

**LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE**

**Tuesday, October 10, 2017
8:00 a.m.**

Information Items

Recent/Pending Contract Awards: -No new contract awards.

Update on priority projects: -See attached report.

General Business

1. Vacate a portion of University Boulevard
2. Roll Call

Rachel Frischeisen

Pc: Bonnie Svrcek, City Manager
Charles Hartgrove, Deputy City Manager
John Hughes, Assistant City Manager
Council Members
Gaynelle Hart, Director of Public Works
News & Advance

Next Meeting: November 14, 2017

Lynchburg Capital Projects Greater Than \$1 Million(General Fund)				
October 10, 2017				
Projects of Interest		Phase	Phase Completion	Notes
Timberlake / Logan's Lane Intersection		Construction	October 2018	Construction Underway
Wards Ferry Road Improvements @ Heritage		Construction	October 2018	Construction Underway
Greenview Drive Phase 2		Construction	July 2017	Construction Progressing - Several Months Behind Schedule
College Lake Dam		Preliminary	September 2017	Reviewing Options
One Way Pairs @ 501/221		Preliminary	September 2017	Reviewing Scope for NEPA Document
Main Street Bridge	*	Bidding	August 2017	Bids Received October 4, 2017
Odd Fellows Road - Sections A and B1		Construction	August 2018	Construction Progressing Bridge Deck Being Prepared
Odd Fellows Road - Section B2		Design	November 2017	Design on Schedule for November Advertisement
Downtown Watermain Replacement & Streetscape		Construction	September 2017	Construction Progressing - On Schedule for September Completion
Liberty Mountain Drive - Phase 2		Construction	April 2017	Closing Out - Reviewing Plans for Next Segment
Community Market Parking Deck		Construction	July 2017	Punchlist Work
McConnville Road Culvert Replacement	*	Construction	December 2017	Roadway Open September 30

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #:

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Vacate a portion of University Boulevard

KEY ELEMENTS:

___ Economic Development ___ Excellent Government **X** Natural and Built Environment ___ Safe Community ___ Vibrant Community

RECOMMENDATION: Approval of the University Boulevard right-of-way vacation.

SUMMARY: Liberty University is petitioning to vacate a portion of University Boulevard to accommodate the proposed expansion of Williams Stadium and associated road realignment. The total area of the proposed vacation is approximately three hundred and twelve thousandths (0.312) of an acre and contains a portion of the street.

If approved, the street vacation would be contingent upon the completion of University Boulevard's realignment. The street would remain open for use by the public via a temporary public easement, and the realigned street will be located in the remaining right-of-way.

PRIOR ACTION(S):

September 7, 2017: The Technical Review Committee (TRC) reviewed the petition. The TRC comments have been incorporated into the proposed ordinance.

October 10, 2017: The Physical Development Committee will review this item at their meeting.

FISCAL IMPACT: \$31,200-- \$39,000 (assessed value range based on the zoning of the adjacent lots))

CONTACT(S):

Rachel Frischeisen, Planner – 455-3900
Kent White, Community Development Director – 455-3900

ATTACHMENT(S):

- Ordinance
- Application
- Plat
- Sketch showing realignment

REVIEWED BY: bms

UNCODIFIED ORDINANCE:

AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY KNOWN AS UNIVERSITY BOULEVARD.

WHEREAS, Liberty University is petitioning to vacate a portion of right-of-way known as University Boulevard; and

WHEREAS, City Council finds that no public inconvenience will result from vacating the right of way; and

WHEREAS, City Council determined that the City has no need for the portion of public right-of-way in question and the City's continued ownership of such public right-of-way is not necessary or required to serve the best interest of the City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Sections 35-71 through 35-77 of the City Code, 1981, as amended, the following described right of way be, and the same hereby is, discontinued and vacated, namely:

From an iron pin found in the western right-of-way for University Boulevard approximately 100 feet south of the intersection of University Boulevard and Regents Parkway S 21° 35' 11" W for a distance of 81.71 feet to an iron pin set at the TRUE POINT OF BEGINNING; thence, S 68° 23' 12" E for a distance of 4.86 feet to an iron pin set; thence with a curve, said curve turning to the left through an angle of 00° 46' 22", having a radius of 582.78 feet, and whose long chord bears S 20° 08' 46" W for a distance of 7.86 feet to an iron pin set; thence, S 19° 45' 35" W for a distance of 301.60 feet to an iron pin set; thence with a curve, said curve turning to the right through an angle of 22° 51' 40", having a radius of 543.50 feet, and whose long chord bears S 31° 11' 25" W for a distance of 215.42 feet to an iron pin set; thence, S 42° 37' 14" W for a distance of 134.99 feet to an iron pin set; thence with a curve, said curve turning to the right through 25° 33' 47", having a radius of 93.50 feet, and whose long chord bears S 55° 24' 08" W for a distance of 41.37 feet to an iron pin set; thence with a curve, said curve turning to the right through 16° 08' 56", having a radius of 183.11 feet, and whose long chord bears S 76° 15' 29" W for a distance of 51.44 feet to an iron pin set; thence with a curve, said curve turning to the right through 08° 49' 34", having a radius of 90.50 feet, and whose long chord bears S 88° 44' 45" W for a distance of 13.93 feet to an iron pin set; thence with a curve, said curve turning to the left through an angle of 36° 01' 08", having a radius of 103.50 feet, and whose long chord bears N 59° 49' 07" E for a distance of 64.00 feet to a point; thence, N 41° 48' 33" E for a distance of 245.37 feet to a highway monument; thence with a curve, said curve turning to the left through an angle of 18° 30' 00", having a radius of 377.91 feet, and whose long chord bears N 32° 33' 33" E for a distance of 121.49 feet to an iron pin set; thence N 21° 35' 11" E a distance of 317.45 feet to the TRUE POINT OF BEGINNING, containing 0.312 acres of land, more or less.

Said vacation is contingent upon the following: (1) That a temporary public easement be reserved on the vacated right-of-way and documented on the associated plat; (2) that plans for the realignment of University Boulevard be submitted to and approved by the City Engineer; and (3) that the realignment of University Boulevard is completed and accepted by the City Engineer within 24 months. Failure to meet these conditions shall render the vacation of the above-described portion of University Boulevard null and void.

Provided, however, that any easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg and the construction of a permanent structure over any utility line without the prior written approval of the City is prohibited.

BE IT FURTHER ORDAINED that the Clerk of Council is hereby authorized and directed to deliver a duly certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg, and the City Manager is hereby authorized to sign any documents that may be needed to complete the vacation of the right-of-way.

Adopted:

Certified:

Clerk of Council

APPLICATION FOR THE VACATION OF

A Portion of University Boulevard

LOCATED

Between University Boulevard Private and Regents Parkway (formerly Evans Blvd)

The undersigned applicant, Liberty University, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 35-77 of the City Code 1981, as amended, respectfully makes application to the Lynchburg City Council for the vacation of that certain portion of University Boulevard described as follows:

From an iron pin found in the western right-of-way for University Boulevard approximately 100 feet south of the intersection of University Boulevard and Regents Parkway S 21° 35' 11" W for a distance of 81.71 feet to an iron pin set at the TRUE POINT OF BEGINNING; thence, S 68° 23' 12" E for a distance of 4.86 feet to an iron pin set; thence with a curve, said curve turning to the left through an angle of 00° 46' 22", having a radius of 582.78 feet, and whose long chord bears S 20° 08' 46" W for a distance of 7.86 feet to an iron pin set; thence, S 19° 45' 35" W for a distance of 301.60 feet to an iron pin set; thence with a curve, said curve turning to the right through an angle of 22° 51' 40", having a radius of 543.50 feet, and whose long chord bears S 31° 11' 25" W for a distance of 215.42 feet to an iron pin set; thence, S 42° 37' 14" W for a distance of 134.99 feet to an iron pin set; thence with a curve, said curve turning to the right through 25° 33' 47", having a radius of 93.50 feet, and whose long chord bears S 55° 24' 08" W for a distance of 41.37 feet to an iron pin set; thence with a curve, said curve turning to the right through 16° 08' 56", having a radius of 183.11 feet, and whose long chord bears S 76° 15' 29" W for a distance of 51.44 feet to an iron pin set; thence with a curve, said curve turning to the right through 08° 49' 34", having a radius of 90.50 feet, and whose long chord bears S 88° 44' 45" W for a distance of 13.93 feet to an iron pin set; thence with a curve, said curve turning to the left through an angle of 36° 01' 08", having a radius of 103.50 feet, and whose long chord bears N 59° 49' 07" E for a distance of 64.00 feet to a point; thence, N 41° 48' 33" E for a distance of 245.37 feet to a highway monument; thence with a curve, said curve turning to the left through an angle of 18° 30' 00", having a radius of 377.91 feet, and whose long chord bears N 32° 33' 33" E for a distance of 121.49 feet to an iron pin set; thence N 21° 35' 11" E a distance of 317.45 feet to the TRUE POINT OF BEGINNING, containing 0.312 acres of land, more or less

The applicant further requests the Lynchburg City Council to hold a public hearing on this application at its meeting to be held in the Council Chamber, City Hall, 900 Church Street, Lynchburg, VA on October 10, 2017, at 7:30 p.m., or as soon thereafter as the matter may be heard, and at the conclusion of which hearing to consider whether or not to vacate the above described portion of portion of University Boulevard.

Given under my hand this 19th day of September, 2017.



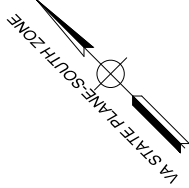
Daniel C. Deter, Vice President-Major Construction
Liberty University
1971 University Blvd
Lynchburg VA 24515
(434) 592-4172

NOTES:

1. PHYSICAL IMPROVEMENTS AS SHOWN HEREON, HAVE BEEN PREPARED PER A FIELD SURVEY ON MAY 8, 2017 AND AN EASEMENT SURVEY DATED JANUARY 2017. THE PROPOSED RIGHT-OF-WAY AND VACATED RIGHT-OF-WAY OF LYNCHBURG ROAD EASEMENT HAVE BEEN PREPARED FROM A CURRENT FIELD SURVEY DONE AS PER THE DATE OF THIS PLAT.
2. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL OF THE ENCUMBRANCES UPON THE PROPERTY.
3. AS DETERMINED BY GRAPHIC SCALING ONLY, THE VACATED RIGHT-OF-WAY AND NEW CITY OF LYNCHBURG ROAD EASEMENT IS IN FLOOD ZONE "UNSHADED X" AND NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE ACCORDING TO FEMA PANEL NUMBER 5100501060, DATED JUNE 3, 2006.
4. IRON PINS ARE TO BE SET AS INDICATED ON THIS PLAT.
5. THE "VACATED RIGHT-OF-WAY", AS SHOWN HEREON, IS TO BECOME PART AND PARCEL OF PARCEL ID 25701001.
6. AS PROVIDED IN SECTION 24.1-45, EXCEPTIONS, THE CITY PLANNER HAS DETERMINED THAT IN THIS INSTANCE ADHERING STRICTLY TO 24.1-37 (c) AND SECTION 24.1-42 (g) WOULD CAUSE AN UNNECESSARY HARDSHIP IN THE NEED TO SURVEY ALL IMPROVEMENTS AND IS NOT RELEVANT IN THE RIGHT-OF-WAY VACATION, AS SHOWN HEREON.
7. THE VACATED RIGHT-OF-WAY, AS SHOWN HEREON, SHALL BE SUBJECT TO A TEMPORARY CITY OF LYNCHBURG ROADWAY EASEMENT TO BECOME NULL AND VOID AT SUCH TIME AS THE ROAD IMPROVEMENTS TO UNIVERSITY BOULEVARD ARE COMPLETE AND ACCEPTED BY THE CITY.

CITY PLANNER

DATE



SOURCE OF TITLE:
LIBERTY UNIVERSITY, INC.
1971 UNIVERSITY BLVD.
LYNCHBURG, VIRGINIA 24515
PARCEL ID: 25701001
DB 774 PG 350 IN THE CLERK'S
OFFICE FOR THE CITY OF LYNCHBURG

THE RIGHT-OF-WAY VACATION AND NEW CITY OF LYNCHBURG ROAD EASEMENT SURVEY HAS BEEN PREPARED IN ACCORDANCE WITH THE DEEDS OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

LIBERTY UNIVERSITY, INC.

BY: JERRY L. FALWELL, JR., CHANCELLOR & PRESIDENT DATE

COMMONWEALTH AT LARGE TO WIT:

STATE OF VIRGINIA

COUNTY OF

I, _____, A NOTARY
PUBLIC IN AND FOR THE AFORESAID STATE, DO
HEREBY CERTIFY THAT THE PERSONS WHOSE NAMES ARE
SIGNED ABOVE HAVE ACKNOWLEDGED THE
SAME BEFORE ME.

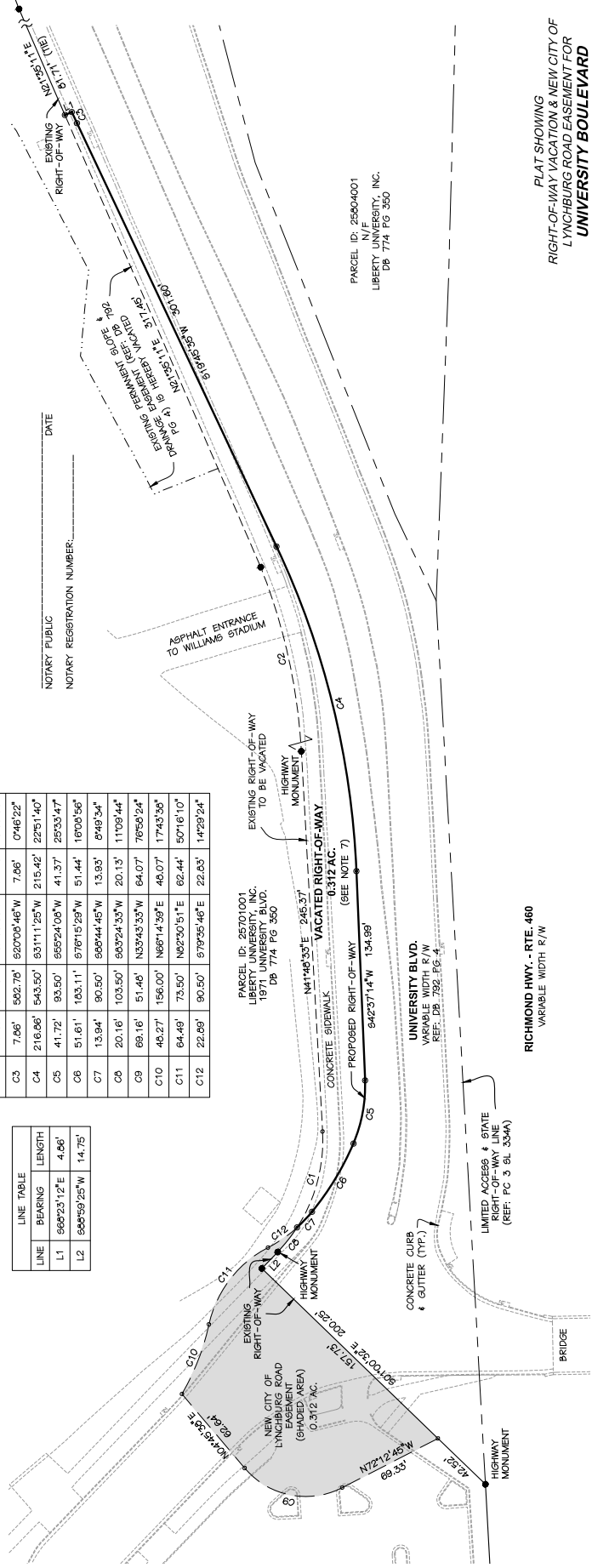
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC DATE

NOTARY REGISTRATION NUMBER: _____

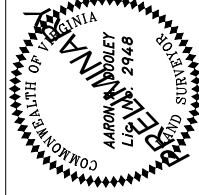
CURVE	LENGTH	RADIUS	BEARING	CHORD	DELTA
C1	65.07'	103.50'	N59°49'07"E	64.00'	36°01'08"
C2	122.02'	377.91'	N32°33'33"E	121.49'	18°30'00"
C3	7.86'	562.78'	S27°00'46"W	7.86'	0°46'22"
C4	216.86'	643.50'	S31°11'25"W	215.42'	2°51'40"
C5	41.72'	93.50'	S59°24'06"W	41.37'	29°33'47"
C6	51.61'	183.11'	S76°15'29"W	51.44'	16°00'56"
C7	13.94'	90.50'	S00°44'45"W	13.93'	0°49'34"
C8	20.16'	103.50'	S63°24'33"W	20.13'	11°09'44"
C9	69.16'	51.46'	N33°43'33"W	64.07'	76°56'24"
C10	45.27'	156.00'	N66°14'39"E	45.07'	17°43'39"
C11	64.49'	73.50'	N62°30'51"E	62.44'	50°16'10"
C12	22.69'	90.50'	S79°35'46"E	22.63'	14°29'24"

LINE	BEARING	LENGTH
L1	S69°23'12"E	4.86'
L2	S68°59'25"W	14.75'



PARCEL ID: 25804001
LIBERTY UNIVERSITY, INC.
UNIVERSITY BLVD.
DB 774 PG 350

PLAT SHOWING
RIGHT-OF-WAY VACATION & NEW CITY OF
LYNCHBURG ROAD EASEMENT FOR
UNIVERSITY BOULEVARD
CITY OF LYNCHBURG, VIRGINIA



ENGINEERS & PLANNERS & SURVEYORS

27 GREEN HILL DRIVE, FOREST, VIRGINIA 24651
PHONE: 434-525-5905 FAX: 434-525-5906
E-Mail: pro@perkiss-orison.com WEBSITE: http://www.perkiss-orison.net

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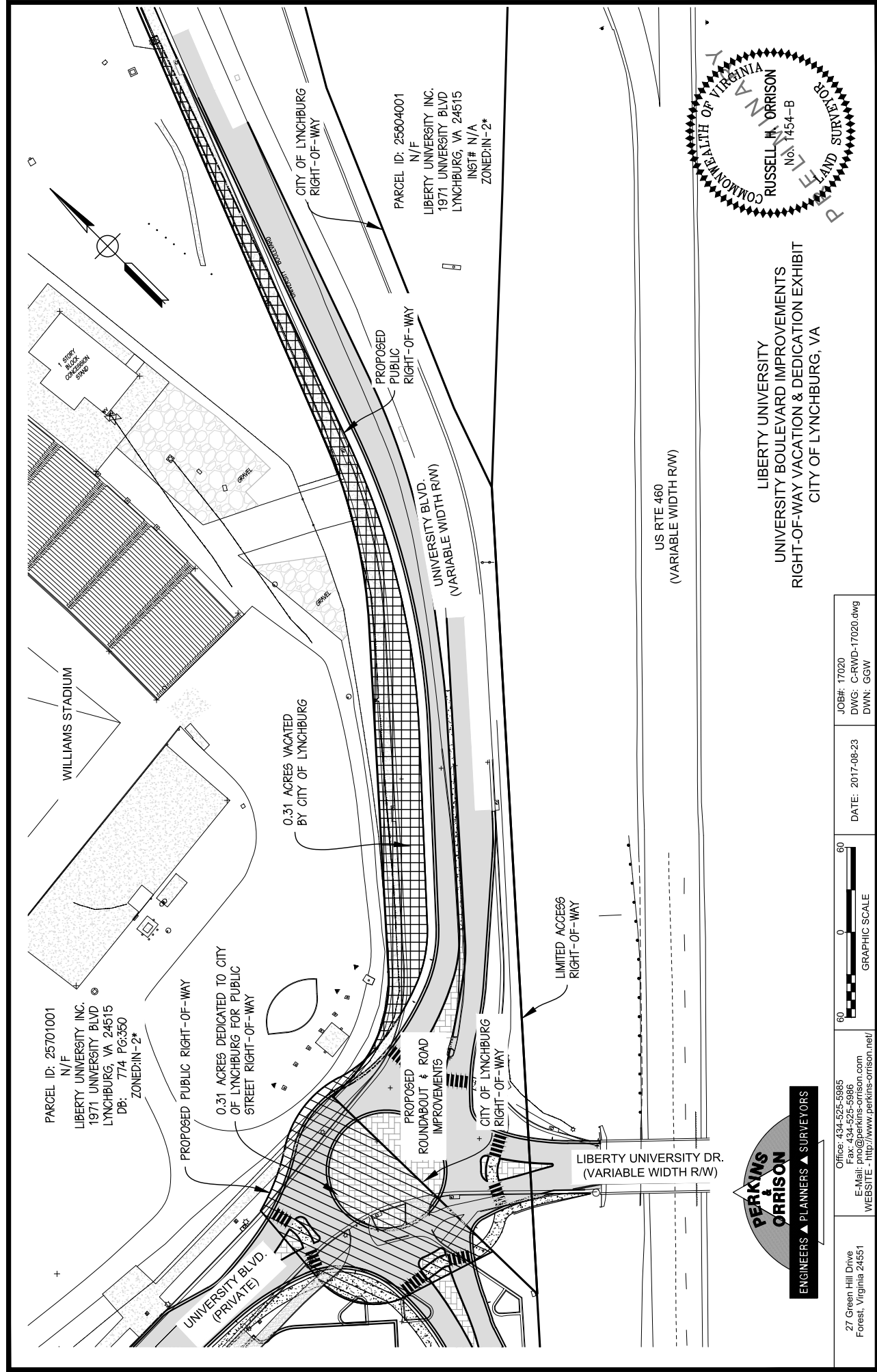
LEGEND

- IRON PIN SET
- IRON PIN FOUND
- (UNLESS OTHERWISE INDICATED)
- N/F — NOW OR FORMERLY

APPROVED:

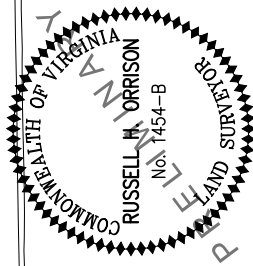
DIRECTOR OF ENGINEERING, LYNCHBURG, VIRGINIA DATE

CITY PLANNER, LYNCHBURG, VIRGINIA DATE



PARCEL ID: 25701001
N/F
LIBERTY UNIVERSITY INC.
1971 UNIVERSITY BLVD
LYNCHBURG, VA 24515
DB: 774 PG350
ZONED IN-2*

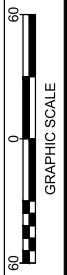
PARCEL ID: 25804001
N/F
LIBERTY UNIVERSITY INC.
1971 UNIVERSITY BLVD
LYNCHBURG, VA 24515
INST# N/A
ZONED IN-2*



LIBERTY UNIVERSITY
UNIVERSITY BOULEVARD IMPROVEMENTS
RIGHT-OF-WAY VACATION & DEDICATION EXHIBIT
CITY OF LYNCHBURG, VA

JOB#: 17020
DWG: C-RWD-17020.dwg
DWN: GGW

DATE: 2017-08-23



Office: 434-525-5985
Fax: 434-525-5986
E-Mail: pro@perkins-orrison.com
WEBSITE: <http://www.perkins-orrison.net/>

27 Green Hill Drive
Forest, Virginia 24551



LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **6**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Historic Preservation Commission (HPC) – Appeal of decision to deny Certificate of Appropriateness (COA) at 1919 Rivermont Avenue

KEY ELEMENTS:

☐ Economic Development ☐ Excellent Government ☒ Natural and Built Environment ☐ Safe Community ☐ Vibrant Community

RECOMMENDATION: Uphold decision of Historic Preservation Commission to deny Certificate of Appropriateness (COA) at 1919 Rivermont Avenue.

