) in the office of the Clerk of Council in the City Hall, City's Council/Manager Offices, 900 Church Street, Lynchburg, Virginia 24504. All persons are invited to attend the said public hearing to express their views concerning the proposed change in polling place. Questions and/or comments concerning this matter should be directed to Alicia Finney, the City's Clerk of Council, at (434) 455-3990 or alicia.finney@lynchburgva.gov.

Publisher of the News & Advance

This is to certify that the attached NOTICE IS HEREBY GIVEN th was published by the News & Advance in the city of Lynchburg, in the State of Virginia, on the following dates:

02/15, 02/23/2022

The First insertion being given ... 02/15/2022

Newspaper reference: 0001306157


Billing Representative

Sworn to and subscribed before me this March 02, 2022


Notary Public

State of Virginia
County of Hanover
My Commission Expires

Richard A. Hundley
Notary Public
Commonwealth of Virginia
Notary Registration No. 7904041
Commission Exp. Jan 31, 2024

THIS IS NOT A BILL. PLEASE PAY FROM INVOICE. THANK YOU

ORDINANCE:

#O-22-019

AN UNCODIFIED ORDINANCE TO CHANGE THE POLLING PLACE OF THE FIRST PRECINCT OF THE CITY'S FOURTH WARD FROM CROSSPOINT CHURCH TO ST. THOMAS MORE CATHOLIC CHURCH

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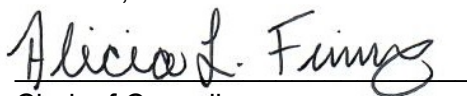
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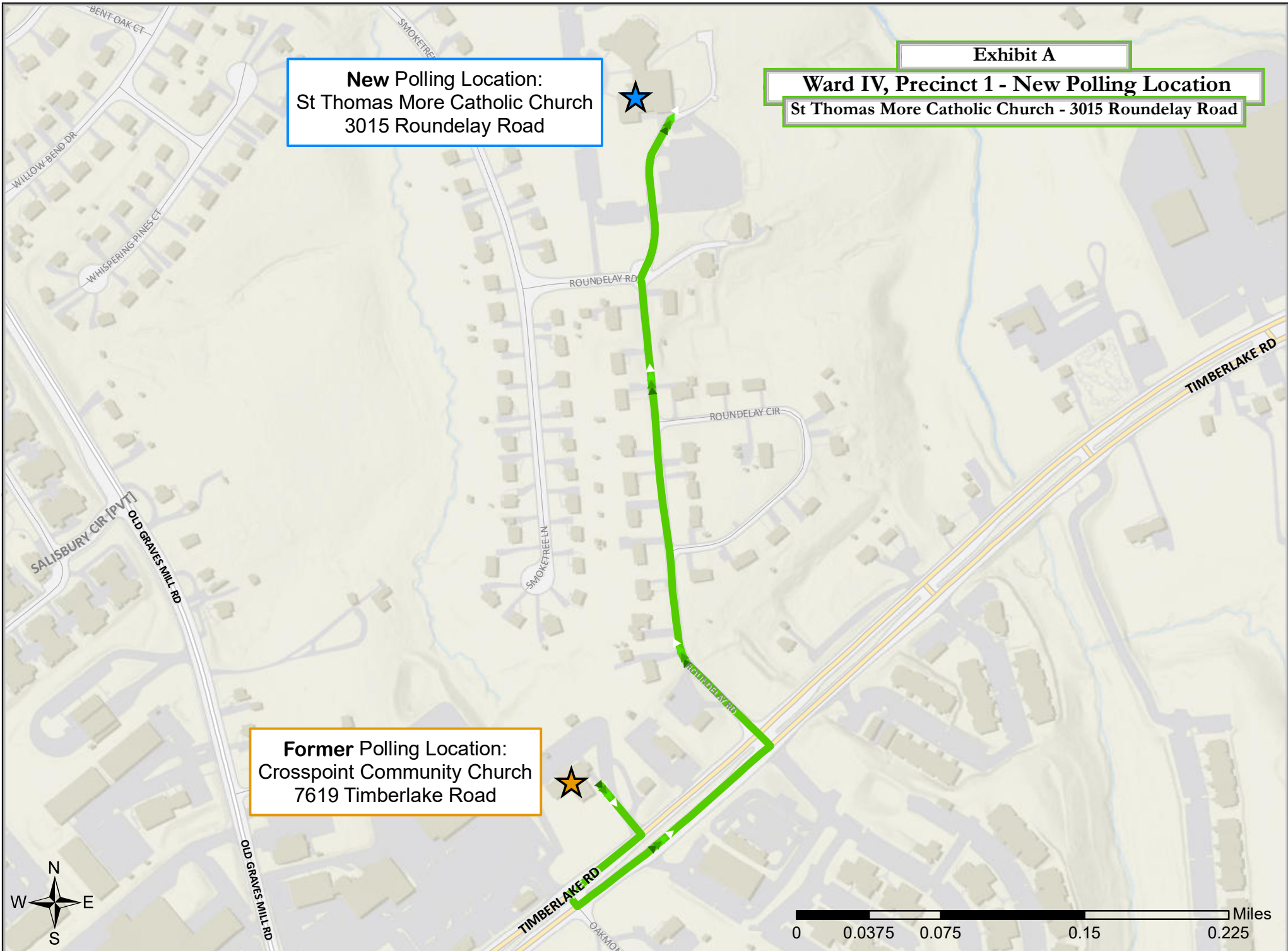
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Adopted: March 8, 2022