SUMMARY: William Bohn and Jennifer Woofter are appealing the decision of the HPC that denied their COA request to replace the existing four (4), twenty-six inch (26")-diameter main wood columns on the front of the structure with twenty-four inch (24")-diameter fiberglass columns at 1919 Rivermont Avenue.

The HPC based the decision to deny the COA on the *Lynchburg Historic Districts Residential Design Review Guidelines*. Section VII, (15) Porch Columns and Railings states the following:

- A. Porch Columns and Railings, "should be preserved and maintained. If repair is required, use materials to match the original in dimensions, scale and detailing."
- B. Porch Columns and Railings "often deteriorate first at the bottom next to the porch floor. If this is the case consider sawing of the deteriorated area and replacing this section rather than replacing the entire column."
- C. Porch Columns and Railings "of aluminum, wrought iron, vinyl or other modern materials are typically not appropriate for front porches. The use of composite or fiberglass Classical Order columns, matching both dimension, profile and texture of traditional columns, may be considered."

The City's *Zoning Ordinance*, Section 35.2-13.11, Appeals to City Council, states: "On any such appeal, the final decision of the HPC ... shall be stayed pending the outcome of the appeal to City Council, except that the filing of such appeal shall not stay the decision of the HPC if such decision denies the right to raze or demolish a historic landmark, building or structure. The City Council shall conduct a full and impartial public hearing on the matter and apply the same criteria as the HPC before rendering any decision. The City Council may affirm, reverse or modify the decision of the HPC, in whole or in part. The decision of City Council, subject to the provisions of section 35.2-13.12, shall be final. If approved, a certificate of appropriateness, signed by the clerk of the City Council, shall be issued to the applicant."

PRIOR ACTION(S):

- July 17, 2017: The HPC tabled the COA request to replace the four (4) front columns at 1919 Rivermont Avenue.
- August 21, 2017: The HPC denied the COA request to replace the four (4) front columns at 1919 Rivermont Avenue.
- September 6, 2017: William Bohn and Jennifer Woofter appealed the decision of HPC to City Council.

FISCAL IMPACT: N/A

CONTACT(S): Lauren Dianich, HPC Commissioner – (410) 310-1385
Tom Martin, City Planner – (434) 455-3900
Kent White, Community Development Director – (434) 455-3900

ATTACHMENT(S):

- Resolution “A” – Uphold HPC Decision
- Resolution “B” – Reverse HPC Decision
- HPC Minutes – July 17, 2017
- HPC Minutes – August 21, 2017
- Historic District Map
- COA Application – 1919 Rivermont Avenue
- Photographs of 1919 Rivermont Avenue provided by applicant (front on view and photoshopped front on view)
- Property Photograph of 1919 Rivermont Avenue from City’s Property Record
- Lynchburg Historic Districts Residential Design Guidelines: Section VII (15) Porch Columns and Railings

REVIEWED BY: bms

RESOLUTION "A":

A RESOLUTION UPHOLDING THE DECISION OF THE HISTORIC PRESERVATION COMMISSION TO DENY A CERTIFICATE OF APPROPRIATENESS AT 1919 RIVERMONT AVENUE TO ALLOW THE REPLACEMENT OF FOUR (4) TWENTY-SIX INCH (26") DIAMETER WOOD COLUMNS ON THE FRONT OF THE STRUCTURE WITH FOUR (4) TWENTY-FOUR INCH (24") DIAMETER FIBERGLASS COLUMNS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the request of William Bohn and Jennifer Woofter for a Certificate of Appropriateness to replace four (4) twenty-six inch (26") diameter wood columns on the front of the structure with four (4) twenty-four inch (24") diameter fiberglass columns at 1919 Rivermont Avenue is not in keeping with the Lynchburg Historic Districts Residential Design Review Guidelines, Section VII (15) Porch Columns and Railings.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of William Bohn and Jennifer Woofter to appeal the decision of the Historic Preservation Commission denying the replacement of four (4) twenty-six inch (26") diameter wood columns on the front of the structure with four (4) twenty-four inch (24") diameter fiberglass columns at 1919 Rivermont Avenue is hereby denied.

Adopted:

Certified:

Clerk of Council

128K

RESOLUTION "B":

A RESOLUTION REVERSING THE DECISION OF THE HISTORIC PRESERVATION COMMISSION TO DENY A CERTIFICATE OF APPROPRIATENESS AT 1919 RIVERMONT AVENUE TO ALLOW THE REPLACEMENT OF FOUR (4) TWENTY-SIX INCH (26") DIAMETER WOOD COLUMNS ON THE FRONT OF THE STRUCTURE WITH FOUR (4) TWENTY-FOUR INCH (24") DIAMETER FIBERGLASS COLUMNS.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that request of William Bohn and Jennifer Woofter for a Certificate of Appropriateness to replace four (4) twenty-six inch (26") wood columns on the front of the structure with four (4) twenty-four inch (24") fiberglass columns at 1919 Rivermont Avenue is in keeping with the Lynchburg Historic Districts Residential Design Review Guidelines, Section VII (15) Porch Columns and Railings.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of William Bohn and Jennifer Woofter to appeal the decision of the Historic Preservation Commission denying the replacement of four (4) twenty-six inch (26") diameter wood columns on the front of the structure with four (4) twenty-four inch (24") diameter fiberglass columns at 1919 Rivermont Avenue is hereby reversed.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that in reversing the decision of the Historic Preservation Commission the Council of the City of Lynchburg hereby directs the Clerk of Council to issue a Certificate of Appropriateness to William Bohn and Jennifer Woofter allowing the replacement of four (4) twenty-six inch (26") diameter wood columns on the front of the structure with four (4) twenty-four inch (24") diameter fiberglass columns at 1919 Rivermont Avenue.

Adopted:

Certified:

Clerk of Council

128K

**MINUTES OF THE JULY 17, 2017 HISTORIC PRESERVATION COMMISSION MEETING:
(MINUTES HAVE BEEN APPROVED):**

Request of William Bohn and Jennifer Woofter to replace four front columns with fiber reinforced polymer (FRP) columns at 1919 Rivermont Avenue:

Mr. Charlie Morris of Morris Construction was present to represent the application. It was the recommendation of the applications committee to table this application until an advocate can come to the property and verify the size of the column bases. If they are 26 inches in diameter, then the 24 inch diameter FRP columns do not meet the guidelines. If they are found to be 26 inches in diameter and the owner would like to do them in wood, then that is approved. The motion passed by the following vote:

AYES:	Dianich, Little, McSwain, Morris, Peery and Rowe	6
NOES:		0
ABSTENTIONS:		0
ABSENT:		0
VACANCIES:		1

MINUTES OF THE AUGUST 21, 2017 HISTORIC PERSERVATION COMMISSION (MINUTES HAVE BEEN APPROVED):

Request of William Bohn and Jennifer Woofter to replace four front columns with fiber reinforced polymer (FRP) columns at 1919 Rivermont Avenue:

Mr. Charlie Morris of Morris Construction and Ms. Jennifer Woofter, one of the owners of the property, were present to represent the application. Both Mr. Morris and Commissioner Morris have confirmed that the columns have a base of 26 inches in diameter. Mr. Morris has researched the columns made of fiberglass and they do not come in a 26-inch diameter. They are available in wood but are more expensive. When Mr. Morris presented them to the homeowners, they did not wish to use wood because of the added maintenance of the wood and they feel the fiberglass ones will last longer. They would prefer to do the 24-inch diameter fiberglass ones. Mr. Morris photoshopped the 24-inch diameter columns on to a picture of the house and also presented a picture of the house with its current columns so they could visualize the difference on a 6,000 square foot house.

Commissioner Morris indicated that he sympathizes with the homeowners. Commissioner Morris has composite columns on his house. However, this application does not meet the guidelines. Commissioner Morris acknowledged that the two pictures do not look different. He is not sure if that would change in real life or if it would look different to the trained eye versus the non-trained eye. Commissioner Morris asked what kind of wood the wooden ones would be made of and Mr. Morris said they would be cedar. Commissioner Morris said that cedar will last a long, long, long time. Mr. Morris acknowledged that is true. Commissioner Morris said they would last our lifetime and that there was a minimal cost difference between the two types of columns. Mr. Morris said it would be about a thousand dollars difference for all four columns (not a thousand dollars difference per column). Mr. Morris said the main reason the homeowner would like them to be fiberglass is for their longevity and the fact that they will maintain their structural integrity forever. Commissioner Morris acknowledged that his wooden balustrades are already rotting so he understands.

Commissioner Dianich said that she thinks with the front on view photo (and acknowledged it is helpful to have) that you are seeing the building in motion as you go by. She has done projects where they put in columns and then took them out and replaced them with different ones because they realized the scale was slightly off. She thinks that two inches in diameter does make a difference. She would recommend that the existing columns be repaired. It's a noble idea for homeowners to say that they want something to last forever but the sheer fact of historic buildings is that every 80 to 100 years some major repairs have to happen. The Lynchburg Museum is repairing their columns and it is usually much less money than replacing. If cost is a factor and longevity, the present columns have lasted over 100 years. A repair will usually last maybe 50 to 60 years. The wood that these buildings were built out of originally was so good that we can't match it now. She gets why people want to do artificial materials but even the detail level—this house is 100 percent based on its columns. She has seen houses where they underdo the column size and it really looks bad. She knows Ms. Woofter is not saying she wants to be an historic preservationist—well, she is by buying one of these homes--Commissioner Dianich thinks that Ms. Woofter might even be disappointed by the difference in appearance. It does not meet the guidelines. She would really recommend the columns be repaired because she thinks the homeowner will have a better project with repaired columns versus brand new columns.

Commissioner Morris thinks the two columns are in pretty good shape. The two on the right are mainly the ones they are talking about. Mr. Morris said the two on the left are in a little better condition but all four of them have integrity issues. Commissioner Little said he was at the house this past Friday and they are in pretty bad shape.

Commissioner Morris did wish to clarify that when he said he had fiberglass columns, there were no columns there. The entire porch was gone. It wasn't a replacement so he wanted to clarify that point.

Commissioner Dianich made another suggestion that they could consider doing a fiberglass base and put the wooden column on top of it. Sun and water are the killers. As long as you keep them elevated and painted and are getting some air flow under them, you would have a very quality job and get the proportion that is required. If these columns were on the rear or the side of the house, it might be different. They try not to be ridiculously over the top with applicants but these columns are on the front of the house and they are what make the house special. They are looking at a superimposed picture on a white background. When you will be able to see them from different angles, you are going to see it. We all feel very strongly on the front side of the building, you just don't deviate from these guidelines.

Commissioner Morris commented that what destroys these older homes is lack of maintenance. If the wooden columns are installed properly on a base of a different material and are painted, they will last the life of the house. The picture looks the same but it would be catastrophic if you got the fiberglass ones up and see that it really makes a difference. Commissioner Little said he has similar columns but his have a metal base with mahogany wood columns and the metal bases really make a difference to the longevity.

Commissioner Dianich pointed out that the photo on the GIS website shows a slightly oblique view of the house and the difference in the columns would be noticeable from that view. Her office has some expert photoshop folks. If they pick the right view, like straight on, it does look okay. Sometimes they do not do an oblique view because all of a sudden it becomes quite obvious that there is something different. Even though the photoshopped picture is close, she thinks it is a notable change. If it were one inch in diameter of a difference, probably no one could pick up.

Commissioner Morris said scale and proportion on these houses, especially something like this--that is the most dominant architectural feature of the house, those columns. They are being very particular because of that very reason.

Commissioner McSwain noted that it is not just two inches in diameter on one column. You have to multiply that by four columns, so it would make a difference.

Commissioner Morris asked Ms. Woofter what she thought. She said they love this house. They moved here for this house. They are extremely invested. They have been here three years and they are seeing some of the realities of living in this house. Absolutely, the columns make it. However, the longevity issue is of concern to them. They are finding that there is significant rot all over the front façade of the house as well as the other three sides. She is thinking about the maintenance cost of maintaining this house over the next 30 to 50 years. The additional maintenance cost of having to maintain wood columns over the next ten to twenty years is going to keep them from addressing the rest of the rotted wood. She thinks there is a little bit of a tradeoff here.

Commissioner Morris said the wooden columns will last 150 years or longer. All they need is to be properly maintained. Cedar does not rot. It will take a lot to destroy cedar. Ms. Woofter said that properly maintaining them will cost thousands of dollars--if you assume it has to be stripped and repainted every five to seven years. Commissioner Dianich said you do not have to strip them. Ms. Woofter said there will be scraping that is necessary. Commissioner Morris said you still have to paint the fiberglass ones. If you paint your house every seven years, the columns will have to be painted with it. If it is a good paint, you are not going to have peeling and crusty paint on a seven-year old column. He guarantees it. He also suggested Abatron as a great material to repair the rotted wood.

Commissioner Morris commented that these columns will not cost them anything in maintenance—the cedar columns versus the composite--not in her lifetime. Even though the composite might not require them, they will have to paint them because they will be painting the rest of the house and the columns will not match. Paint will chip off a composite column just as it would on a wooden one.

Commissioner Morris said if the wooden columns are installed correctly, there will not be any maintenance cost one over the other.

Ms. Woofter asked Mr. Morris if he agreed with that because she feels that is not what they talked about. Mr. Morris said that if the wooden ones are not maintained, then the fiberglass will outlast the wood if they are directly compared to not being painted. As long as the wooden columns are painted when the rest of the house is painted, she should be fine.

Ms. Woofter said it sounded like they had made their decision. Commissioner Little said they have the guidelines that they have to follow and Commissioner Morris said she will not have the issues they think they are going to have. There is not going to be a maintenance issue with a new cedar column from a reputable company. Mr. Morris said they do come with a ten-year warranty. Mr. Morris said it is the peace of mind of having the fiberglass so they don't have to worry about rot. They are concerned with areas where the paint comes off or the wood gets chipped or what not that they do not have to worry about severe deterioration. Commissioner Morris said there may be a cover or something to go over the capital or Commissioner Dianich suggested flashing. With proper installation, they can address all of those problems.

Commissioner Dianich said the good thing is that it is a brick house but acknowledged there are a lot of wood accents. She had the experience with a column turning out to be the wrong proportion and then she owned the columns and they had to be replaced with the correct proportion. She thinks it would be sad if they put up the wrong sized columns and then think they look spindly. She also pointed out that you see this house from an angle when you go down Rivermont Avenue. The photoshopped picture is a front on view. They have the guidelines to follow but this house just looks great with those proportions.

Commissioner Morris made a motion to deny the application as presented. 26-inch diameter wooden columns with a different base can be approved administratively. The motion was seconded by Commissioner Rowe and it passed by the following vote:

AYES:	Dianich, McSwain, Morris, Peery and Rowe	5
NOES:		0
ABSTENTIONS:	Little	1
ABSENT:		0
VACANCIES:		1

Mr. Martin indicated to Ms. Woofter that she has fifteen days to appeal the decision of the commission to City Council.



PROPERTY INFORMATION

PARCEL ID	ADDRESS
02110001	1919 RIVERMONT AVE

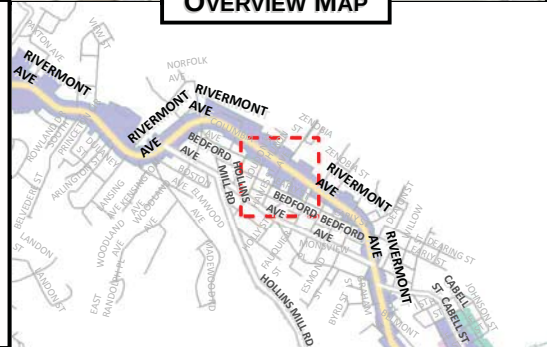
LEGEND

Falls within Rivermont Local Historic District

- Subject Property**
- Local Historic District**
- State/National Historic District**
- Local and State/National Historic District Overlap**

MAP SCALE: 1" to 4,000' DATE PRINTED: 6/29/2017

OVERVIEW MAP



Please check with a Zoning Officer (434-455-3900) and/or the Inspections Division (434-455-3910) **before** the HPC meeting to ensure that your project meets the applicable zoning regulations.

APPLICATION FOR **CERTIFICATE OF APPROPRIATENESS (COA)**

[If your property is a locally-designated (by Ordinance) historic site]

Historic Preservation Commission (HPC)

Department of Community Development
City Hall, 900 Church Street
Lynchburg, Virginia 24504

Phone: 434-455-3915 FAX: 434-845-7630

To see the Lynchburg Historic District Guidelines online, please go to:
<http://www.lynchburgva.gov/Index.aspx?page=3746>.

Location of property to be altered (street address):

1919 Rivermont Avenue

Applicant: Morris Construction

(If the Applicant is not the property owner, he/she must be authorized by the owner to request these alterations).

Are you the: ☐ Owner? ☐ Potential Owner? ☒ Representative?

Applicant Address: 612 Twelfth Street

Zip: 24504

Telephone: 4349073003

E-Mail: morrisbld@aol.com

Property Owner's Name: Mr. William Bohn & Mrs. Jennifer Woofter

Property Owner's Address: 1919 Rivermont Avenue

Zip: 24503

Telephone: 7036554071

E-mail: bbohn@sobisinc.com

Nature of Request (Check one in Category A & one in Category B):

A. 1. Alteration: ☐ 2. Demolition: ☐ 3. New Construction: ☐

B. 1. Building: ☐ 2. Object - Specify: ☒

Please give a detailed description and justification for the alteration, demolition, or new construction: (This form must be accompanied by the necessary drawings, material samples, photographs, plans, and other materials deemed appropriate to the request.) Object(s) to be replaced are the four front, main columns on the residence. The columns have deteriorated beyond reasonable stages for repair. Additionally, due to the deterioration, the structural integrity of the columns is now in question. The proposed replacement columns will match in size, and stylistically to the existing, however, will be made of fiber reinforced polymers/plastic, or "FRP."

What materials have been provided?

☐ Building Plans

☐ Site Plans

☐ Material Samples

☒ Photographs

☐ Paint Samples

☒ Other: Product Specifications

The work authorized by the Certificate of Appropriateness shall be completed within twelve (12) months of the date of issuance of the Certificate of Appropriateness, unless, for good cause shown, the HPC determines that a longer period is warranted.

Do you foresee a problem with completing the work within twelve (12) months? No

If yes, please explain.

Is there any application relevant to this property before the City Planning Commission, City Council, Building Inspector, Board of Zoning Appeals, or any Regulatory or Administrative Authority (VDHR or the Secretary of the Interior):

No

If So, Please Specify:

Who will represent the property owner(s) before the HPC? (This person should have the authority to commit property owner(s) to make changes that may be suggested by the HPC.)

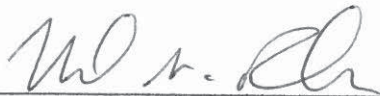
Name: Charlie Morris

Address: 612 Twelfth Street Lynchburg, VA 24504

Telephone: 4349073003

E-mail: morrisbld@aol.com

Signature of Owner:



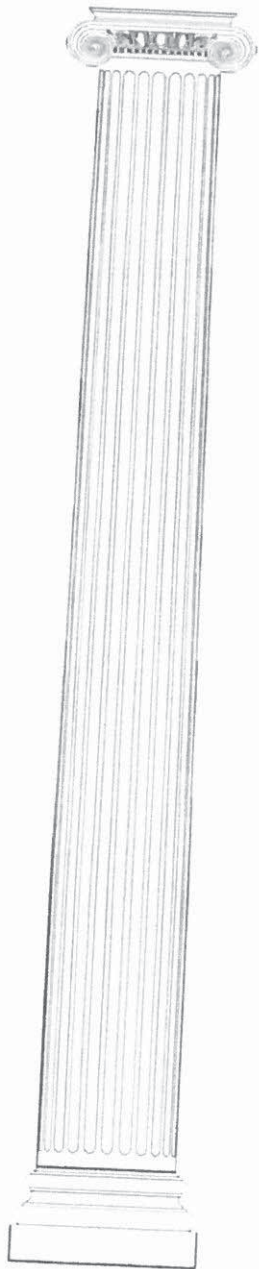
Date:

5/25/17

The above signed owner authorizes the entry onto his/her property by the Historic Preservation Commission Members and/or Planning Division Staff during the normal discharge of their duties in regard to the above application.

Signature of Applicant:

Date:



COLUMN

Type: Poly-Classic FRP Columns

Style: Tapered Round

Shaft Nominal Bottom Diameter: 24"

Total Height: 22'

Bottom Net O.D.: 23 3/8"

Bottom Net I.D.: 22"

Top Net O.D.: 19 5/16"

Top Net I.D.: 18"

Max Load Capacity: 20,000 lbs.

Additional Notes:

Flutes Number: 24

Flutes Width: 2 1/8"

PLAN



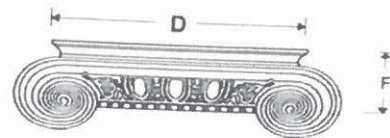
CAP

Style: Roman Ionic

Abacus Width (D): 25 1/4"

Capital Height (F): 9"

Height Variance: - 4 7/8"



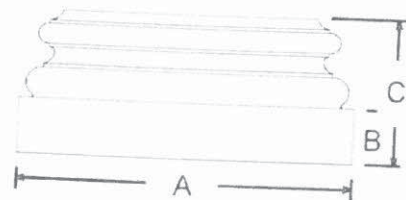
BASE

Style: Attic

Plinth Width (A): 32 1/2"

Plinth Height (B): 5 3/4"

Total Height (C): 15 3/4"



The drawing pictured here is scaled to represent a 12in x 8ft column. It is only intended to be an illustration of your selected column style.

For more information, call 800 423 3311

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POLY-CLASSIC® COLUMN SPECIFICATIONS

MATERIALS:

Poly-Classic and DuraStone column shafts are manufactured of one-piece rotocast fiberglass reinforced polymer (FRP) with marble dust. Our proprietary method of manufacturing our column shafts is patented, with patents applied for on the DuraStone pre-colored, textured column process and materials. This one-piece construction, combined with the inherent strength of FRP (pound for pound, FRP is stronger than concrete, steel, or aluminum), provides an exceptionally high load-bearing capacity, and a column that is impervious to rot, decay and insect damage. Unlike wood columns, the non-porous, waterproof shafts can be used as channels for downspouts, wiring, and plumbing.

Turncraft's FRP and DuraStone columns include Flame Guard™, and were the first in the industry to pass the ASTM E, 84-01 Class 1 Flame-Spread Classification tests, achieving a Flame Spread index of 15, and Smoke Developed Index of 335, well below the allowable SDI index of 450.



Six-inch through twelve-inch diameter (up to twelve foot in height) standard FRP shafts are factory sanded. Larger shafts (and square shafts) may require field-sanding prior to installation. All shafts are shipped unfinished, and Turncraft recommends finishing with a high quality 100% acrylic latex primer and paint.

DuraStone pre-colored columns do not require finishing. The shaft material is colored throughout, utilizing UV inhibitors that will minimize color fading. The surfaces of DuraStone columns, caps and bases are textured to imitate rough-hewn stone. (Bases for 18" and larger DuraStone columns are split in half and will require reassembly at time of installation.)

ROUND COLUMN SIZES:

Round tapered and non-tapered shafts are available fluted and unfluted in a wide range of sizes. Flutes in most 8", 10" and 12" diameter tapered shafts are molded right into the shaft, providing consistent Ionic fluting. All sizes can also be custom-fluted for specific opening heights, and adjusted for the cap and base chosen. When shafts are custom fluted, typically the flutes end 1" above the base. (See our DuraGlass specifications for information on 30" diameter columns.)

Tapered shafts have a modified architectural entasis, with a Tuscan style astragal for authentic styling. Since these are molded products, some sizes may vary from the 1/3 straight to 2/3 tapered ratio. Please see the tables on the following pages for exact information on the shaft tapers, and top and bottom net diameters, fluting, etc. Non-tapered shafts have no astragal, providing a more contemporary look.

Column Bottom Diameter*	Tapered Round Shafts											
	5'	6'	8'	9'	10'	12'	14'	16'	18'	20'	22'	24'
6"	✓	✓	✓		✓							
8"	✓	✓	✓	✓	✓							
10"	✓	✓	✓	✓	✓	✓						
12"	✓	✓	✓	✓	✓	✓	✓					
14"			✓	✓	✓	✓	✓	✓				
16"	✓	✓	✓	✓	✓	✓	✓	✓	✓			
18"			✓		✓	✓	✓	✓	✓	✓		
20"		✓	✓		✓	✓	✓	✓	✓	✓	✓	
24"			✓		✓	✓	✓	✓	✓	✓	✓	✓

*Actual shaft net diameter is 3/8" to 5/8" smaller than nominal size shown.
 ✓ Available unfluted; • Available with standard flutes.

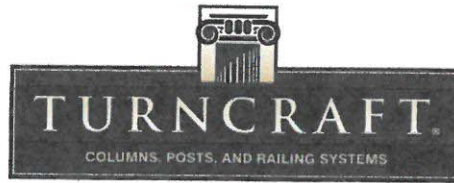
Column Bottom Diameter*	Non-tapered Round Shafts					
	8'	10'	11'	12'	14'	15'
8"	✓	✓				
10"	✓	✓				
12"	✓	✓		✓		
14"	✓	✓		✓	✓	
16"	✓	✓				
18"	✓	✓	✓			
20"	✓	✓	✓			
24"	✓	✓		✓	✓	✓

SQUARE FRP COLUMN SIZES:

Square non-tapered shafts are available unfluted, fluted, with a double raised panel, or recessed panels. In addition, custom fluting is available. The astragal is molded into the shaft for consistent spacing and simplified installation. (See our DuraGlass specifications for information on 8", 10" and 16" square DuraGlass columns.)

Column Bottom Width*	Non-tapered Square Shafts					
	8'	9'	10'	12'	14'	16'
6"	✓		✓			
8"	✓•Δ■	✓•Δ■	✓•Δ■			
10"	✓■	✓■	✓■	✓		
12"	✓		✓	✓	✓	✓
14"	✓	✓	✓	✓	✓	✓

* Net shaft width is 1/8" less than nominal size shown.
 ✓ Available unfluted. • Available with standard flutes.
 Δ Available paneled. ■ Available with recessed panels.



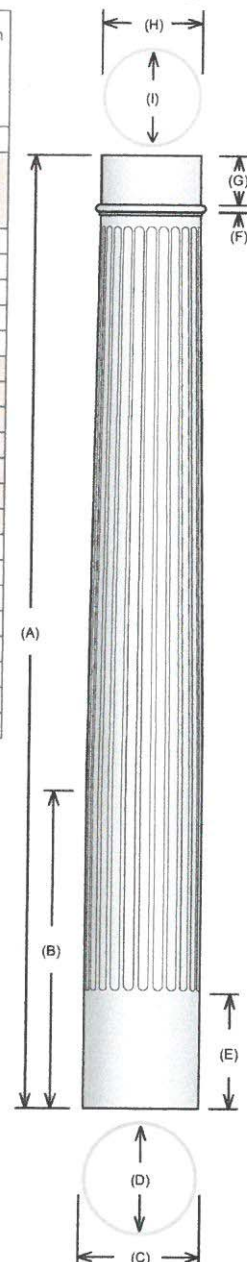
POLY-CLASSIC ROUND SHAFT SPECIFICATIONS

ROUND TAPERED SHAFTS:

Standard FRP column shafts are the same height as the listed size. Tuscan and Roman Doric caps and bases, and Attic bases go around the shaft, and do not affect the overall height. Ornamental capitals are set on top of the shaft (after the shaft is trimmed to the astragal), and do affect the overall height: see the *Ornamental Capitals for Round Columns* specifications for more information. On custom fluted shafts, the flutes start 1" from the astragal, and typically end 1" from the base. Fluting can be adjusted for the customer's requirements.

Since the Tuscan caps for DuraStone columns install on TOP of the shaft, rather than around it, the shaft itself is reduced in overall height by the height of the Tuscan cap. The height of the shaft plus the height of the cap will achieve the overall stated column height.

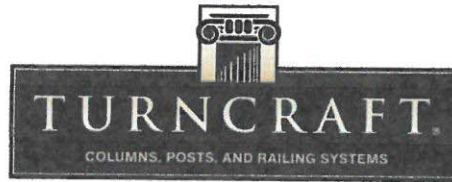
Column Nominal Diameter	Shaft Height	Shaft Bottom*		Shaft Top*		Space Available Inside Shaft:		Shaft Neck		Flute Width (24 ea.)	Straight Portion of Shaft (unfluted columns)	Straight Portion of Shaft (fluted columns)	Smooth shaft before flutes
		Outside Diameter	Inside Diameter	Outside Diameter	Inside Diameter	For Round Post	For Square Post	Neck Height†	Astragal Ring‡				
	(A)	(C)	(D)	(H)	(I)			(G)	(F)		(B)	(B)	(E)
6"	5'									1/2"	23 1/16"		
	6'	5 11/16"	4 3/4"	4 13/16"	3 3/4"	3 3/8"	2 1/2"	3"	1/2"		35 1/16"	n/a	n/a
	8'										59 1/16"		
8"	5'										14 1/16"	n/a	n/a
	6'										26 1/16"	n/a	n/a
	8'	7 5/8"	6 3/4"	6 19/32"	5 1/2"	5 1/8"	3 1/2"	4 1/4"	1/2"	11/16"	50 1/16"	50"	10 1/2"
	9'										62 1/16"	54"	10 1/2"
10"	10'										72 1/16"	65"	10 1/2"
	4'										0"	n/a	n/a
	5'										0"	n/a	n/a
	6'										10 11/16"	n/a	n/a
	8'	9 11/16"	8 3/8"	8 9/16"	7 3/4"	7 3/8"	4 15/16"	5 1/8"	3/4"	7/8"	34 11/16"	39"	11"
	9'										46 11/16"	56"	11"
12"	10'										58 11/16"	65"	11 1/4"
	12'										82 11/16"	89"	11 1/4"
	5'										0"	n/a	n/a
	6'										8 3/4"	n/a	n/a
	8'										32 3/4"	42 3/4"	12"
	9'	11 5/8"	10 3/4"	10 1/16"	9 1/4"	8 7/8"	6"	4 3/4"	3/4"	1"	44 3/4"	49"	12"
	10'										56 3/4"	53"	12"
	12'										80 3/4"	60"	12 1/8"
14"	14'										62"	n/a	n/a
	16'										86"	87"	12 1/8"
	8'										33 1/4"		
	9'										45 1/4"		
	10'										57 1/4"		
	12'	13 1/2"	11 1/2"	11 9/16"	10 1/2"	10 1/8"	6 3/8"	6 3/4"	1"	1 1/4"	81 1/4"		
	14'										57 1/4"		
	16'										81 1/4"		
16"	18'										105 1/4"		
	20'										129 1/4"		
	5'										16 1/4"		
	6'										28 1/4"		
	8'										18 1/2"		
	9'										30 1/2"		
	10'	15 7/16"	13 1/2"	13 1/8"	12"	11 5/8"	7 7/16"	7 3/8"	1"	1 7/16"	42 1/2"		
	12'										66 1/2"		
	14'										27 1/4"		
	16'										51 1/4"		
	18'										75 1/4"		
	20'										99 11/4"		



* Diameters may vary $\pm 1/8"$

† Neck Height is the distance from the top of the shaft to the top of the astragal ring, $\pm 1/8"$.

‡ Astragal ring is only the ring portion, and does not include the fillet and cove.



POLY-CLASSIC ROUND SHAFT SPECIFICATIONS

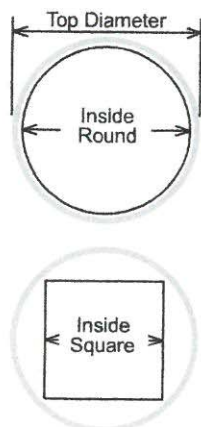
ROUND TAPERED SHAFTS (CONT'D):

Column Nominal Diameter	Shaft Height	Shaft Bottom*		Shaft Top*		Space Available Inside Shaft:		Shaft Neck		Flute Width (24 ea.)	Straight Portion of Shaft
		Outside Diameter	Inside Diameter	Outside Diameter	Inside Diameter	For Round Post	For Square Post	Neck Height†	Astragal Ring‡		
		(C)	(D)	(H)	(I)			(G)	(F)		(B)
18"	8'	17 3/8"	15"	14 5/16"	12 3/4"	12 3/8"	8 5/16"	7 7/8"	1"	1 1/2"	13 3/8"
	9'										25 3/8"
	10'										37 3/8"
	12'										61 3/8"
	14'										85 3/8"
	16'										26 1/8"
	18'										50 1/8"
	20'										74 1/8"
	22'										98 1/8"
	24'										122 1/8"
20"	6'	19 3/8"	18"	16 5/16"	14 7/8"	14 1/2"	10"	9 3/16"	1 3/8"	1 11/16"	0"
	8'										22 1/4"
	10'										46 1/4"
	12'										70 1/4"
	14'										40 3/8"
	16'										64 3/8"
	18'										88 3/8"
	20'										112 3/8"
	22'										8"
	24'										32"
24"	8'	23 3/8"	22"	19 5/16"	18"	17 5/8"	12 3/16"	12"	1 5/8"	2 1/8"	56"
	10'										24 13/16"
	12'										48 13/16"
	14'										72 13/16"
	16'										96 13/16"
	18'										120 13/16"
	20'										144 13/16"
	22'										
	24'										

* Diameters may vary $\pm 1/8"$

† Neck Height is the distance from the top of the shaft to the top of the astragal ring, $\pm 1/8"$.

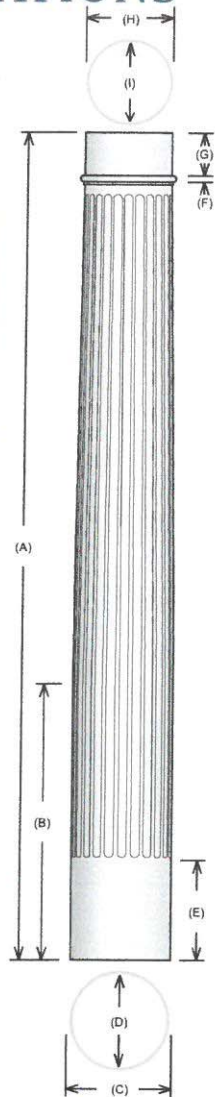
‡ Astragal ring is only the ring portion, and does not include the fillet and cove.



The "Space Available Inside Shaft" measurements are calculated at the top inside diameter (with $\pm 3/8"$ tolerance), when using Tuscan or Roman Doric caps. (Fluted columns may have reduced tolerances.)

When structural or composite Ornamental Capitals are used, the neck sleeve or plug will reduce the inside available space significantly. If the column will not be required to carry a load, it may be possible for the installer to modify or remove the neck sleeve or plug to allow more interior space. Please contact Turncraft Customer Service for more information.

These measurements are provided to assist in determining the correct column diameter to go around a load bearing post or lally column, or for clearance for water downspouts, conduits, etc. If a larger diameter is required, it may be possible to specify the Non-tapered Round columns instead.

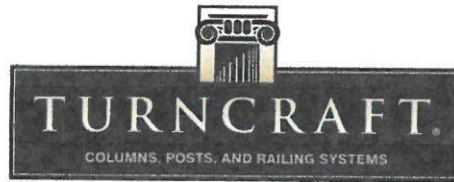


LOAD CAPACITIES:

Round Tapered Column Shafts

Column Diameter	Concentric Load	Eccentric Load*
6"	6,000 lb.	6,000 lb.
8"	10,000 lb.	6,600 lb.
10"	14,000 lb.	10,720 lb.
12"	18,000 lb.	13,200 lb.
14"	20,000 lb.	11,520 lb.
16"	20,000 lb.	13,200 lb.
18"	20,000 lb.	9,040 lb.
20"	20,000 lb.	18,960 lb.
24"	20,000 lb.	13,200 lb.

*See testing documentation for full information on eccentric loading values.



POLY-CLASSIC ROUND SHAFT SPECIFICATIONS

ROUND NON-TAPERED SHAFTS:

Standard FRP column shafts are the same height as the listed size. Tuscan caps and bases, and Attic bases go around the shaft, and do not affect the overall height. Ornamental capitals are not typically available for non-tapered round shafts.

Column Nominal Diameter	Shaft Height	Shaft Diameters*		Space Available Inside Shaft:		Flute Width (24 ea.)
		Outside Diameter	Inside Diameter	For Round Post	For Square Post	
8"	8'	7 5/8"	6 3/4"	6 3/8"	4 1/2"	11/16"
	10'					
10"	8'	9 11/16"	8 3/8"	8"	5 5/8"	7/8"
	10'					
12"	8'	11 5/8"	10 3/4"	10 3/8"	7 5/16"	1"
	10'					
14"	8'	13 1/2"	11 1/2"	11 1/8"	7 7/8"	1 5/16"
	10'					
16"	8'	15 7/16"	13 1/2"	13 1/8"	9 1/4"	1 1/2"
	10'					
18"	8'	17 3/8"	15"	14 5/8"	10 3/8"	1 11/16"
	10'					
20"	8'	19 3/8"	18"	17 5/8"	12 1/2"	1 7/8"
	10'					
24"	8'	23 3/8"	21 1/4" (top ID)	20 7/8"	15"	2 5/16"
	10'					
	12'					
	14'					
	15'					

* Diameters may vary $\pm 1/8"$

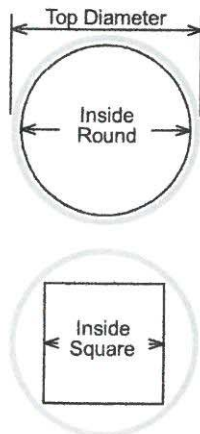
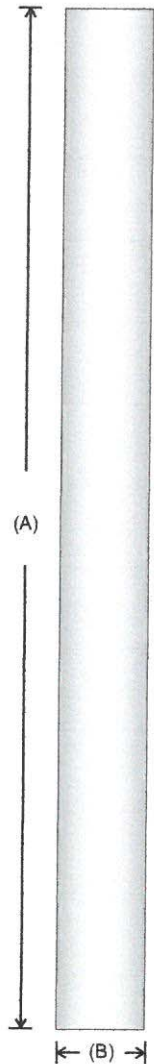
† Neck Height is the distance from the top of the shaft to the top of the astragal, $\pm 1/8"$.