Certified:


Clerk of Council



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March 8, 2022



CITY COUNCIL AGENDA ADDENDUM | PUBLIC COMMENT

City Council Meeting - 7:30 P.M.
Council Chamber, City Hall, 900 Church Street

A) Hear from a citizen regarding a matter. (Denise Scruggs)

RULES OF PROCEDURE

- // An individual may speak for up to 3 minutes; please state clearly your name and locality of residence.
- // A group spokesperson may speak for up to 5 minutes; please state clearly your name and the group you will be representing.

Citizens often express conflicting and diverse positions regarding specific issues under consideration. To encourage citizen participation and to avoid intimidation to persons who may express sometimes unpopular opinions, **applause, cheers, or jeers from the audience are not permitted**. When appearing before City Council, citizens may not engage in behavior that intimidates or insults others, engage in disruptive behavior, use profanity or vulgar language, promote private business ventures or campaign for public office.

Finney, Alicia

From: Finney, Alicia
Sent: Monday, February 21, 2022 2:51 PM
To: Scruggs, Denise
Subject: Re: February 2nd Council Meeting Regarding Improvements at Wigginton Center Improvements

Hi Denise,

The cut-off for Public Comment for the February 22, 2022 meeting was last Friday at noon. I'll go ahead & place you on the agenda for our next City Council meeting on March 8, 2022.

Thank you,

ALICIA L. FINNEY – Clerk of Council
City of Lynchburg
900 Church Street
Lynchburg, VA 24504
P: [\(434\) 455-3990](tel:4344553990) **F:** [\(434\) 847-1536](tel:4348471536)

From: Scruggs, Denise <scruggs.dr@lynchburg.edu>
Sent: Sunday, February 20, 2022 8:30:09 PM
To: Finney, Alicia <Alicia.Finney@lynchburgva.gov>
Subject: February 2nd Council Meeting Regarding Improvements at Wigginton Center Improvements

CAUTION: External Sender

Alicia,
Hello. Can you put me on the agenda to make comments regarding improvements at the Wigginton Center? I appreciate it.

Thanks.
Denise

--

Denise Scruggs, ADC, CDP, CADDCT, CMDCP, PAC-CSE Trainer
University of Lynchburg- Beard Center on Aging
1501 Lakeside Drive, Lynchburg, VA 24501
(434)544-8456 fax (434)544-8580
Scruggs.dr@lynchburg.edu

- Victor W. Marshall Fellow in Applied Gerontology
- Board of Directors, Southern Gerontological Society
- Board of Directors, Cycling Without Age

Be the change you want to see in the world.
-Mahatma Gandhi



FISCAL YEAR 2023 BUDGET

March 8, 2022



FY 2023 BUDGET

To be the Lynchburg of **tomorrow**, we
must make investments **today**.





Engaged with City Council, residents, workforce, and stakeholders.