‡ Astragal height is only the ring portion, and does not include the fillet and cove.

Since the Tuscan caps for DuraStone columns install on TOP of the shaft, rather than around it, the shaft itself is reduced in overall height by the height of the Tuscan cap. The height of the shaft plus the height of the cap will achieve the overall stated column height.

While all sizes of the non-tapered shafts are considered straight, there may be a small amount of residual taper on the larger columns. Rather than creating new molds for the manufacturing process, the 16" and larger diameter columns are made using the straight portion of our tapered molds. (If the shaft is installed with the residual taper at the bottom, the base will almost completely cover that taper.)

All non-tapered shafts may be ordered fluted. Flutes typically end 1" from the cap and 1" from the base. Fluting can be adjusted for the customers requirements.



The "Space Available Inside Shaft" measurements are calculated at the top inside diameter (with $\pm 3/8"$ tolerance), when using Tuscan or Roman Doric caps. (Inside diameters may be reduced for fluted columns.)

These measurements are provided to assist in determining the correct column diameter to go around a load bearing post or lally column, or for clearance for water downspouts, conduits, etc.

LOAD CAPACITIES:

Round Non-tapered Column Shafts

Column Diameter	Concentric Load	Eccentric Load*
8"	10,000 lb.	6,600 lb.
10"	14,000 lb.	10,720 lb.
12"	18,000 lb.	13,200 lb.
14"	20,000 lb.	11,520 lb.
16"	20,000 lb.	13,200 lb.
18"	20,000 lb.	9,040 lb.
20"	20,000 lb.	18,960 lb.
24"	20,000 lb.	13,200 lb.

*See testing documentation for full information on eccentric loading values.



POLY-CLASSIC SQUARE SHAFT SPECIFICATIONS

SQUARE NON-TAPERED SHAFTS :

Standard FRP column shafts are the same height as the listed size. Tuscan caps and bases, and the pedestal base go around the shaft, and do not affect the overall height. Ornamental capitals are set on top of the shaft (after the shaft is trimmed to the astragal), and will affect the overall height: see the *Ornamental Capitals for Square Columns* specifications for more information.

Since the Tuscan caps for DuraStone columns install on TOP of the shaft, rather than around it, the shaft itself is reduced in overall height by the height of the Tuscan cap. The height of the shaft plus the height of the cap will achieve the overall stated column height.

All square non-tapered shafts may be ordered custom fluted. Flutes typically end 1" from the cap and 1" from the base. Fluting can be adjusted for the customers requirements.

Column Nominal Width	Column Shaft		Shaft Neck		Flute Width (20 each)	Space Available Inside Shaft* (Round or Square Post)
	Outside Width (B)	Inside Width* (C)	Neck Height† (E)	Astragal Ring‡ (D)		
6"	5 7/8"	4 3/4"	3 5/8"	3/4"	1/2"	4 1/2"
8"	7 7/8"	5 3/4"	4 1/2"	3/4"	11/16"	5 1/2"
10"	9 7/8"	8 3/4"	5 1/16"	3/4"	7/8"	8 1/2"
12"	11 7/8"	10 3/4"	4 1/2"	3/4"	1"	10 1/2"
14"	13 7/8"	12 3/4"	7"	1"	1 1/4"	12 1/2"

* For 8" size, stock fluted shaft value is shown. Paneled and plain shafts are typically 1/2" to 1" greater.

† Neck Height is the distance from the top of the shaft to the top of the astragal ring, ± 1/8".

‡ Astragal ring is only the ring portion, and does not include the fillet and cove.

8" Fluted Columns (Stock)	Bottom of Shaft Before Flutes (F)	Flute Length (G)
8'	10 15/16"	77 13/16"
9'	10 15/16"	89 13/16"
10'	22 15/16"	89 13/16"

8" Raised Panel Columns	Bottom of Shaft Before Panel (H)	Bottom Panel Height (I)	Top Panel Height (J)
8'	9 5/8"	22 15/16"	45 7/8"
9'	9 5/8"	26 15/16"	53 7/8"
10'	21 5/8"	26 15/16"	53 7/8"

Recessed Panel Columns	Bottom of Shaft Before Panel (K)	Panel Height (L)	Top of Panel to Top of Column (M)	Panel Width (N)
8" x 8'	12"	76 3/4"	7 5/8"	4 7/8"
8" x 9'	12"	88 3/4"	7 5/8"	4 7/8"
8" x 10'	12"	100 3/4"	7 5/8"	4 7/8"
10" x 8'	14 1/2"	73 11/16"	8 3/16"	6 7/8"
10" x 9'	14 1/2"	85 11/16"	8 3/16"	6 7/8"
10" x 10'	14 1/2"	97 11/16"	8 3/16"	6 7/8"

LOAD CAPACITIES:

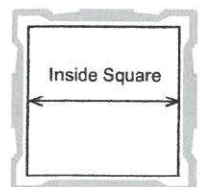
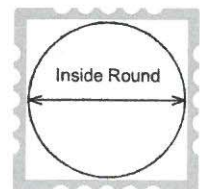
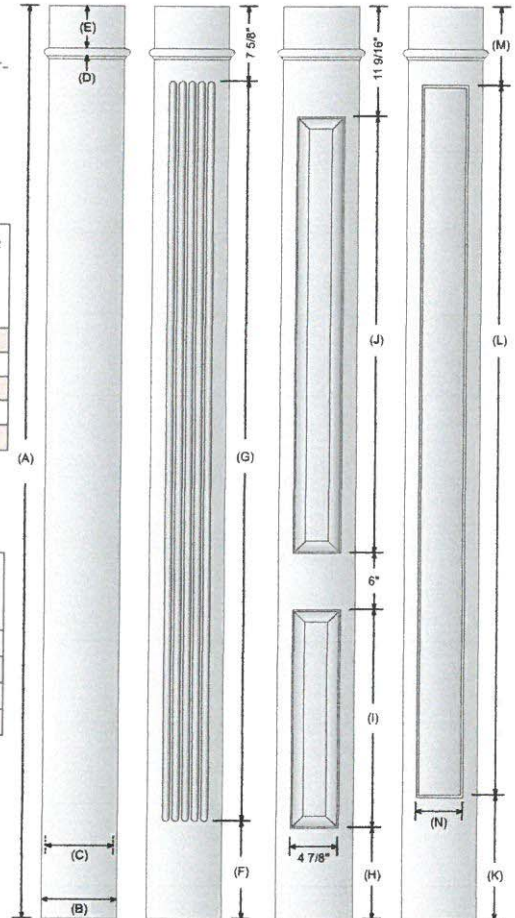
Square Non-tapered Column Shafts

Column Diameter	Concentric Load	Eccentric Load*
6"	6,000 lb.	6,000 lb.
8"	10,000 lb.	6,600 lb.
10"	12,800 lb.	10,720 lb.
12"	18,000 lb.	17,320 lb.
14"	20,000 lb.	17,320 lb.

*See testing documentation for full information on eccentric loading values.

The "Space Available Inside Shaft" measurements are calculated at the top inside width (with ± 1/4" tolerance). Inside widths may vary. Ornamental capitals will reduce the inside widths.

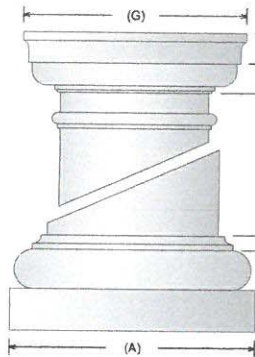
These measurements are provided to assist in determining the correct column diameter to go around a load bearing post or lally column, or for clearance for water downspouts, conduits, etc.





POLY-CLASSIC CAP AND BASE SPECIFICATIONS

All caps, bases and ornamental capitals are manufactured of low-maintenance materials. Materials for caps and bases will vary based on size and style. Standard Tuscan cap and base for our 8", 10" and 12" diameter round tapered columns are our new TimeSaver™ ABS (recycled ABS with fiberglass reinforcement). Since these are molded products, specifications shown are $\pm 1/8"$, and subject to change without notice.



TUSCAN CAP AND BASE FOR ROUND TAPERED COLUMNS:

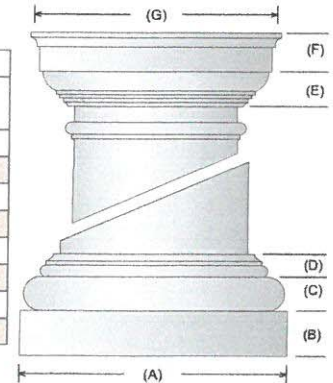
Column Diameter	Tuscan Base					Tuscan Cap				
	Plinth		Torus		Total Height	Materials Available†	Echinus		Abacus	
	(A)	(B)	(C)	(D)	(B-D)		(E)	(F)	(G)	Total Height (E-F)
6"	8"	1 1/2"	1 1/4"	1/2"	3 1/4"	F, D	1"	1 1/16"	7 1/2"	2 1/16"
8"	10 7/8"	1 7/8"	1 3/4"	5/8"	4 1/4"	A, F, D, P, FF	1 5/16"	1 3/8"	9 7/8"	2 11/16"
10"	13 1/2"	2 3/8"	2 1/8"	3/4"	5 1/4"	A, F, D, P, FF	1 13/16"	1 3/4"	12 1/8"	3 9/16"
12"	16 1/4"	2 3/4"	2 3/8"	7/8"	6"	A, F, D, P, FF	1 7/8"	2"	14 5/8"	3 7/8"
14"	18 5/8"	3 5/16"	3"	1"	7 5/16"	F, D	2 1/2"	2 5/16"	17"	4 15/16"
16"	21 5/16"	3 7/8"	3 3/8"	1 1/8"	8 5/16"	F, D	2 3/4"	2 11/16"	19 1/8"	5 7/16"
18"	24"	4 3/16"	4"	1 3/8"	9 9/16"	F, D	3"	2 15/16"	21 5/16"	5 15/16"
20"	27"	4 3/4"	4 1/16"	1 3/4"	10 9/16"	F, D	3 1/8"	3 7/16"	24 1/4"	6 9/16"
24"	32 1/2"	5 3/4"	5 1/4"	2 1/4"	13 1/4"	F, D	3 3/16"	4 1/8"	28 3/4"	7 5/16"

† A—ABS, F—FRP, D—DuraStone, P—Polyurethane, FF—Foam-Filled Polystyrene; standard material is highlighted in boldface.

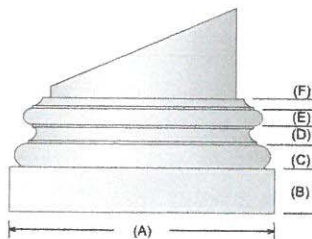
ROMAN DORIC CAP AND BASE FOR ROUND TAPERED COLUMNS:

Column Diameter	Roman Doric Base†					Roman Doric Cap†				
	Plinth		Torus		Total Height	Echinus	Abacus		Total Height	
	(A)	(B)	(C)	(D)	(B-D)		(F)	(G)	(E-F)	
6"	8"	1 1/2"	1"	3/4"	3 1/4"	1"	1 1/4"	7 1/2"	2 1/4"	
8"	10 7/8"	1 7/8"	1 7/16"	15/16"	4 1/4"	1 7/16"	1 1/2"	9 3/4"	2 15/16"	
10"	13 1/2"	2 3/8"	1 3/4"	1 1/4"	5 3/8"	1 7/8"	1 3/4"	12 1/2"	3 5/8"	
12"	16 1/4"	2 3/4"	2 1/16"	1 3/8"	6 3/16"	2 1/8"	2 3/8"	14 3/4"	4 1/2"	
14"	18 5/8"	3 3/8"	2 3/8"	1 5/8"	7 3/8"	2 11/16"	2 3/4"	14 1/2"	5 9/16"	
16"	21 5/16"	3 7/8"	2 7/8"	2"	8 3/4"	3 3/16"	3 1/8"	19 7/8"	6 5/16"	
18"	24"	4 1/4"	3 1/4"	2 3/8"	9 7/8"	3 7/16"	3 1/2"	22 1/4"	6 15/16"	

† Bases are FRP, caps are polyurethane. Only the bases are available in DuraStone—not the caps.



ATTIC BASE FOR ROUND COLUMNS:



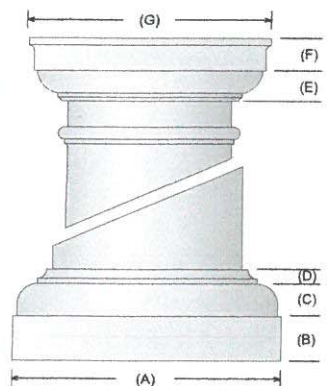
Column Diameter	Attic Base†						
	Plinth		Torus				Total Height
	(A)	(B)	(C)	(D)	(E)	(F)	(B-F)
6"	8"	1 1/2"	3/4"	3/4"	1/2"	1/2"	3 1/2"
8"	10 7/8"	1 7/8"	1 1/8"	7/8"	3/4"	1/2"	5 1/8"
10"	13 1/2"	2 3/8"	1 1/4"	1 1/8"	7/8"	5/8"	6 1/4"
12"	16 1/8"	2 3/4"	1 1/2"	1 3/8"	1"	5/8"	7 1/4"
14"	18 1/2"	3 5/16"	1 3/4"	1 5/8"	1 1/4"	11/16"	8 5/8"
16"	21 3/16"	3 3/4"	2 1/8"	1 7/8"	1 1/2"	13/16"	10 1/8"
18"	23 15/16"	4 1/4"	2 5/16"	2 1/8"	1 7/16"	1 1/8"	11 1/4"
20"	27 1/16"	4 3/4"	2 11/16"	2 3/8"	1 3/4"	1 7/16"	13"
24"	32 1/2"	5 3/4"	3 5/16"	2 13/16"	2 1/8"	1 3/4"	15 3/4"

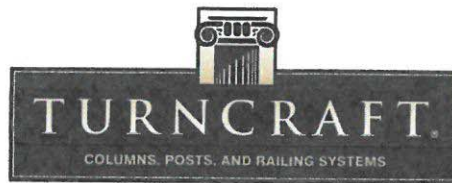
† Attic bases are FRP. Also available in DuraStone.

BUILDERS SERIES CAP AND BASE FOR ROUND TAPERED COLUMNS:

Column Diameter	Builders Series Base†					Builders Series Cap†				
	Plinth		Torus		Total Height	Echinus	Abacus		Total Height	
	(A)	(B)	(C)	(D)	(B-D)		(F)	(G)	(E-F)	
8"	10 7/8"	1 7/8"	1 1/4"	5/8"	3 3/4"	1 1/4"	1 1/4"	9 7/16"	2 1/2"	
10"	13 1/2"	2 3/8"	1 5/8"	9/16"	4 9/16"	1 13/16"	1 3/4"	12 3/16"	3 9/16"	
12"	16 1/4"	2 3/4"	2"	7/8"	5 5/8"	1 7/8"	2"	14 5/8"	3 7/8"	

† Cap and base are polystyrene (with foam core). Not available in DuraStone.





POLY-CLASSIC CAP AND BASE SPECIFICATIONS

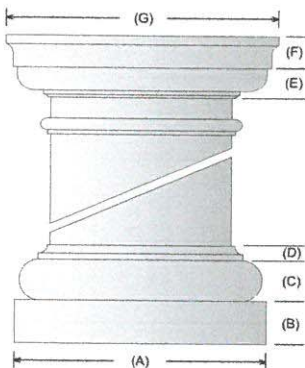
All caps and bases are manufactured of low-maintenance materials. Materials for caps and bases will vary based on size and style. Since these are molded products, specifications shown are $\pm 1/8"$, and subject to change without notice.

Roman Doric base and Attic base specifications are the same as for the round tapered shafts. Roman Doric caps and Ornamental capitals are not available for non-tapered round shafts.

TUSCAN CAP AND BASE FOR ROUND NON-TAPERED COLUMNS:

Column Diameter	Tuscan Base						Tuscan Cap				
	Plinth		Torus		Total Height (B-D)	Materials Available†	Echinus	Abacus		Total Height (E-F)	Materials Available†
	(A)	(B)	(C)	(D)			(E)	(F)	(G)		
8"	10 7/8"	1 7/8"	1 3/4"	5/8"	4 1/4"	A, F, D	1 13/16"	1 3/4"	12 1/8"	3 9/16"	P, D
10"	13 1/2"	2 3/8"	2 1/8"	3/4"	5 1/4"	A, F, D	1 7/8"	2"	14 5/8"	3 7/8"	P, D
12"	16 1/4"	2 3/4"	2 3/8"	7/8"	6"	A, F, D	2 1/2"	2 5/16"	17"	4 13/16"	P, D
14"	18 5/8"	3 5/16"	3"	1"	7 5/16"	F, D	2 3/4"	2 11/16"	19 1/8"	5 7/16"	P, D
16"	21 5/16"	3 7/8"	3 3/8"	1 1/8"	8 5/16"	F, D	3"	2 15/16"	21 5/16"	5 15/16"	P, D
18"	24"	4 3/16"	4"	1 3/8"	9 9/16"	F, D	3 1/8"	3 7/16"	24 1/4"	6 9/16"	P, D
20"	27"	4 3/4"	4 1/16"	1 3/4"	10 9/16"	F, D	3 3/16"	4 1/8"	28 3/4"	7 5/16"	P, D
24"	32 1/2"	5 3/4"	5 1/4"	2 1/4"	13 1/4"	F, D	3 3/16"	4 1/8"	32 1/2"	7 5/16"	P, D

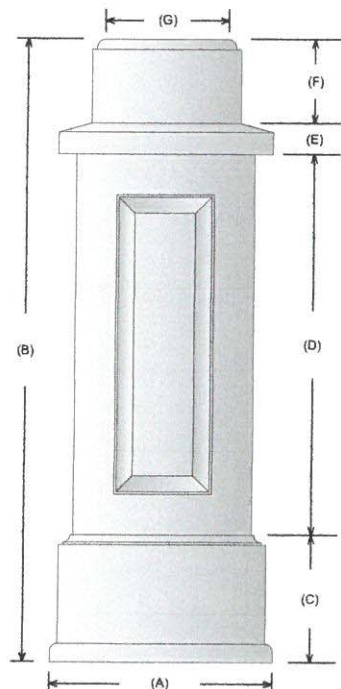
† A—ABS TimeSaver™, F—FRP, D—DuraStone, P—Polyurethane; standard material is highlighted in boldface.



TUSCAN CAP AND BASE FOR SQUARE NON-TAPERED COLUMNS:

Column Width	Tuscan Base†					Tuscan Cap†				
	Plinth		Torus		Total Height	Echinus	Abacus		Total Height	
	(A)	(B)	(C)	(D)	(B-D)	(E)	(F)	(G)	(E-F)	
6"	8"	1 1/2"	1 1/4"	1/2"	3 1/4"	1"	1 1/16"	8 7/16"	2 1/16"	
8"	11 3/8"	1 7/8"	1 3/4"	5/8"	4 1/4"	1 5/16"	1 7/16"	11 1/4"	2 3/4"	
10"	13 1/2"	2 3/8"	2 1/8"	3/4"	5 1/4"	1 13/16"	1 3/4"	13 1/4"	3 9/16"	
12"	17"	2 3/4"	2 3/8"	7/8"	6"	1 7/8"	2"	17 1/4"	3 7/8"	
14"	18 13/16"	3 3/8"	2 15/16"	1 1/16"	7 3/8"	2 1/2"	2 5/16"	18 11/16"	4 13/16"	

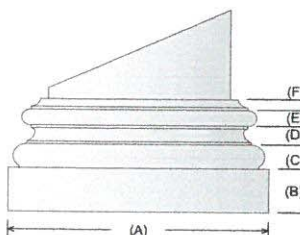
† Square caps and 6" to 12" bases are polyurethane; 14" base is FRP. FRP bases are available as special order. Also available in DuraStone.



PEDESTAL BASE FOR SQUARE NT COLUMNS (AT RIGHT):

Column Width	Pedestal Base†						
	Bottom Width	Total Height	Bottom	Center	Platform	Top	Top Width
	(A)	(B)	(C)	(D)	(E)	(F)	(G)
8"	15"	42 3/8"	8 11/16"	25 7/8"	2 1/8"	5 11/16"	8 1/4"

† Pedestal bases are FRP. Also available in DuraStone. Use with Tuscan cap (above) or Ornamental Capitals.