FY 2023

BUDGET DEVELOPMENT

- LYH is one of the youngest cities in the nation.
- To create a city that is furthering that growth, we must prioritize three things up front:
 - Public Safety
 - Jobs
 - Housing



FY 2023

BUDGET ACCOMPLISHMENTS

- **Balanced budget where ongoing revenues meet ongoing expenses.**
- **Effectively resourced municipal services.**
- **Personal property tax relief for ~50,000 vehicles at an average of \$115/vehicle.**
- **All Full Time Employees (FTEs) are paid a living wage or better.**
- **3% general wage increase with funds earmarked to impact compression.**



Priorities - PUBLIC SAFETY

- Office of the Commonwealth's Attorney:
 - Addition of one FTE
- Department of Emergency Services:
 - Addition of five FTEs
 - Computer-Aided Dispatch replacement
 - Radio replacement
- Fire
 - Increase starting salary to be the highest in the region and carry through the ranks
 - Addition of a firefighter FTE and a battalion chief FTE
 - Addition of civilian PIO



Priorities - PUBLIC SAFETY

- **Lynchburg Circuit and General District Courts:**
 - \$8.25 million in building updates
- **Lynchburg Sheriff's Office:**
 - Continued support of four FTEs through local funding
- **Police:**
 - Complete implementation of Pay Progression Plan
 - Funding for new headquarters building



Priorities - INFRASTRUCTURE

- **\$549,615,664 Capital Improvement Program investments**
- **Increase pay for Public Works and Water Resources personnel who perform critical functions and occupy difficult-to-fill positions, such as Commercial Driver's Licensed drivers**
- **Account for sewer fee increase mandated under CSO Consent Order and necessary water and stormwater fee increases due to increasing operational expenses**



Priorities - LIFELONG LEARNING

- Consistent level support for Lynchburg City Schools with informed investment in infrastructure and research into a FY2024 school funding formula
- New branch library
- Renovation of main library



Priorities - ECONOMIC DEVELOPMENT

- \$1.3 million for Ivy Creek Innovation Park development
- Street and utility extensions to additional areas for further economic development
- Employ higher education intern to establish Campus LYH
- Continued implementation of LYH Loves You Campaign
- Ongoing support for Greater Lynchburg Transit Company
- Incentivize northern air travel and routes to Chicago and Washington, D.C.



Priorities - QUALITY OF LIFE

- Extended season at Miller Park Pool
- Additional FTE at the Lynchburg Museum for education and engagement programming
- \$2.5 million investment in parks and trails systems
- New dog park
- City Stadium improvements for Lynchburg Hillcats and high school sports



Next Steps

- **March 8:**
 - **Budget Proposal**
- **March 15-17:**
 - **Budget and Brews**
- **March 22:**
 - **Joint Meeting with Lynchburg City Schools**
 - **Budget Public Hearing**
- **March 24:**
 - **Budget Reconciliation**
 - **Water Resources Rate Briefing**
- **March 29:**
 - **Budget Reconciliation (if needed)**
 - **Water Resources Rate Public Hearing**
- **March 31:**
 - **Budget Reconciliation (if needed)**
- **April 5:**
 - **Budget Reconciliation (if needed)**

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **March 8, 2022**

AGENDA ITEM #: **13**

REGULAR: **X** WORK SESSION:
ACTION: **X** INFORMATION:

CLOSED SESSION

(Confidential):

ITEM TITLE: Liberty Mountain Drive Acceptance from Virginia Department of Transportation (VDOT)

RECOMMENDATION: Approve the attached resolution requesting the Commonwealth Transportation Board to transfer Liberty Mountain Drive as an addition to the City's Street Inventory.

SUMMARY: VDOT has requested that the City of Lynchburg formally accept into our street maintenance system two sections of road that are currently considered frontage roads in their system. These two sections are (see attached map for specific sections):

A – B. Liberty Mountain Drive from Candler's Mountain Road south to Liberty University Drive

B – C. Liberty Mountain Drive from Liberty University Drive south to the end of public maintenance, approximately 0.25 miles from the City limits with Campbell County. This 0.25-mile section is currently maintained by LU and not VDOT. The City can work with LU and add it into our system next year.

The total length of these two sections is 0.92 miles, which would add 1.84 lane miles to the City street system. By taking these streets into the City system, the City will be responsible for any and all required maintenance including repaving, street lighting, mowing, snow removal, etc. If City Council approves the addition of these street sections, the Commonwealth Transportation Board will take action on this item at a future meeting.

These streets have been reviewed by Public Works and are in relatively good condition. There is an area that will require maintenance and VDOT has agreed, by letter, to perform that maintenance at no charge to the City. This is planned to be accomplished later this year.