ATTIC BASE FOR SQUARE COLUMNS:

Column Diameter	Attic Base†						
	Plinth		Torus				Total Height (B-F)
	(A)	(B)	(C)	(D)	(E)	(F)	
6"	8"	1 1/2"	3/4"	3/4"	1/2"	1/2"	3 1/2"
8"	11 3/8"	1 7/8"	1 1/8"	7/8"	3/4"	1/2"	5 1/8"
10"	13 1/2"	2 3/8"	1 1/4"	1 1/8"	7/8"	5/8"	6 1/4"
12"	17"	2 3/4"	1 1/2"	1 3/8"	1"	5/8"	7 1/4"
14"	18 13/16"	3 5/16"	1 3/4"	1 5/8"	1 1/4"	11/16"	8 5/8"

† Attic bases are FRP. Also available in DuraStone.



POLY-CLASSIC ORNAMENTAL CAPITALS

"QUICK-FIT" CAPITALS FOR ROUND TAPERED FRP SHAFTS

The most visually impressive implementations of columns are those with decorative Ornamental Capitals. Designed with crisp, true architectural detail, Ornamental Capitals artfully capture natural themes and images. For example, the volute scrolls of the Ionic, Erectheim, Scamozzi and Empire styles imitate the helix cross-section of the Nautilus shell. The Acanthus leaves on the Temple of Winds and Roman Corinthian capitals echo the flowering crown of a tree. These Ornamental Capitals are specifically for Poly-Classic tapered column shafts only. Each style is proportionally scaled for the diameter of the shaft.

Our specially designed Quick-Fit capitals simplify or eliminate the need to trim the column shaft before installation! Trimming the shaft at the neck ring or at the fillet below the neck ring is a difficult task in the field. Since the Quick-Fit capitals slide over the column neck and set on the neck ring, it is no longer necessary to attempt to trim at the neck ring or fillet. For capitals that are taller than the column shaft neck, no trimming is necessary at all, since the capital is load-bearing. For those capitals which are shorter than the column shaft neck, the shaft will still need to be trimmed, but the point where it needs to be cut is much more easily accomplished since the astragal is not in the way. (The shaft will need to be trimmed to leave the neck 1/8" taller than the capital, since the shorter capitals are not load-bearing. The extra 1/8" shaft neck provides load-bearing support through the capital, and prevents the capital from being compressed by the load.)

Because of the Quick-Fit easier installation method, Turncraft will normally ship the Quick-Fit capitals, unless a preference is indicated for the standard Poly/Resin (see next page). For example, it would be best not to mix Quick-Fit and standard capitals when different size or style columns are used on one jobsite (i.e., if using 12" Scamozzi and 20" Scamozzi capitals, the astragal would be different for Quick-Fit than for standard capitals.)

Quick-Fit capitals are available in paint-grade materials (see table) or DuraStone pre-colored FRP (Ivory, Sand or Slate) to match our DuraStone column line. More sizes will be added to the Quick-Fit line as we are able to create molds.



GREEK ERECTHEUM

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust	Material
6"	3 1/4"	6 9/16"	8 3/8"	+ 3/8"	FRP, DuraStone



ROMAN CORINTHIAN

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust	Material
6"	8 11/16"	11"	N/A	+ 5 11/16"	FRP, DuraStone
8"	11 5/16"	14 5/16"	N/A	+ 7 1/16"	FRP, DuraStone
10"	14 3/16"	18 1/8"	N/A	+ 9 1/16"	FRP, DuraStone
12"	17"	21 3/4"	N/A	+ 12 1/4"	FRP, DuraStone



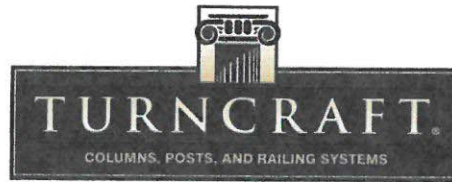
ROMAN IONIC

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust	Material
6"	2 3/16"	6"	8"	- 11/16"	Poly, DuraStone



SCAMOZZI

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust	Material
6"	2 7/16"	8 5/8"	8 1/2"	- 7 3/16"	Poly, DuraStone
8"	3"	11"	10 13/16"	- 1 1/8"	Poly, DuraStone
10"	4 1/8"	14 1/2"	14 3/8"	- 7/8"	Poly, DuraStone
12"	4 13/16"	17"	16 3/4"	+ 1/16"	Poly, DuraStone



POLY-CLASSIC ORNAMENTAL CAPITALS

CAPITALS FOR ROUND TAPERED COLUMNS

Designed with crisp, true architectural detail, Ornamental Capitals artfully capture natural themes and images. These paint-grade Ornamental Capitals are specifically for Poly-Classic *tapered* column shafts only. Each style is proportionally scaled for the diameter of the shaft. For best fit and correct style, the column shafts are to be trimmed at the architecturally correct location for the selected capital—see the note in each table. The “Height Adjust” value in the tables below indicate how the column trimming and capital height affect the overall maximum height of the column when installed. Capitals from 6” to 24” diameters are all load-bearing poly/resin materials. (Capitals shown as 30” are for DuraGlass resin-infused fiberglass columns. These 30” capitals are composite plaster and are *not* load-bearing. The column will ship with a load bearing solution as needed.)



EMPIRE (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	3 1/8"	9"	8 3/4"	- 3/8"
8"	3 3/4"	10"	9"	- 1"
10"	5 1/2"	16"	13 1/2"	- 3/8"
12"	6 1/4"	18"	17"	+ 3/4"
14"	7 1/4"	20 1/4"	19 1/2"	- 1/2"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	8 3/4"	23"	19 1/2"	+ 3/8"
18"	10"	32"	26 1/4"	+ 1 1/8"
20"	11 1/4"	34"	28"	+ 11/16"
24"	12 3/4"	35 1/2"	35"	- 7/8"
30"	N/A			



EMPIRE WITH NECKING (TRIM COLUMN SHAFT TO TOP OF NECK RING)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	6 7/8"	9"	8 3/4"	+ 3 7/8"
8"	7 3/4"	10"	9"	+ 3 1/2"
10"	10"	13 1/2"	12 1/4"	+ 4 7/8"
12"	11"	18"	17"	+ 6 1/4"
14"	14 1/2"	20 1/2"	19 1/2"	+ 7 3/4"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	17"	23"	19 1/2"	+ 9 5/8"
18"	15"	32"	26 1/4"	+ 7 1/8"
20"	17 1/4"	34"	28"	+ 8 1/16"
24"	19"	35 1/2"	35"	+ 7"
30"	N/A			



GREEK ANGULAR IONIC (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	3 5/8"	9 1/4"	9"	+ 1/8"
8"	3 3/4"	9 1/2"	9"	- 1"
10"	5 3/8"	14 1/4"	13 1/4"	- 1/2"
12"	6"	17 1/4"	17"	+ 1/2"
14"	7 1/4"	20 3/4"	19 1/4"	- 1/2"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	8 3/8"	20 1/2"	19 1/2"	0"
18"	9 3/4"	24 1/4"	19 3/4"	+ 7/8"
20"	11"	29 3/4"	28"	+ 7/16"
24"	12 3/4"	35"	34 1/2"	- 7/8"
30"	N/A			



GREEK ERETHEUM (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6" *	3 1/4"	6 3/4"	8 1/2"	- 1/4"
8"	3 3/4"	7 3/4"	11 3/4"	- 1"
10"	5 1/2"	12"	17 1/2"	- 3/8"
12"	6 1/4"	14 1/4"	21"	+ 3/4"
14"	7"	15"	21"	- 3/4"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	9"	17 1/2"	26"	+ 5/8"
18"	10 1/2"	22"	29"	+ 1 5/8"
20"	11"	26"	36"	+ 7/16"
24"	13"	30 1/2"	43"	- 5/8"
30"	15"	31"	45 1/2"	

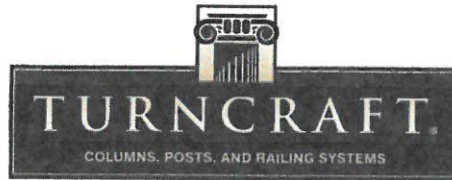


GREEK ERETHEUM WITH NECKING (TRIM COLUMN SHAFT TO TOP OF NECK RING)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	5 3/4"	7 3/4"	11 3/4"	+ 2 3/4"
8"	7 1/2"	10 1/2"	15"	+ 3 1/4"
10"	8 1/2"	12"	17 1/4"	+ 3 3/8"
12"	9 1/2"	14 1/2"	21"	+ 4 3/4"
14"	11 1/4"	15"	21"	+ 4 1/2"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	13 1/2"	17 1/2"	26"	+ 6 1/8"
18"	15"	22 1/2"	29"	+ 7 1/8"
20"	17"	26"	36"	+ 7 13/16"
24"	19"	30 1/2"	43"	+ 7"
30"	24 3/4"	31"	45 1/2"	

*Special order—normally this size capital would be our Quick-Fit model, listed after next page.



POLY-CLASSIC ORNAMENTAL CAPITALS (CONT'D)



Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	7"	8"	N/A	+ 4"
8"	8 1/2"	10 3/4"	N/A	+ 4 1/4"
10"	12 1/4"	16 1/2"	N/A	+ 7 1/8"
12"	14 1/2"	19"	N/A	+ 9 3/4"
14"	17"	20"	N/A	+ 10 1/4"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	N/A			
18"	22 1/2"	25"	N/A	+ 14 5/8"
20"	22 1/2"	25"	N/A	+ 13 5/16"
24"	N/A			
30"	N/A			



ROMAN CORINTHIAN (TRIM COLUMN SHAFT TO TOP OF NECK RING)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6" *	7"	9 1/2"	N/A	4"
8" *	10 1/4"	13 3/4"	N/A	6"
10" *	13 7/8"	17 3/4"	N/A	8 3/4"
12" *	15 1/4"	18 1/2"	N/A	9 1/2"
14"	17"	22"	N/A	10 1/4"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	20"	27"	N/A	+ 12 5/8"
18"	23"	32 1/2"	N/A	+ 15 1/8"
20"	25 1/2"	39"	N/A	+ 16 5/16"
24"	28 1/2"	42"	N/A	+ 16 1/2"
30"	37 1/2"	16 1/2"	N/A	



ROMAN DORIC ORNAMENTAL (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	4"	8 3/4"	N/A	+ 1/2"
8"	6"	13 1/8"	N/A	+ 1 1/4"
10"	7"	16 1/4"	N/A	+ 1 1/8"
12"	7"	16 1/4"	N/A	+ 1 1/2"
14"	9"	21"	N/A	+ 1 1/4"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	10 1/2"	24"	N/A	+ 2 1/8"
18"	12 1/2"	28"	N/A	+ 3 5/8"
20"	12 1/2"	28"	N/A	+ 1 15/16"
24"	N/A			
30"	N/A			



ROMAN IONIC (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6" *	2 1/4"	6 1/8"	8 1/16"	- 1 1/4"
8"	3"	8 1/4"	10 1/2"	- 1 3/4"
10"	3 5/8"	11"	13 5/8"	- 2 1/4"
12"	4 1/2"	12 1/2"	16 1/2"	- 1"
14"	5 1/2"	17 1/2"	23"	- 2 1/4"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	6 1/8"	17 1/2"	22"	- 2 1/4"
18"	6 1/2"	20"	24 1/4"	- 2 3/8"
20"	8 3/4"	25"	31 3/4"	- 1 13/16"
24"	9"	25 1/4"	33"	- 4 5/8"
30"	12 1/2"	32"	40 1/2"	



SCAMOZZI (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6" *	2 5/8"	7 3/4"	6 1/4"	- 7/8"
8" *	3"	10 1/4"	9"	- 1 3/4"
10" *	3 7/8"	14 1/2"	12 1/2"	- 2"
12" *	4 7/8"	16 3/4"	14"	- 5/8"
14"	5 1/2"	19"	16 3/4"	- 2 1/4"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	6 1/4"	22 1/4"	18 1/2"	- 2 1/8"
18"	7"	23 1/2"	23"	- 1 7/8"
20"	8 3/4"	26"	21 1/2"	- 1 13/16"
24"	10 1/4"	34 1/4"	29 1/2"	- 3 3/8"
30"	12 3/4"	39"	33"	

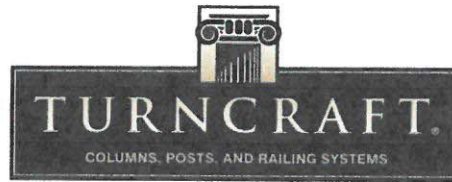


TEMPLE OF WINDS (TRIM COLUMN SHAFT TO TOP OF NECK RING)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	7"	8"	N/A	4"
8"	8"	12"	N/A	3 3/4"
10"	11 1/8"	15 1/4"	N/A	6"
12"	13 3/4"	17"	N/A	9"
14"	14"	21 1/4"	N/A	7 1/4"

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
16"	16"	23"	N/A	8 5/8"
18"	18 1/8"	26 3/4"	N/A	10 1/4"
20"	21 1/4"	28"	N/A	12 1/16"
24"	23 1/4"	34 1/4"	N/A	11 1/4"
30"	30"	39"	N/A	

*Special order—normally this size capital would be our Quick-Fit model. See following page.



POLY-CLASSIC SQUARE ORNAMENTAL CAPITALS

Designed with crisp, true architectural detail, Ornamental Capitals artfully capture natural themes and images. Capitals for square non-tapered Poly-Classic columns are crafted from poly/resin, and are load bearing and waterproof. Each style is proportionally scaled for the width of the shaft when the shaft is trimmed at the astragal for easy installation. Since the shafts will need to be trimmed, the overall height of the finished column will need to be adjusted by the "Height Adjust" value in the following tables. If an architecturally correct installation will be required, the shaft should be trimmed at the top fillet for Greek Erectheum, Roman Ionic and Scamozzi capitals, and the overall height will be further reduced by the height of the neck ring (see shaft specifications for the astragal neck ring height).



EMPIRE (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
8"	5 1/4"	13 1/2"	12 1/4"	+ 3/8"
10"	6 1/4"	18"	17"	+ 1 3/4"
12"	7 1/4"	20 1/4"	19 1/2"	+ 3/4"
14"	8 3/4"	23"	19 1/2"	+ 1 3/4"
16"	10"	32"	26 1/4"	+ 1 5/16"



EMPIRE WITH NECKING (TRIM COLUMN SHAFT TO TOP OF NECK RING)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	7 3/4"	10"	9"	+ 4 1/8"
8"	10"	13 1/2"	12 1/4"	+ 5 1/2"
10"	11"	18"	17"	+ 5 15/16"
12"	14 1/2"	20 1/2"	19 1/2"	+ 9 3/4"
14"	17"	23"	19 1/2"	+ 10"
16"	17 1/4"	34"	28"	+ 9 5/8"



GREEK ANGULAR IONIC (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
8"	5 1/8"	14 1/4"	13 3/4"	- 3/16"
10"	6"	17 1/4"	17"	+ 1/8"
12"	7 1/4"	20 3/4"	19 1/4"	+ 1 3/4"
14"	8 3/8"	20 1/2"	19 1/2"	+ 3/8"



GREEK ERECTHEUM (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	3 3/4"	7 3/4"	11 3/4"	- 11/16"
8"	5 1/4"	10 1/2"	15"	- 1/16"
10"	6 1/4"	14 1/2"	21"	+ 3/8"
12"	7"	15"	21"	+ 2 1/2"
14"	9"	17 1/2"	26"	+ 1"
16"	10"	22 1/2"	29"	+ 1 5/16"



GREEK ERECTHEUM WITH NECKING (TRIM COLUMN SHAFT TO TOP OF NECK RING)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	5 3/4"	7 3/4"	11 3/4"	+ 2 1/8"
8"	7 1/2"	10 1/2"	15"	+ 3"
10"	9 1/2"	14 1/2"	21"	+ 4 7/16"
12"	11 1/4"	15"	21"	+ 6 3/4"
14"	13 1/2"	17 1/2"	26"	+ 6 1/2"
16"	17"	26"	36"	+ 9 3/8"



POLY-CLASSIC SQUARE ORNAMENTAL CAPITALS (CONT'D)



MODERN COMPOSITE (TRIM COLUMN SHAFT TO TOP OF NECK RING)

Column Size	Capital Height	Abacus Width	Height Adjust
6"	8 1/2"	10 3/4"	+ 4 7/8"
8"	11 1/2"	16 1/2"	+ 7"
10"	14 1/2"	19"	+ 9 7/16"
12"	17"	20"	+ 12 1/2"
14"	22 1/2"	25"	+ 15 1/2"
16"	22 1/2"	25"	+ 14 7/8"



ROMAN CORINTHIAN (TRIM COLUMN SHAFT TO TOP OF NECK RING)

Column Size	Capital Height	Abacus Width	Height Adjust
6"	8 1/2"	12"	+ 4 7/8"
8"	11 1/2"	15"	+ 7"
10"	14 1/2"	18 1/2"	+ 9 7/16"
12"	17"	22"	+ 12 1/2"
14"	20"	27"	+ 13"
16"	23"	32 1/2"	+ 15 3/8"



ROMAN DORIC ORNAMENTAL (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Height Adjust
6"	4 1/2"	10 1/2"	+ 1/16"
8"	6"	14 1/4"	+ 11/16"
12"	9"	21"	+ 3 1/2"
14"	10 1/2"	24"	+ 2 1/2"



ROMAN IONIC (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	3"	8 1/4"	10 1/2"	- 1 7/16"
8"	3 5/8"	10 1/2"	13 1/2"	-1 11/16"
10"	4 1/2"	12 1/2"	16 1/2"	- 1 3/8"
12"	5 1/2"	17 1/2"	23"	0"



SCAMOZZI (TRIM COLUMN SHAFT TO TOP OF FILLET)

Column Size	Capital Height	Abacus Width	Scroll Width	Height Adjust
6"	3"	10 1/4"	9"	-7/8"
8"	3 7/8"	14 1/2"	12 1/2"	-5/8"
10"	4 7/8"	16 3/4"	14"	-7/8"
12"	5 1/2"	19"	16 3/4"	-1/4"
14"	6 1/4"	22 1/4"	18 1/2"	-1 1/2"



TEMPLE OF WINDS (TRIM COLUMN SHAFT TO TOP OF NECK RING)

Column Size	Capital Height	Abacus Width	Height Adjust
6"	7 1/2"	10 1/2"	+ 3 7/8"
8"	10"	13 7/8"	+ 5 1/2"
10"	11 5/8"	16 7/8"	+ 6 9/16"
12"	14"	21 1/4"	+ 9 1/2"
14"	16"	23"	+ 9"
16"	18 1/8"	16 3/4"	+ 10 1/2"

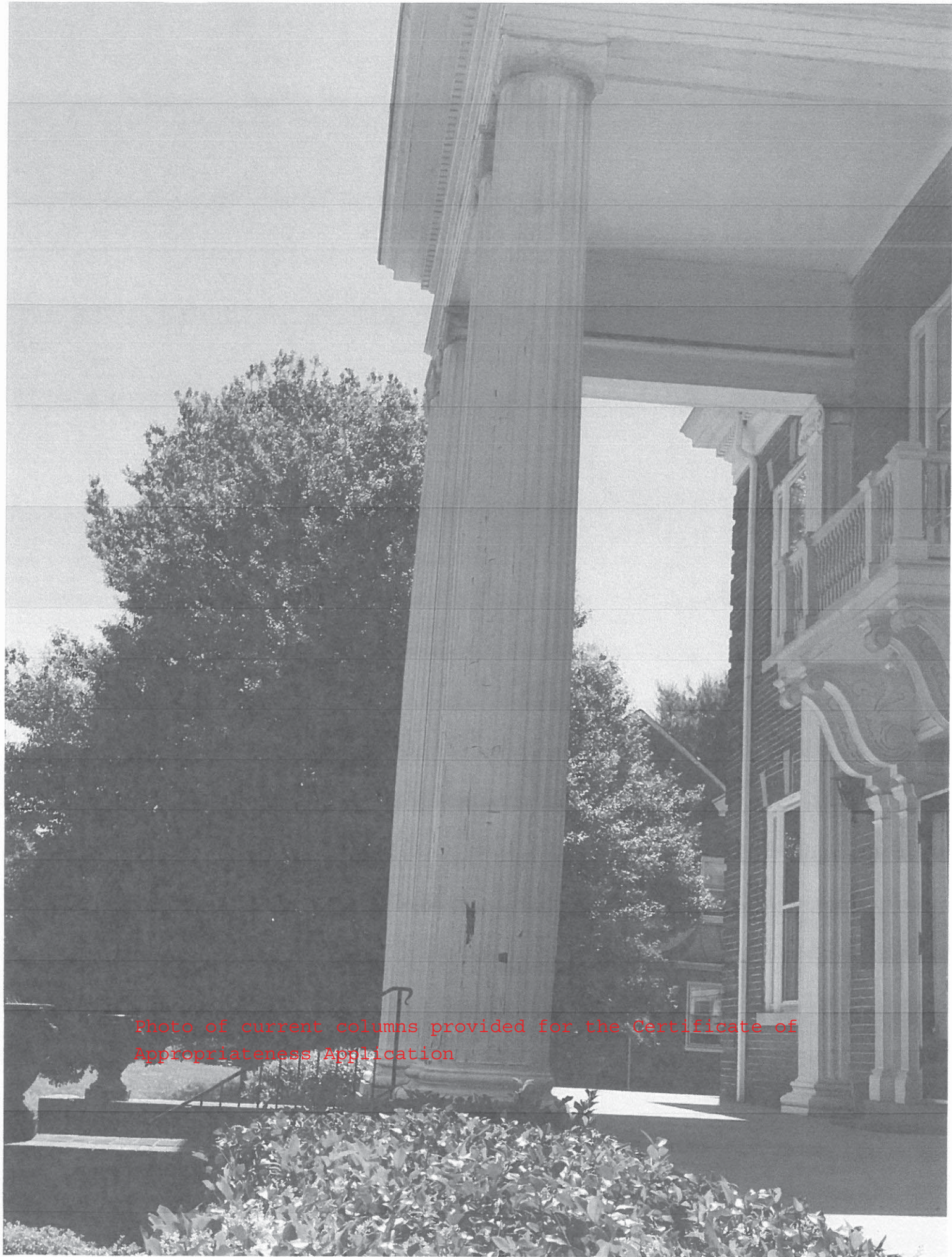


Photo of current columns provided for the Certificate of Appropriateness Application

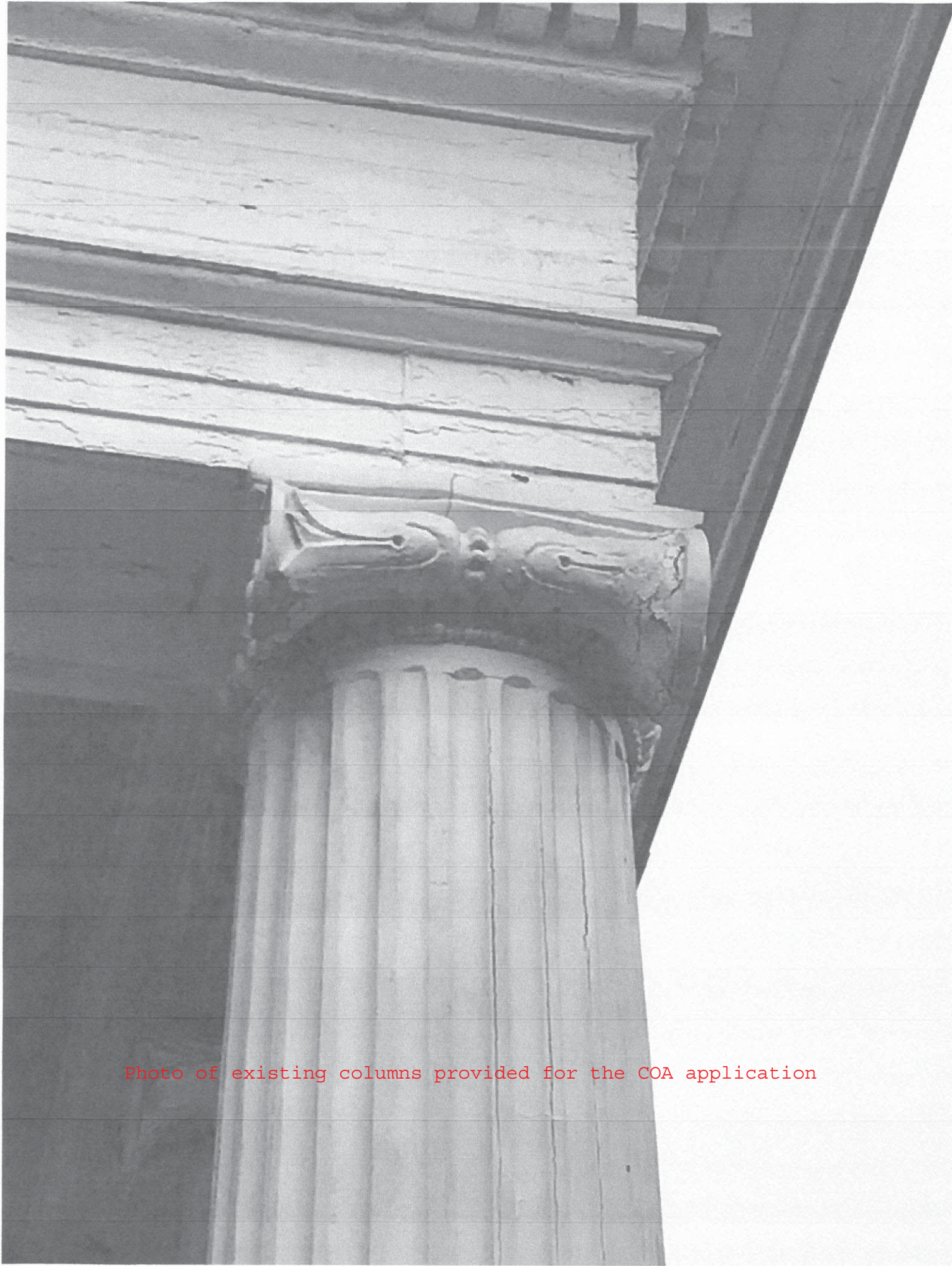


Photo of existing columns provided for the COA application



Front on view of 1919 Rivermont Avenue with its current 26-inch diameter columns provided for the COA application

From: Sarah Girtten sarahgirtendesign@gmail.com
Subject: Rivermont pictures
Date: Aug 14, 2017, 2:41:02 AM
To: Charlie Morris morrisbld@aol.com

Hey Charlie,

Here is the photoshopped image for the house on Rivermont to scale with the columns 2" smaller. I also attached the original. The edited picture is first.



Edited - 24" column superimposed

Front of view of 1919 Rivermont Avenue with 24-inch diameter columns
photoshopped on to the photo provided by Charlie Morris of Morris
Construction



Original - 26" column

Sent from my iPhone

Front on view of 1919 Rivermont Avenue with its current 26-inch diameter columns provided by Charlie Morris of Morris Construction



1919 Rivermont Avenue (view from property record on City's GIS website)

15. PORCH COLUMNS AND RAILINGS

POLICY:

Historic porch columns and railings should be retained and repaired with materials to match the original. If the original porch columns and railings are missing, replacement porch columns and railings should be appropriate for the dwelling's architectural style.

Porch Columns and Railings:

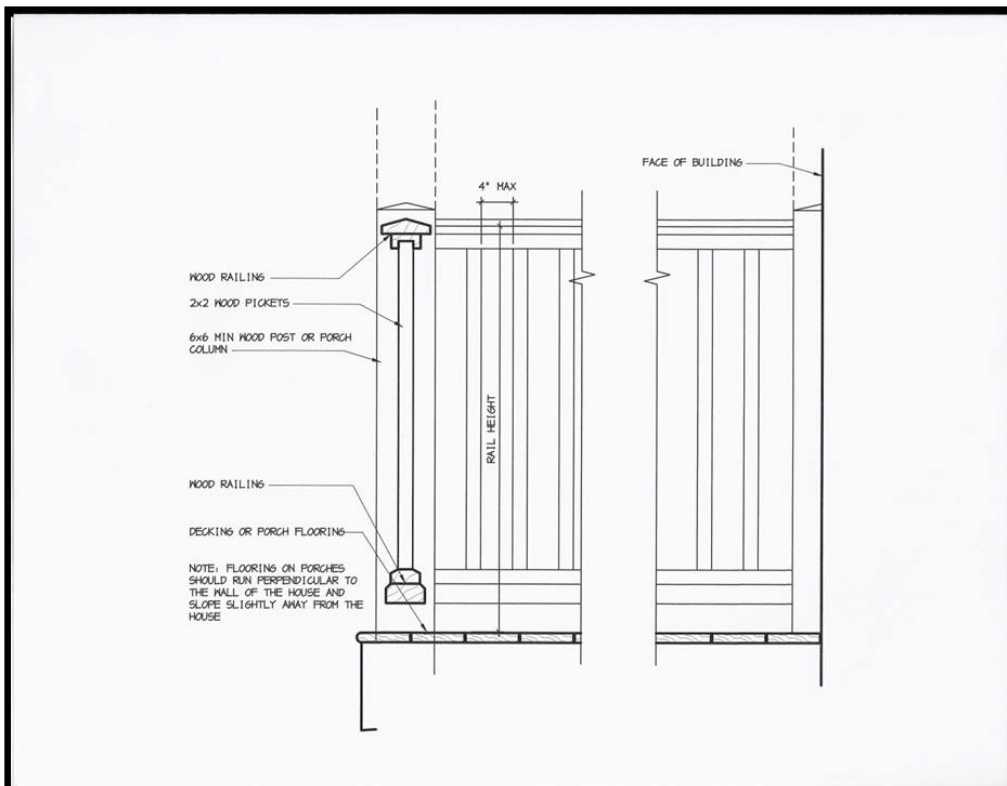
- A. should be preserved and maintained. If repair is required, use materials to match the original in dimensions, scale and detailing.
- B. often deteriorate first at the bottom next to the porch floor. If this is the case, consider sawing off the deteriorated area and replacing this section rather than replacing the entire column.
- C. of aluminum, wrought iron, vinyl, or other modern materials are typically not appropriate for front porches. The use of composite or fiberglass Classical Order columns, matching both dimension profile and texture of traditional columns, may be considered.
- D. on front porches should be rebuilt in historic designs if the original columns and railings are missing. For Queen Anne and Folk Victorian styles of the turn of the century, milled porch columns are appropriate and are readily available from wholesale companies. These porch columns are generally 8' in height and have widths and depths of 4" to 6". For American Foursquare porches round, square, or tapered square wood columns or posts are best. Although generally not available at wholesale hardware stores, they can be ordered from milling companies. These columns should fit the porch height and, if round, have diameters of no less than 6" and no more than 14". Square posts or tapered square posts should be a minimum of 8" and a maximum of 14" in depth and width.
- E. on front porches may require new newel posts. Porch newel posts in historic designs are readily available and are generally 4' high and measure 4" in width and depth. The "ball top" newel post is best for Queen Anne or Folk Victorian porches. The "V-Groove" post is acceptable for Queen Anne, Folk Victorian, and American Foursquare dwellings.
- F. on front porches may require new balusters for the railing. Porch balusters (also called spindles) are readily available in historic designs from wholesale hardware stores. Milled spindles measuring 3' high and 2" in diameter are best for Queen Anne and Folk Victorian dwellings. Balusters or spindles which are smaller than 2" in diameter are not appropriate for exterior porches. Square balusters which are 3' high and 2" to 3" in width and depth are best for American Foursquare and Colonial Revival dwellings.



Wood milled porch columns and railings help define this building's style (518 Washington Street).



This milled column and railing are essential to this property's character (317 Cabell Street).



Typical Rail Detail

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **7**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Rezoning: R-1, Low Density Residential to R-2, Low-Medium Density Residential District – 226, 300, 306, 312, and 404 Alta Lane

KEY ELEMENTS:

☒ Economic Development ☐ Excellent Government ☒ Natural and Built Environment ☒ Safe Community ☐ Vibrant Community

RECOMMENDATION: Approval of the rezoning from R-1 Low Density Residential zoning to R-2, Low-Medium Density Residential for a residential subdivision at 226, 300, 306, 312, and 404 Alta Lane.

SUMMARY: Bell Terrace Developers, LLC. is petitioning to rezone nineteen and seven tenths (19.7) acres from R-1, Low Density Residential District to R-2, Low-Medium Density Residential District to allow the subdivision of the property into forty-four (44) single-household lots. The density shown on the proposed concept plan of two and twenty-three hundredths (2.23) dwelling units per acre is below the two and nine-tenths (2.9) dwelling units per acre allowed by-right in the R-1 zoning district. This density also agrees with the Comprehensive Plan because the property is indicated for Low Density Residential use, which is characterized by densities of four (4) dwelling units per acre or less.

While the concept plan indicates forty-four (44) residential lots, if the R-2 zoning district is approved, additional single-household residential units could be added to the subdivision provided the total development is below the permitted density of four and thirty-five (4.35) dwelling units per acre. It is staff's opinion that achieving a higher density than what is shown on the concept plan would be difficult due to the configuration of the property.

PRIOR ACTION(S):

September 13, 2017: The Planning Division recommended approval of the rezoning.

The Planning Commission recommended approval (5-0 with 2 absent, Light and Bowden) of the rezoning.

FISCAL IMPACT: N/A

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

ATTACHMENT(S):

- Resolution
- Ordinance
- Planning Commission Minutes – September 13, 2017
- Planning Commission Packet – September 13, 2017
 - o Planning Commission Report
 - o Zoning Map with Adjoining Owners List
 - o Future Land Use Map
 - o Watershed Map
 - o Planimetric and Topographic Map
 - o Concept Plan
 - o Narrative
 - o Speaker Signup Sheet

REVIEWED BY: bms

UNCODIFIED ORDINANCE:

AN ORDINANCE CHANGING A CERTAIN AREA LOCATED AT 226, 300, 306, 312, AND 404 ALTA LANE FROM R-1, LOW DENSITY RESIDENTIAL DISTRICT TO R-2, LOW-MEDIUM DENSITY RESIDENTIAL DISTRICT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that in order to promote the public necessity, convenience, welfare and good zoning practice that Chapter 35.2 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby further amended by adding thereto Section 35.2-54.____ which shall read as follows:

Section 35.2-54.____. Change of a certain area located at 226, 300, 306, 312, and 404 Alta Lane from R-1, Low Density Residential District to R-2, Low-Medium Residential District.

The area embraced within the following boundaries:

LEGAL DESCRIPTION

BEGINNING at a point, said point being on Alta Lane in the City of Lynchburg and corner to the city parcel 26103014, thence in a line towards, N 34° 27' 46" W for a distance of 178.47 feet to a point; thence in a line towards, S 56° 35' 17" W for a distance of 130.00 feet to a point; thence in a line towards, S 33° 24' 43" E for a distance of 162.32 feet to a point; thence with a curve, said curve turning to the right through S 63° 29' 08" W, for a distance of 9.74 feet to the beginning of a curve, Said curve turning to the left through an angle of 10° 53' 22", having a radius of 1507.08 feet, and whose long chord bears S 58° 02' 26" W for a distance of 286.00 feet to a point; thence, S 52° 35' 45" W for a distance of 38.51 feet to a point; thence, S 48° 43' 12" W for a distance of 101.98 feet to a point; thence, N 41° 48' 42" W for a distance of 169.60 feet to a point; thence, N 26° 17' 18" E for a distance of 98.20 feet to a point; thence, N 26° 17' 18" E for a distance of 276.69 feet to a point; thence, N 29° 50' 51" E for a distance of 152.40 feet to a point; thence, N 33° 24' 43" W for a distance of 176.04 feet to a point; thence, N 34° 24' 01" W for a distance of 538.06 feet to a point; thence, N 30° 46' 02" E for a distance of 608.09 feet to a point; thence, S 51° 15' 43" E for a distance of 360.07 feet to a point; thence, N 49° 09' 05" E for a distance of 155.36 feet to a point; thence, S 48° 46' 56" E for a distance of 50.25 feet to a point ; thence, S 49° 10' 22" W for a distance of 153.16 feet to a point; thence, S 51° 15' 43" E for a distance of 157.85 feet to a point; thence, S 52° 34' 19" E for a distance of 449.44 feet to a point; thence, S 37° 11' 10" W for a distance of 128.33 feet to a point; thence, N 48° 46' 59" W for a distance of 448.90 feet to a point; thence, S 36° 08' 02" W for a distance of 98.51 feet to a point; thence, S 43° 14' 21" E for a distance of 524.15 feet to a point; thence, S 63° 11' 29" W for a distance of 152.12 feet to a point; thence, S 63° 54' 18" W for a distance of 169.88 feet to a point; thence, S 37° 07' 56" E for a distance of 348.41 feet to a point; thence S 63° 29' 08" W a distance of 188.07 feet to the POINT OF BEGINNING; containing 19.7 acres, more or less.

.. is hereby changed from R-1, Low Density Residential District to R-2, Low-Medium Residential District.

And the City Planner shall forthwith cause the "Official Zoning Map of Lynchburg, Virginia," referred to in Section 35.2-30 of this chapter to be amended in accordance therewith.

Adopted:

Certified:

Clerk of Council

126K

MINUTES OF THE SEPTEMBER 13, 2017 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Petition of Bell Terrace Developers, LLC, to rezone approximately nineteen and seven tenths (19.7) acres located at 226, 300, 306, 312 & 404 Alta Lane from R-1, Low Density Residential District to R-2, Low-Medium Density Residential District to allow the subdivision of the property into forty-four (44) single-household lots.

Ms. Frischeisen summarized the report for the commissioners. The five properties involved in this petition are currently zoned R-1, Low Density Residential. These areas are intended to provide for residential development at low densities, together with public or institutional uses and private recreational facilities that are in scale with single-household residences. R-1 zoning allows for densities of up to 2.9 dwelling units per acre. The *Comprehensive Plan 2013-2030's Future Land Use Map (FLUM)* recommends a Low Density Residential use for the area. These areas are intended to include single family detached housing at densities of up to four (4) dwelling units per acre.

The proposed 44-lot development has a density of two and twenty-three hundredths (2.23) units per acre. Therefore, the density of 2.23 units per acre is in agreement with the land use indicated on the *FLUM*, and is below the current limit on the existing R-1 zone (2.9 units per acre). The 2.23 units per acre is also well below the density of the proposed R-2 zoning, which allows for up to 4.35 units per acre; however, if approved, the subdivision could be developed with a density of up to 4.35 units per acre, which would not agree with the Comprehensive Plan's designation of up to 4 dwelling units per acre. Achieving a higher density than what is shown on the concept plan would probably be difficult but it would be allowed by-right at that point.

The Technical Review Committee (TRC) reviewed the rezoning on August 22, 2017. Comments were minor in nature and will be addressed by the petitioner prior to final plan approval. Planning staff recommends approval of the project

Mr. Norm Walton of Perkins & Orrison, Inc., was present to represent the application. He stated that Ms. Frischeisen did an excellent job presenting the project. He wanted to reiterate that this development is below the R-1 zoning density, as well as well below the *FLUM* density. Referring to the concept plan, Mr. Walton pointed out that with the configuration of the parcel, it would be very difficult to get any more lots, especially with the limits of road frontage and front and rear road setbacks. They feel this is as dense as this property can be developed.

They do not anticipate traffic being a huge issue. There will be an increase on Alta Lane. He realizes there are already some traffic concerns on Alta Lane where the City has installed traffic calming measures in the past.

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

Commissioner Lowe said he really did not have any questions. He does have a concern with the amount of traffic that will be brought in on Alta Lane and Grove Road. He also pointed out that if each house has three unrelated people in it, they could add a great deal more cars to the area. He is not sure which entrance is going to be the main entrance to the development.

Ms. Frischeisen thinks it is important to note that they are proposing a lower density than what is actually allowed by right. By right, more houses and traffic could be added to this area. Commissioner Lowe said he recognizes that fact and actually likes the fact that it is a lower density development. He noted that the roads are very narrow and he is just trying to visualize additional traffic. He said he is

surprised there are no residents to speak either in favor or against the petition, especially on the Grove Road side because one of the entrances is going to split two houses.

Ms. Frischeisen said they did receive a couple phone calls from neighbors with the standard concerns neighbors usually have about stormwater, dust, traffic and the safety of walkers in the neighborhood. There will be sidewalk on the new street, which is a nice benefit. Traffic is a concern, but if developed by right, there could actually be more traffic than what they are proposing. Commissioner Lowe acknowledged that is true. Commissioner Lowe asked if the City had any concerns with getting fire trucks in and out of the development. Ms. Frischeisen stated that the Transportation Engineer did not require a traffic study.

Chair Perault asked where the sidewalk will be located. Mr. Walton indicated on the concept plan that there is a five-foot wide sidewalk being constructed on both sides of the new street that will serve this development. Mr. Walton also spoke to Commissioner's Lowe comment regarding Grove Road. He noted that it was an existing connection with public right-of-way already dedicated off Grove Road between those lots. They were asked to make that connection to encourage interconnectivity and give people more than one way in and out of this development. The Alta Lane entrance will be the main entrance. The Grove Road entrance will help the Grove Road residents more than the Alta Lane residents because that will provide a quicker access to Leesville Road.