PRIOR ACTION: October 9, 2019: Physical Development Committee recommended approval
January 28, 2020: City Council approved a Resolution. It was not acted on by the Commonwealth Transportation Board as VDOT found an error in the distances. It is now coming back before Council with the correct information.
February 22, 2022: Business Item Briefing

FISCAL IMPACT: This addition will require an increase to City maintenance expenses. However, the City will be reimbursed for the maintenance after July 1, 2023 by VDOT at the approved lane mileage rate, currently \$13,011.71 per lane mile. In total, this addition would add \$23,941.55 in annual maintenance reimbursement at the present rate.

CONTACT(S): Lee Newland, City Engineer 455-3947
Gaynelle Hart, Director of Public Works 455-4406

ATTACHMENT(S): Resolution
Map

REVIEWED BY: raw

042A

RESOLUTION:

RESOLUTION OF THE CITY OF LYNCHBURG, VIRGINIA

WHEREAS, the Lynchburg City Council requests that the Commonwealth Transportation Board transfer the frontage roads Route F-906 and Route F-907, known as Liberty Mountain Drive, from the Virginia Department of Transportation Primary System to the City of Lynchburg's local system of roads; and

WHEREAS, the roadways no longer functions as a frontage road; and

WHEREAS, the roadways are located within the City of Lynchburg corporate limits; and

WHEREAS, under Section 33.2-315 of the Code of Virginia (1950), as amended, a local governing body may request that the Commonwealth Transportation Board transfer such streets as it deems proper from the primary state highway system to the local system of roads operated by a locality receiving payments. Upon such transfer, the highways, bridges, and streets so transferred shall become for all purposes parts of the local system of roads operated by the City of Lynchburg.

NOW, THEREFORE BE IT RESOLVED, the City Council of Lynchburg, Virginia pursuant to Virginia Code Section 33.2-315, hereby requests that the Commonwealth Transportation Board authorize the transfer of those segments identified in the attached exhibit from the Primary system of the State Highways to the City of Lynchburg's local road system.

BE IT FURTHER RESOLVED, that the Lynchburg City Council requests that, for those segments identified on the attached exhibit, the Virginia Department of Transportation renumber the segments to be included as part of the local system; and,

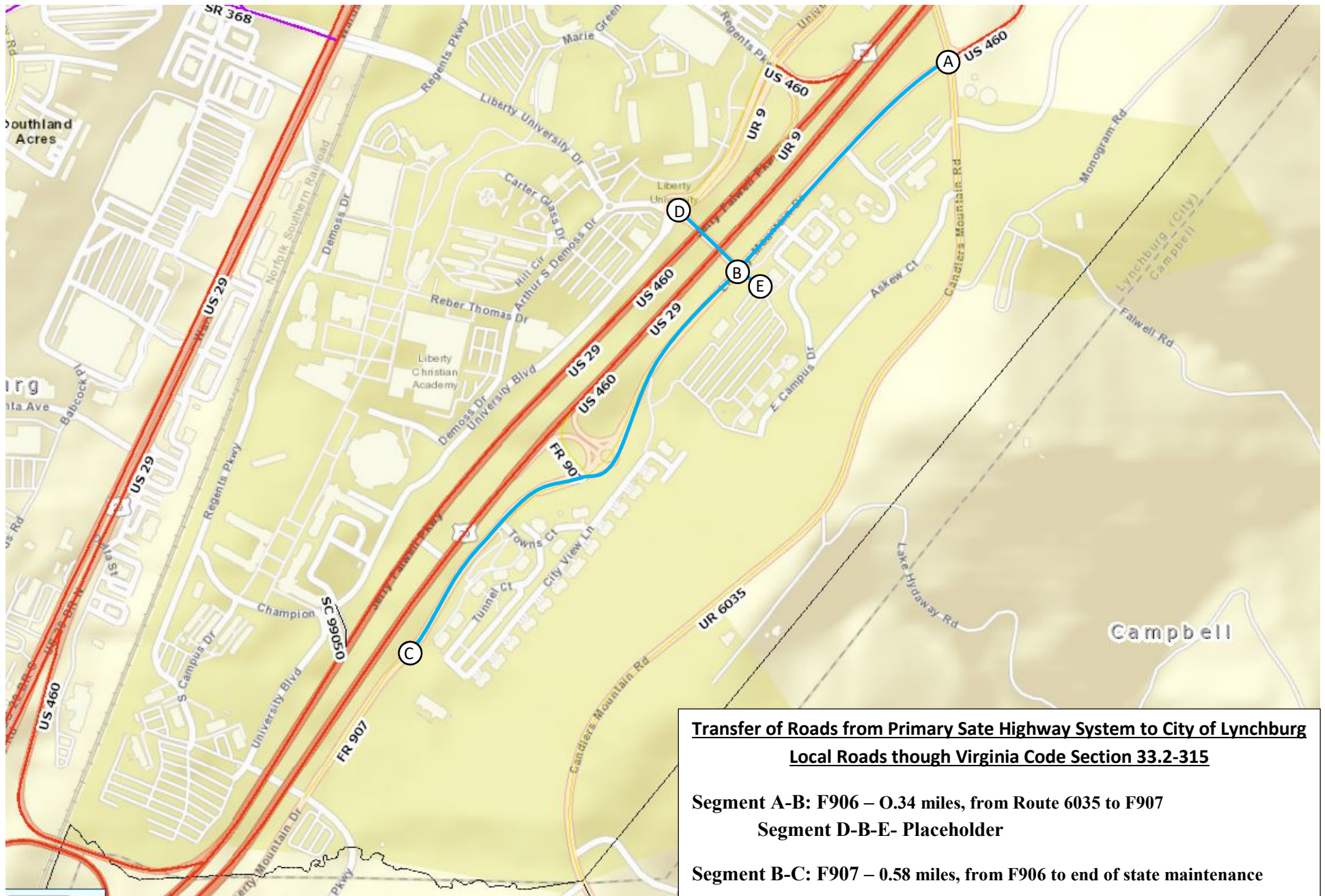
BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the Appomattox Resident Administrator of the Virginia Department of Transportation.