Chair Perault thinks that Alta Lane is set up pretty well to keep speeding down. It is posted really well and has the medians. Traffic may go up a little bit but there will not be people flying through that area. Chair Perault said his concern is that even though they say the density will not go up to 4.35 units per acre, the potential to do that still exists. A pretty good case was made for why you would not do that but he is always concerned when that door is left open because things do change. But he thinks there is a pretty good argument for the whole project with the net result being better than the current situation. He likes the fact that they are achieving it by leaving some green areas. He thinks this project will spruce up that area some; a lot of the houses are old and he thinks it will increase their value.

Commissioner Marion asked Mr. Walton if there is any common green space. Lot 10 and 20 are pretty big but those would be privately owned. Mr. Walton said that is correct; there are no designated open space lots on the plan.

Commissioner Lowe made the following motion, which was seconded by Commissioner Johnson and passed by the following vote:

"That the Planning Commission recommends to City Council approval of the petition of Bell Terrace Developers, LLC to rezone approximately nineteen and seven hundredths (19.7) acres located at 226, 300, 306, 312, and 404 Alta Lane from R-1, Low Density Residential to R-2, Low-Medium Density Residential to allow the construction of single-household dwellings."

AYES:	Johnson, Lowe, Perault, Marion and Rogers	5
NOES:		0
ABSTENTIONS:		0
ABSENT:	Bowden and Light	2

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

To: Planning Commission
From: Planning Division
Date: September 13, 2017
Re: **Rezoning: 226, 300, 306, 312, and 404 Alta Lane – R-1, Low Density Residential to R-2, Low-Medium Density Residential**

I. PETITIONER

Bell Terrace Developers, LLC., 190 Dayspring Road, Rustburg, Virginia 24588

Representative: Mr. Norm Walton, Jr. P.E., Perkins & Orrison, 27 Green Hill Drive, Forest, Virginia 24551

II. LOCATION

The subject property includes five (5) tracts, comprising approximately nineteen and seven hundredths (19.7) acres located at 226, 300, 306, 312, and 404 Alta Lane.

Property Owner(s):

226, 300, 306, and 312 Alta Lane – Bell Terrace Developers, LLC., 190 Dayspring Road, Rustburg, Virginia 24588

404 Alta Lane – Theodore L. & Sherry A. Bell – 190 Dayspring Road, Rustburg, Virginia 24588

III. PURPOSE

The purpose of the petition is to rezone the property to facilitate the construction of single-household residences on smaller lots than the current R-1, Low Density Residential zoning allows.

IV. SUMMARY

- The existing R-1, Low Density Residential District is intended to provide for residential development at low densities, together with public uses, institutional uses and private recreational facilities that are in scale with single-household residences.
- The *Comprehensive Plan 2013-2030's Future Land Use Map (FLUM)* recommends a Low Density Residential use for the area. These areas are intended to include single family detached housing at densities of up to four (4) dwelling units per acre.
- The proposed development has a density of two and twenty-three hundredths (2.23) units per acre.

The Planning Division recommends approval of the rezoning petition.

V. FINDINGS OF FACT

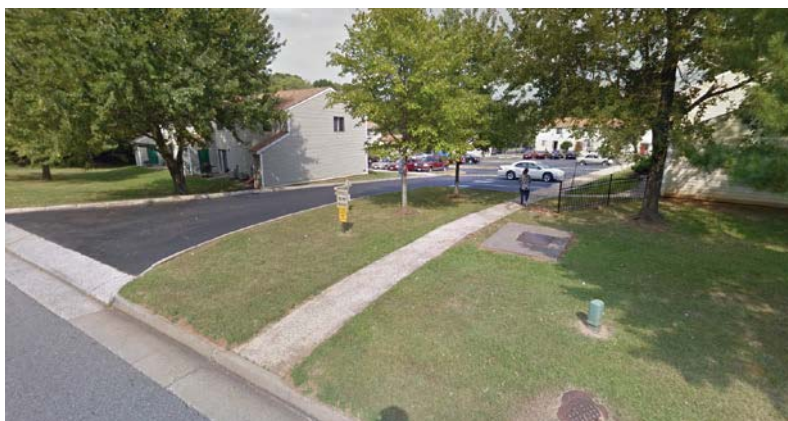
1. **Comprehensive Plan.** The *Future Land Use Map (FLUM)* from the *Comprehensive Plan 2013-2030* recommends Low Density Residential use for the properties. Low Density Residential areas are dominated by single family detached housing at densities of up to four (4) dwelling units per acre. In addition to residential uses, they may include public and institutional uses compatible in scale with single family residential homes. Private recreation uses, including country clubs and swim and racquet clubs, and private open space are also appropriate for Low Density Residential areas. (p. 72)

2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-1, Low Density Residential District was established in 2002.
3. **Proffers.** No proffers have been submitted.
4. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances are needed for the development of the property as proposed.
5. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On December 12, 1978, City Council approved the Timberlake Road Study, which rezoned many properties along the Leesville Road corridor.
 - On January 26, 1999, City Council approved the rezoning request of the Faison/Trammel Crow Company to rezone approximately fifty(58) acres in the vicinity of Wards Road, Atlanta Avenue, and Wards Ferry Road from R-3, Two-Family Residential District to B-3C, Community Business District (Conditional), R-4 Multi-Family Residential District, R-5, Multi-family Residential District and B-5, General Business District to B-5C, General Business District (Conditional). Council also approved a conditional use permit (CUP) to allow for the construction of a shopping center.
 - On November 5, 2005, City Council approved the rezoning request of Compson Development, LC, at 108 Melinda Drive and Wards Ferry Road from R-4, Multi-Family Residential District & R-C, Conservation District to B-3C, Community Business District (Conditional). Council also approved a conditional use permit (CUP) to allow commercial access for a shopping center in Campbell County.
 - On March 11, 2014, City Council denied the rezoning request of Mr. Ted and Mrs. Sherry Bell at 402 Alta Lane from R-1, Low Density Residential District, to R-4C, Medium-High Density Residential District (Conditional) and to amend the *FLUM* to allow for the construction and sale of fifteen (15) townhomes.
6. **Site Description.** The property proposed for rezoning includes five (5) tracts of approximately nineteen and seven hundredths (19.7) acres located at 226, 300, 306, 312 and 404 Alta Lane. All of the subject properties are currently vacant.



226, 300, 306, 312 and 404 Alta Lane (*Subject Properties and surrounding residential area*)

The property is bordered to the north, east and south by single-household detached residential uses.



The property is bordered to the west by an apartment use located at 679 Leesville Road.

7. **Proposed Use of Property.** If the petition is approved, the properties will be developed with single-household residences, including public streets to serve the neighborhood.

8. Traffic, Parking and Public Transit.

A transportation analysis was not required by the City's Transportation Engineer.

The nearest Greater Lynchburg Transit Company (GLTC) stops are located approximately half a mile from the proposed development on Wards Ferry Road and Leesville Road and are not connected by sidewalks. The Route 6 Loop serves the stops.

- 9. Stormwater Management.** An erosion and sediment control plan and stormwater management plan will be required prior to final road/water/sewer plan and subdivision plat approval. The submitted concept plan indicates the use of a stormwater management pond.
- 10. Emergency Services:** The City's Police Department had no comments of concern regarding the proposed rezoning. The City's Fire Marshal noted the need to address requirements of the 2012 Virginia Statewide Fire Prevention Code during final road/water/sewer plan preparation.
- 11. Impact.** The property is currently zoned R-1, Low Density Residential and recommended for Low Density Residential use on the *FLUM*. The proposed residential development is consistent with future land use and would be permitted by right in the proposed R-2, Low-Medium Density Residential District. The property would serve as a transition between the R-4, High Density Residential District and R-1, Low Density Residential District of the surrounding neighborhood.

While R-2 districts allow for a maximum density of 4.35 dwelling units per acre, a net density of 2.23 dwelling units per acre is proposed per the concept plan. This is in keeping with the Comprehensive Plan because Low Density Residential uses indicated on the *FLUM* are characterized by densities of 4 dwelling units per acre or less (p.72). Although the density is not proffered, achieving a higher density than what is shown on the concept plan would be difficult due to the configuration of the property.

- 12. Technical Review Committee.** The Technical Review Committee (TRC) reviewed the rezoning on August 22, 2017. Comments have or will be addressed by the petitioner prior to final road/water/sewer plan and subdivision plat approval.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of Bell Terrace Developers, LLC to rezone approximately nineteen and seven hundredths (19.7) acres located at 226, 300, 306, 312, and 404 Alta Lane from R-1, Low Density Residential to R-2, Low-Medium Density Residential to allow the construction of single-household dwellings.

This matter is respectfully offered for your consideration.



William T. Martin, AICP
City Planner

pc: Ms. Bonnie M. Svrcek, City Manager
Mr. Charles Hartgrove, Deputy City Manager
Mr. Walter C. Erwin, City Attorney
Mr. Kent L. White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Ms. Cynthia Kozarow, Lynchburg Police Department
Battalion Chief Thomas Goode, Fire Marshal
Mr. Doug Saunders, Building Official
Mr. Kevin Henry, Zoning Administrator
Mr. Norm Walton, P.E., Representative
Bell Terrace Developers, LLC, Property Owner
Theodore L. & Sherry A. Bell, Property Owners

VII. ATTACHMENTS

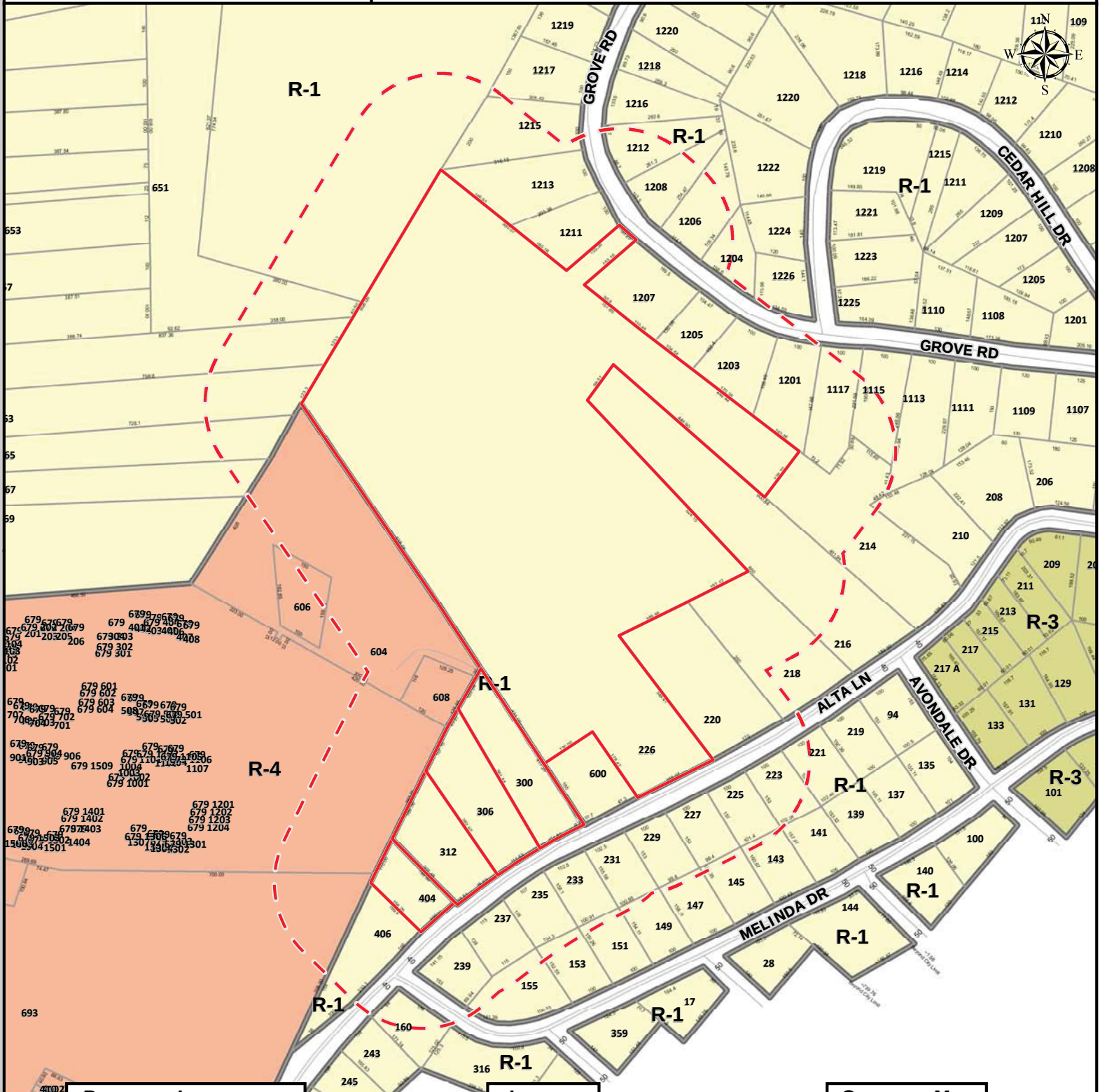
- 1. Zoning Map with Adjoining Owners List**
- 2. Future Land Use Map**
- 3. Watershed Map**
- 4. Planimetric and Topographic Map**
- 5. Concept Plan**
- 6. Narrative**

Zoning Map

Zoning Request

BELL TERRACE

Bell Terrace Developers, LLC



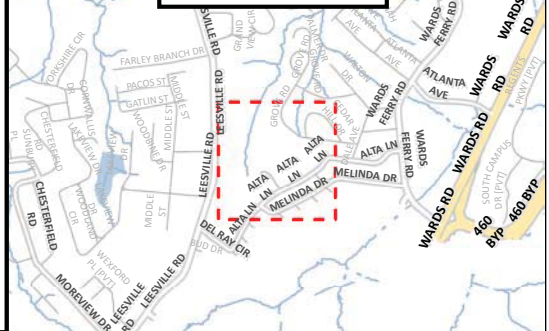
PROPERTY INFORMATION

PARCEL ID	ADDRESS
26103020	300 ALTA LN
26103014	226 ALTA LN
26103021	404 ALTA LN
26103023	312 ALTA LN
26103024	306 ALTA LN

LEGEND

 	Subject Property	
 	215' Buffer	
	B-1	 R-4
	B-2	 R-5
	B-3	 R-C
	B-4	 IN-1
	B-5	 IN-2
	B-6	
	I-1	
	I-2	
	I-3	
	R-1	
	R-2	
	R-3	

OVERVIEW MAP



MAP SCALE: 1" = 4,000' DATE PRINTED: 9/6/2017

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Parcel ID	Address	Owner
26104003	223 ALTA LN	ALBERT, RAYMOND I & BERNICE H
25614013	1205 GROVE RD	BARRICK, JOHN N TRS
26104016	147 MELINDA DR	BATHURST, DANIEL L
26103008	214 ALTA LN	BELL TERRACE DEVELOPERS LLC
26103014	226 ALTA LN	BELL TERRACE DEVELOPERS LLC
26103020	300 ALTA LN	BELL TERRACE DEVELOPERS LLC
26103023	312 ALTA LN	BELL TERRACE DEVELOPERS LLC
26103024	306 ALTA LN	BELL TERRACE DEVELOPERS LLC
26103021	404 ALTA LN	BELL, THEODORE L & SHERRY A
26104004	225 ALTA LN	BOLLING, TAMARA P & FULCHER, DAVID &
25614018	1217 GROVE RD	BROOKS, LANCE O
26201006	679 LEESVILLE RD	BURTON CREEK AFFORDABLE LLC
26104008	233 ALTA LN	CAMDEN, RONALD E
26104011	239 ALTA LN	CASE, THOMAS B & REGINA M
26201012	693 LEESVILLE RD	CENTRA HEALTH INC
26103019	608 DENSON DR	CREASY, MICHAEL E
25612026	1208 GROVE RD	CRESS, GEORGE B & NANCY J
26106009	160 MELINDA DR	CURRIER, O LEONARD & KAREN K
25504016	661 LEESVILLE RD	DANIEL, LOIS M
25614009	1115 GROVE RD	DODSON, GLOVER C & DORIS O LIFE
25614010	1117 GROVE RD	DODSON, GLOVER C & DORIS O LIFE
25616001	651 LEESVILLE RD	DUNN, VENESSA W ESTATE
26104005	227 ALTA LN	ELLIOTT, CLARA A
25614015	1211 GROVE RD	FERRIS, E EUGENE
26104013	153 MELINDA DR	FINNEY, ERIC T
25614017	1215 GROVE RD	HAMILTON, ROBERT H JR
25614011	1201 GROVE RD	HELWIG, M FAITH
25614012	1203 GROVE RD	HELWIG, M FAITH
26104012	155 MELINDA DR	HUGHES, HARRY A JR
26103022	406 ALTA LN	JENNINGS, CECIL E & SHEILA B
26104014	151 MELINDA DR	LAWRENCE, DOUGLAS M & DENISE E
25614014	1207 GROVE RD	LEAHY, DARRELL
26103018	606 DENSON DR	LITCHFORD, CORRIANNE KING
26104019	141 MELINDA DR	MADDOX, JOHN A & ANNYCE
25612027	1206 GROVE RD	MEULEMANS, JUSTIN & PATRICIA
26103015	600 DENSON DR	MOODY, JAMES J
25612029	1226 CEDAR HILL DR	MOON, AMY R
26201001	665 LEESVILLE RD	OGLESBY, SHARON RUTH TRS
26201002	667 LEESVILLE RD	OGLESBY, SHARON RUTH TRS
26103010	218 ALTA LN	RIDER, RANDY H & CHRISTIE O
26104002	221 ALTA LN	RIDER, RANDY H & CHRISTIE O
25612028	1204 GROVE RD	ROGINSKI, DORIS E LIFE ESTATE
26104010	237 ALTA LN	ROSE, KIMBERLY A & JEREMIAH S
26103012	220 ALTA LN	SCHRADER, GARY W & MARY M
26104009	235 ALTA LN	SCOTT, LANGSTON L SR & DEBROAH H

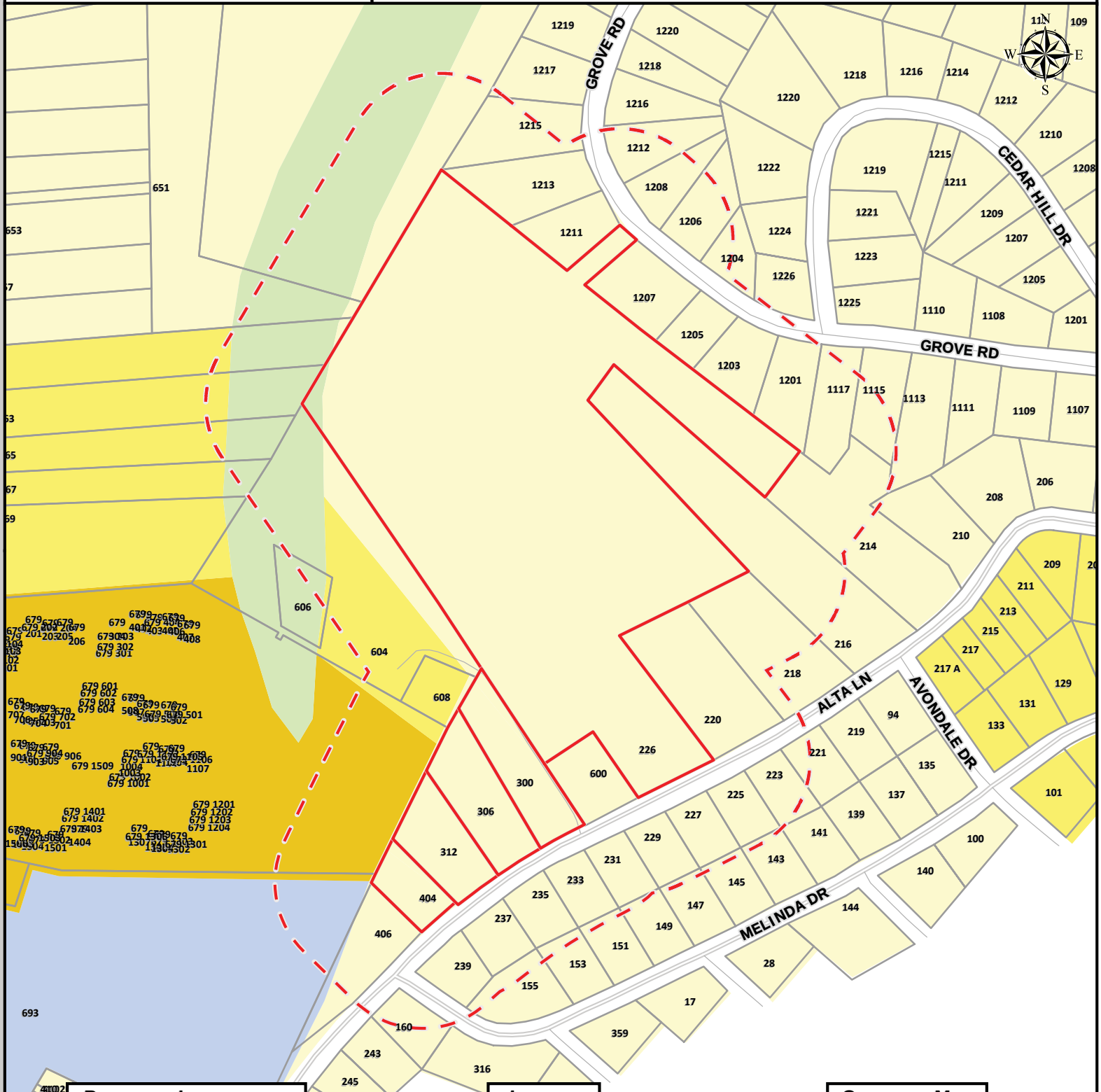
26103017	604 DENSON DR	SERENO, EUGENE L & LINDA S C
26103009	216 ALTA LN	SLAUGHTER, JAMES E &
25614008	1113 GROVE RD	SMITH, DANIEL A & SMITH, ALEXANDER M
26103006	210 ALTA LN	SMITH, RICHARD A & COLEMAN, PATSY A
25612025	1212 GROVE RD	UPDIKE, MARIE W
26104006	229 ALTA LN	VAUGHAN, TONY L & KAREN M
26104018	143 MELINDA DR	VEST, MELISSA J
25616006	619 LEESVILLE RD	VICTORY CHRISTIAN FELLOWSHIP
26104017	145 MELINDA DR	WHITE, C M & LEIGHTON, K L
26104007	231 ALTA LN	WILKINS, JOSEPH D SR &
26104015	149 MELINDA DR	WOLTERS, RICHARD H
25614016	1213 GROVE RD	WORLEY, G MICHAEL & KATHRYN M
25504017	663 LEESVILLE RD	WRIGHT PROPERTIES OF LYNCHBURG LLC