Adopted:

Certified:

Clerk of Council

Exhibit of Transfer of Primary System Frontage Roads for the State Highway to City of Lynchburg Local Roads



RESOLUTION OF THE CITY OF LYNCHBURG, VIRGINIA

WHEREAS, the Lynchburg City Council requests that the Commonwealth Transportation Board transfer the frontage roads Route F-906 and Route F-907, known as Liberty Mountain Drive, from the Virginia Department of Transportation Primary System to the City of Lynchburg's local system of roads; and

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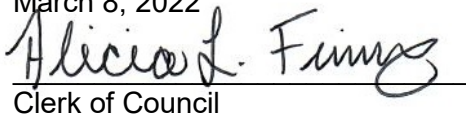
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BE IT FURTHER RESOLVED, that the Lynchburg City Council requests that, for those segments identified on the attached exhibit, the Virginia Department of Transportation renumber the segments to be included as part of the local system; and,

BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the Appomattox Resident Administrator of the Virginia Department of Transportation.

Adopted: March 8, 2022

Certified:


Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **March 8, 2022**

AGENDA ITEM #: **14**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Resolution to support Virginia Housing Loan Funding for Spencer Pointe Apartments (formerly known as Wilsons Place) – 1700 Graves Mill Road

RECOMMENDATION: Adopt the attached resolution supporting Virginia Housing Loan Funding for Spencer Pointe Apartments.

SUMMARY: Mr. Nick Surak has requested that City Council adopt a resolution that would allow Woda Cooper Companies, Inc. (developer) to apply for tax credit funding from Virginia Housing (formerly Virginia Housing Development Authority). The project would consist of fifty (50) apartment units and be located at 1700 Graves Mill Road. The property is zoned B-1, Limited Business District. Apartments are a permitted use in this district upon approval of a conditional use permit by City Council.

City Council adopted the Analysis of Impediments to Fair Housing Choice (AI) on June 23, 2020. The document lists "location and type of affordable housing" as a factor impeding housing choice. Providing more housing choices in more areas across the City could increase the accessibility and affordability of housing in Lynchburg. (p.137)

The proposed project would be 100% affordable and offer 50 units in 2 and 3-bedroom configurations. The area median income (AMI) for the Lynchburg area is \$73,700. These units would be offered at the 30% AMI (5 units), 40% AMI (8 units), 50% AMI (12 units), and 80% AMI (21 units) rent and income levels. This equates to an income range of \$15,480 up to \$58,960 for a family of 4, compared to the Lynchburg area's average income of \$73,700. The developer's market study indicated that there are over 3,600 City residents that would qualify for this development, a capture rate of 1.4%, which is indicative of substantial need.

PRIOR ACTION(S):

March 8, 2022: City Council public hearing concerning CUP request of Woda Copper Companies, Inc. at 1700 Graves Mill Road.

June 23, 2020: City Council adopted the Analysis of Impediments to Fair Housing Choice (AI).

FISCAL IMPACT: N/A

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

ATTACHMENT(S):

- Resolution
- Letter of Request

REVIEWED BY: MMB WCB

050A

RESOLUTION

WHEREAS, the City Council of the City of Lynchburg, Virginia desires to make the determination required by Section 36.55.30:2. B of the Code of Virginia of 1950, as amended, in order for Virginia Housing to finance the economically mixed project "Spencer Pointe" described on Exhibit A attached hereto;

NOW, THEREFORE, BE IT HEREBY DETERMINED as follows:

- (1) the industrial, commercial or other economic development of such area will benefit the city but such area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in such area.
- (2) Private enterprise and investment are not reasonably expected, without assistance to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live with such area and thereby create a desirable economic mix of residents in such area.

Adopted:

Certified:

Clerk of Council

EXHIBIT A

Spencer Pointe, located at 1700 Graves Mill Road, Lynchburg, VA 24502, will be a fully affordable multifamily housing community consisting of fifty (50) units. The development will be comprised of one residential building containing 2 and 3- bedroom units, a community room, exercise room, computer/study room and an outdoor picnic and playground area. Parcel ID #240-14-001.





500 South Front St
10th Floor
Columbus, Ohio 43215
Office: 614.396.3200
www.wodagroup.com

WODA COOPER COMPANIES

February 23, 2022

Wynter Benda
City Manager - Lynchburg
900 Church Street
Lynchburg, Virginia 24504

RE: Spencer Pointe Project

Dear Mr. Benda:

As you know, the Woda Cooper Companies has been working towards the submission of an application for affordable housing tax credits for a development to be located at 1700 Graves Mill Road that will be called Spencer Pointe (renamed from the original Wilson Place). We have been working through the process to receive a conditional use permit and have also requested that the Council pass a resolution designating this location as a revitalization area, as it has done for previous affordable projects. The funding source we are pursuing is highly competitive and these items are critical to ensuring the highest probability of success

The proposed project would be 100% affordable and offer 50 units in 2 and 3 bedroom configurations. The area median income (AMI) for the Lynchburg area is \$73,700. These units would be offered at the 30% AMI (5 units), 40% AMI (8 units), 50% AMI (12 units), and 80% AMI (21 units) rent and income levels. This equates to an income range of \$15,480 up to \$58,960 for a family of 4, compared to the Lynchburg area's average income of \$73,700. Our market study has indicated that there are over 3,600 residents of the City that would qualify for this development, a capture rate of 1.4% and indicative of substantial need.

Spencer Pointe will have an on-site property manager and maintenance technician, a community room for resident use, an exercise room, a computer/study room, and an outdoor picnic and playground area. In total, this project represents an investment of approximately \$13.3 million, and if it receives an award of credits would start construction in the summer of 2023 with delivery approximately one year later.

We believe that this project is thoughtfully designed, meets a compelling community need, and is worthy of City support to enable it to move forward. Thank you for your consideration, and you may reach me at nsurak@wodagroup.com or 202-489-8537.

Sincerely,

Senior Vice President of Development
Woda Cooper Companies, Inc.

OFFICES LOCATED IN GEORGIA, INDIANA, KENTUCKY, MARYLAND, MICHIGAN, OHIO AND VIRGINIA.

WODA COOPER COMPANIES, INC. IS AN ESOP OWNED COMPANY AND PARENT COMPANY OF WODA CONSTRUCTION, INC., WODA MANAGEMENT & REAL ESTATE, LLC, AND WODA COOPER DEVELOPMENT, INC.

RESOLUTION:

#R-22-021

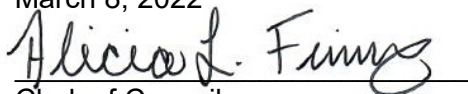
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NOW, THEREFORE, BE IT HEREBY DETERMINED as follows:

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- (2) Private enterprise and investment are not reasonably expected, without assistance to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live with such area and thereby create a desirable economic mix of residents in such area.

Adopted: March 8, 2022

Certified:


Clerk of Council

Spencer Pointe, located at 1700 Graves Mill Road, Lynchburg, VA 24502, will be a fully affordable multifamily housing community consisting of fifty (50) units. The development will be comprised of one residential building containing 2 and 3- bedroom units, a community room, exercise room, computer/study room and an outdoor picnic and playground area. Parcel ID #240-14-001.