FLUM Map

Zoning Request

BELL TERRACE

Bell Terrace Developers, LLC



PROPERTY INFORMATION

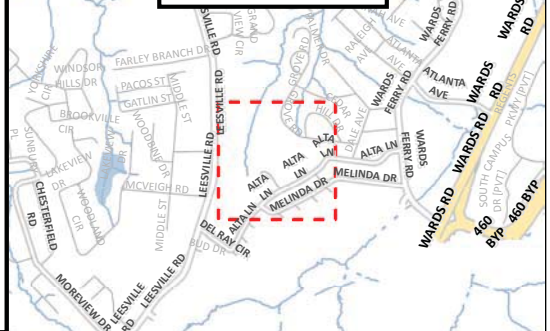
PARCEL ID	ADDRESS
26103020	300 ALTA LN
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26103021	404 ALTA LN
26103023	312 ALTA LN
26103024	306 ALTA LN

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" to 4,000' DATE PRINTED: 9/6/2017

OVERVIEW MAP



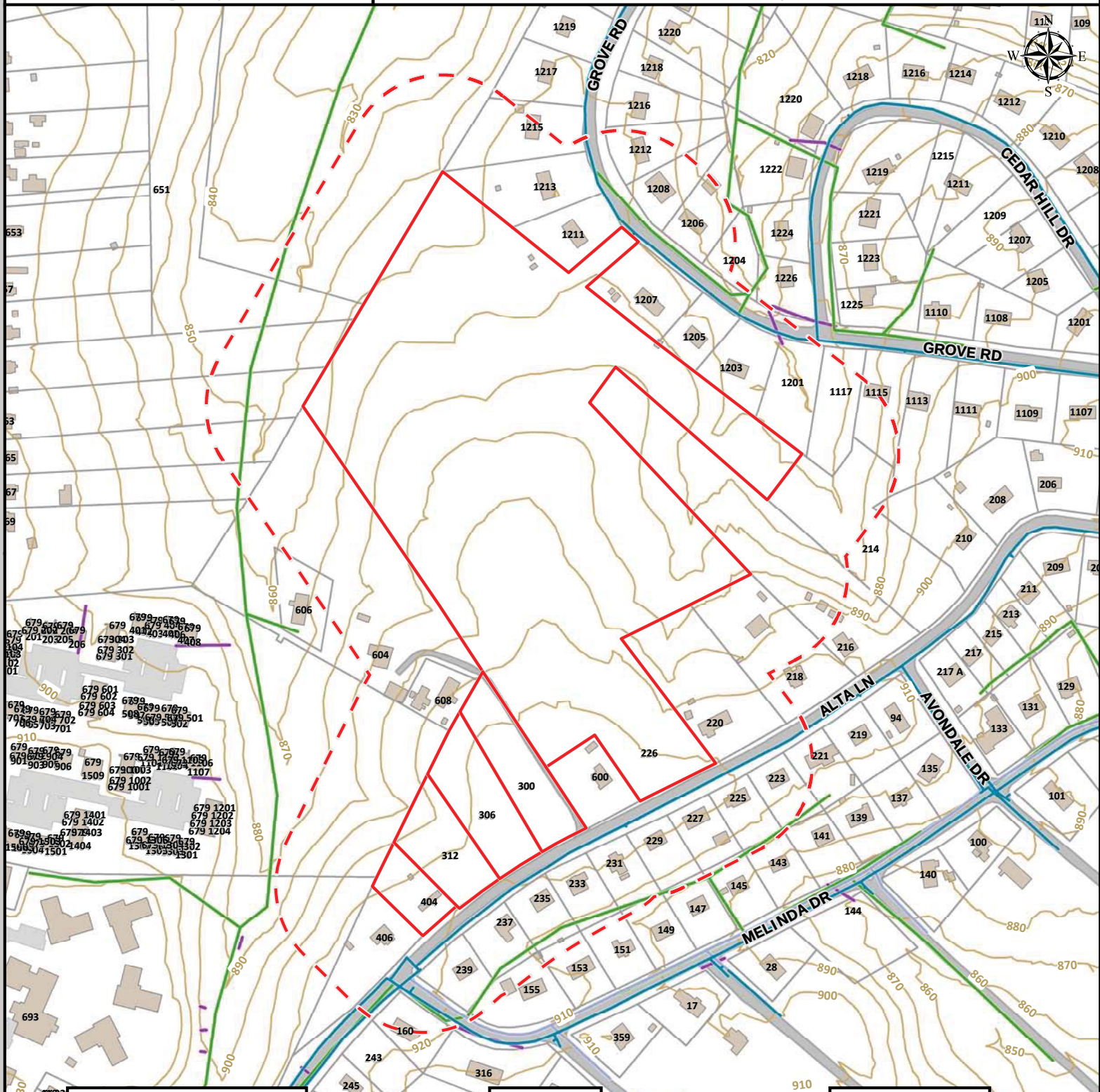
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Planimetric and Topographic Map

BELL TERRACE

Zoning Request

Bell Terrace Developers, LLC



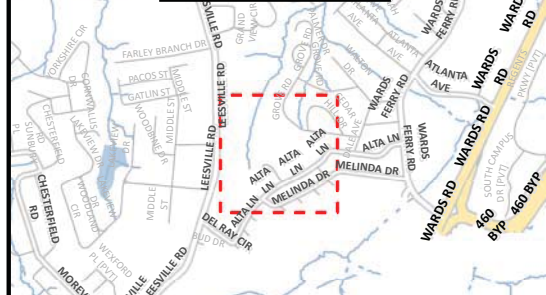
PROPERTY INFORMATION

PARCEL ID	ADDRESS
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LEGEND

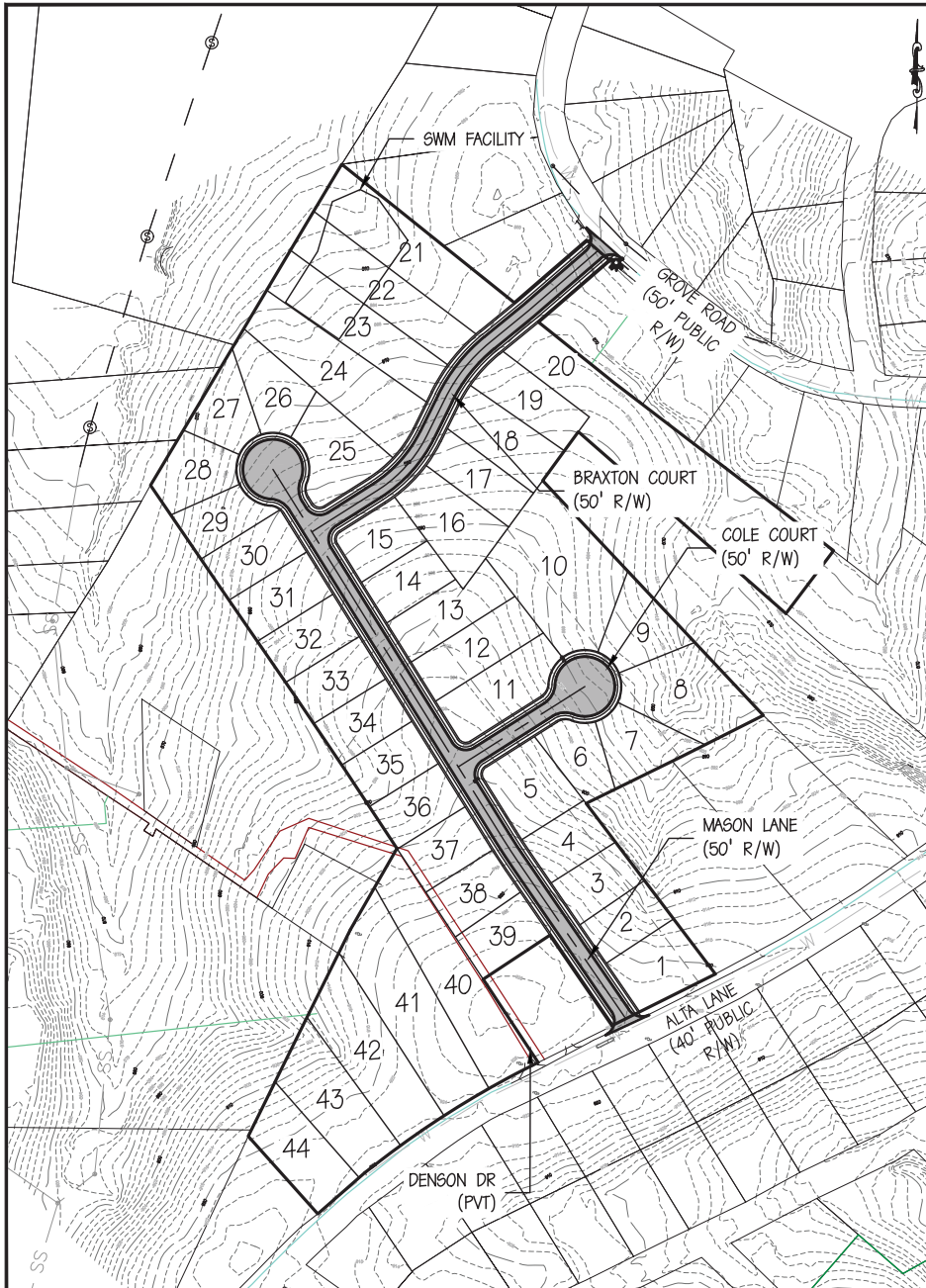
	Active	Proposed	Abandoned
Utilities			
Water			
Sanitary			
Storm			
Planimetrics			
Structure			
Roadway			
Parking			
Sidewalk			
Driveway			
Topography			
Contour			

OVERVIEW MAP



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PROPERTY INFORMATION:

PARCEL ID: 261-03-014, 261-03-020, 261-03-021,
261-03-023, 261-03-024,

PROPERTY ADDRESS: 226, 300, 306, 312, 404 ALTA LANE

OWNER: BELL TERRACE DEVELOPERS LLC (261-03-014, 020, 023, 024)
BELL, THEODORE L & SHERRY A (261-03-021)

REZONING APPLICANT: BELL TERRACE DEVELOPERS LLC

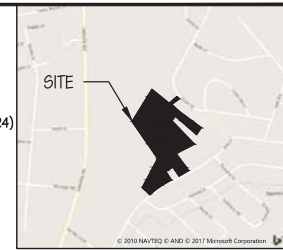
TOTAL ACREAGE: APPROXIMATELY 16.724 AC (261-03-014)
APPROXIMATELY 0.901 AC (261-03-020)
APPROXIMATELY 0.417 AC (261-03-021)
APPROXIMATELY 0.743 AC (261-03-023)
APPROXIMATELY 0.913 AC (261-03-024)
TOTAL AREA TO BE REZONED: 19.70± AC.

CURRENT ZONING: R-1 (LOW DENSITY RESIDENTIAL)
PROPOSED ZONING: R-2 (LOW-MEDIUM DENSITY RESIDENTIAL)

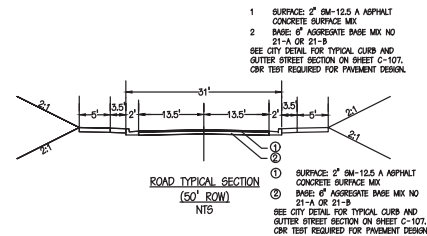
CURRENT USE: VACANT
PROPOSED USE: 44 SINGLE FAMILY RESIDENTIAL LOTS

MAX DENSITY: 4.35 DWELLINGS PER AC (R-2)
PROPOSED: 2.23 DWELLINGS PER AC
FLUM: 4 UNITS PER AC FOR LOW DENSITY RESIDENTIAL
PROPOSED FLUM: NO CHANGE TO FLUM

LOT REQUIREMENTS:
LOT SIZE: 10,000 SQ. FT
FRONT YARD: 30 FT REQ'D
SIDE YARD: 8 FT REQ'D
REAR YARD: 30 FT
MIN LOT WIDTH: 75 FT



VICINITY MAP
1" = 2000'



LEGEND
[Shaded Box] PROPOSED PAVEMENT

SHEET INDEX:

SHEET NO.	SHEET TITLE
1 OF 4	COVER/LAYOUT
2 OF 4	BOUNDARY
3 OF 4	LANDSCAPE PLAN
4 OF 4	UTILITY LAYOUT

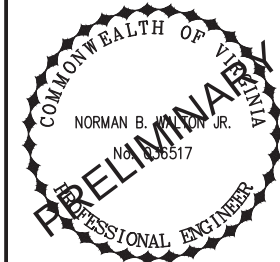
NOTES:

1. THE PURPOSE OF THIS PLAN IS TO SHOW A PRELIMINARY LAYOUT FOR THE REZONING PROCESS. THE ACTUAL LAYOUT MAY CHANGE SLIGHTLY WHEN ACTUAL CONSTRUCTION PLANS ARE SUBMITTED TO THE CITY FOR REVIEW, BUT SHALL REMAIN IN GENERAL CONFORMANCE TO THIS PLAN.
2. STORM WATER QUALITY AND QUANTITY WILL BE ADDRESSED BY PART IIB CRITERIA ON SITE.
3. THE PROPERTY SHOWN HEREON IS WITHIN ZONE "UNSHADED X" PER FEMA MAP PANEL # 5100930102D, DATED 06/03/2008.
4. LANDSCAPING WILL BE PROPOSED PER THE CITY OF LYNCHBURG'S LANDSCAPE ORDINANCE. LANDSCAPING SHOWN HEREIN IS SHOWN TO BE IN CONFORMANCE WITH THE LANDSCAPING ORDINANCE.
5. EROSION AND SEDIMENT CONTROL MEASURES WILL BE USED IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. E&S MEASURES ARE NOT SHOWN ON THIS PLAN, BUT WILL BE INCLUDED WITH THE ACTUAL SITE PLAN WHEN SUBMITTED.
6. THE DEVELOPER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY STATE, FEDERAL, AND LOCAL PERMITS REQUIRED FOR THE DEVELOPMENT OF THIS SITE.
7. THIS SITE WILL BE SERVED BY PUBLIC WATER & SEWER.



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27 GREEN HILL DRIVE
FOREST, VIRGINIA 24551
PHONE: 434-525-5985 FAX: 434-525-5986



JOB:

REZONING PLAN FOR
BELL TERRACE

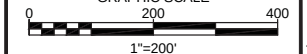
LYNCHBURG, VA

CLIENT:

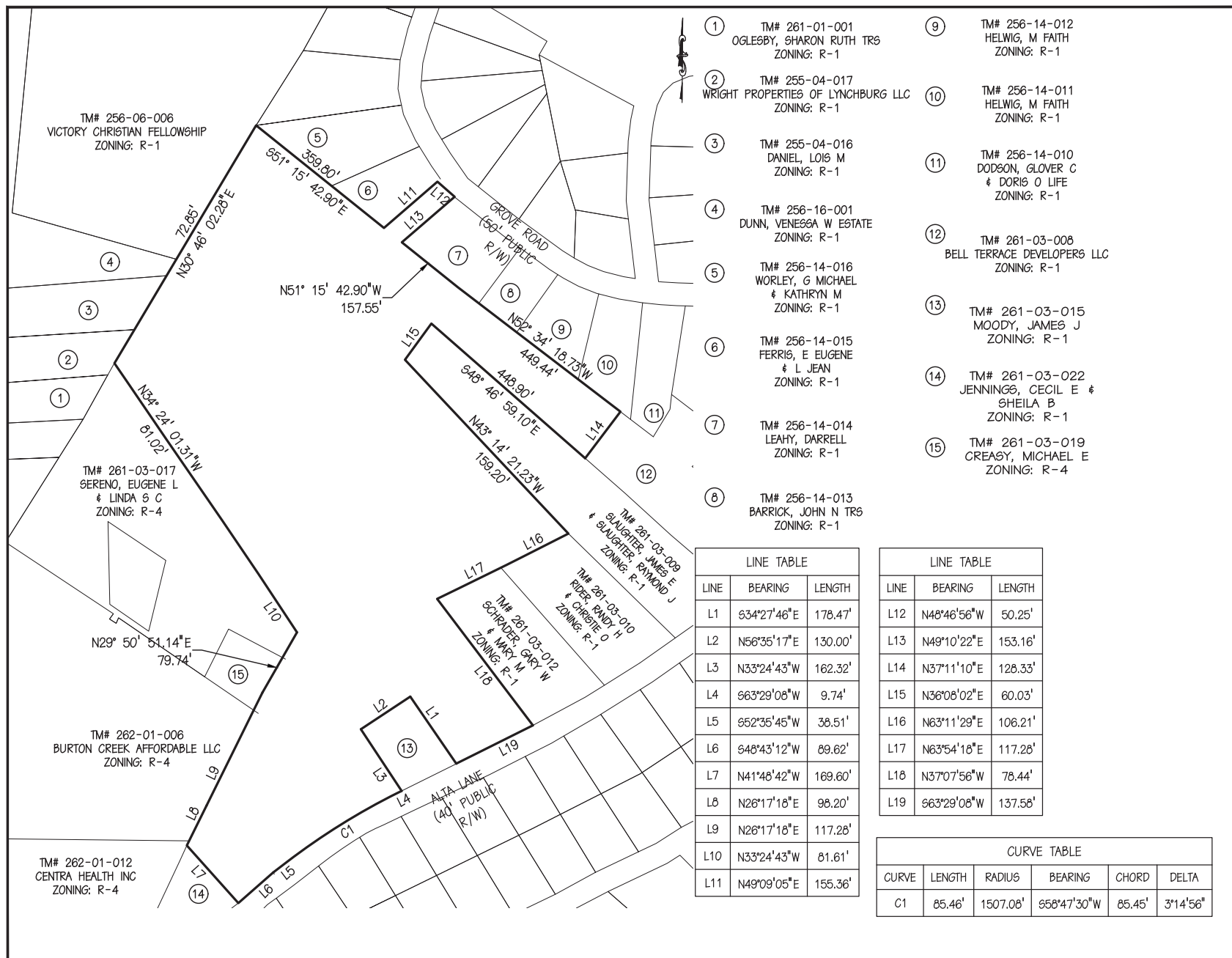
BELL TERRACE
DEVELOPERS

MARK	DATE	DESCRIPTION
1	09/05/17	REV PER CITY COMMENTS
ISSUE: 06/04/17		
CONTOUR INTERVAL: 2'		
DRAWN BY: MJD		
CHECKED BY: NBW		

COVER SHEET
SITE LAYOUT
GRAPHIC SCALE



JOB NO 13218 SHEET NO 1 OF 4



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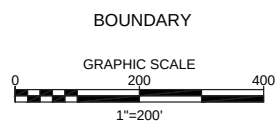


JOB:
**REZONING PLAN FOR
BELL TERRACE**

LYNCHBURG, VA

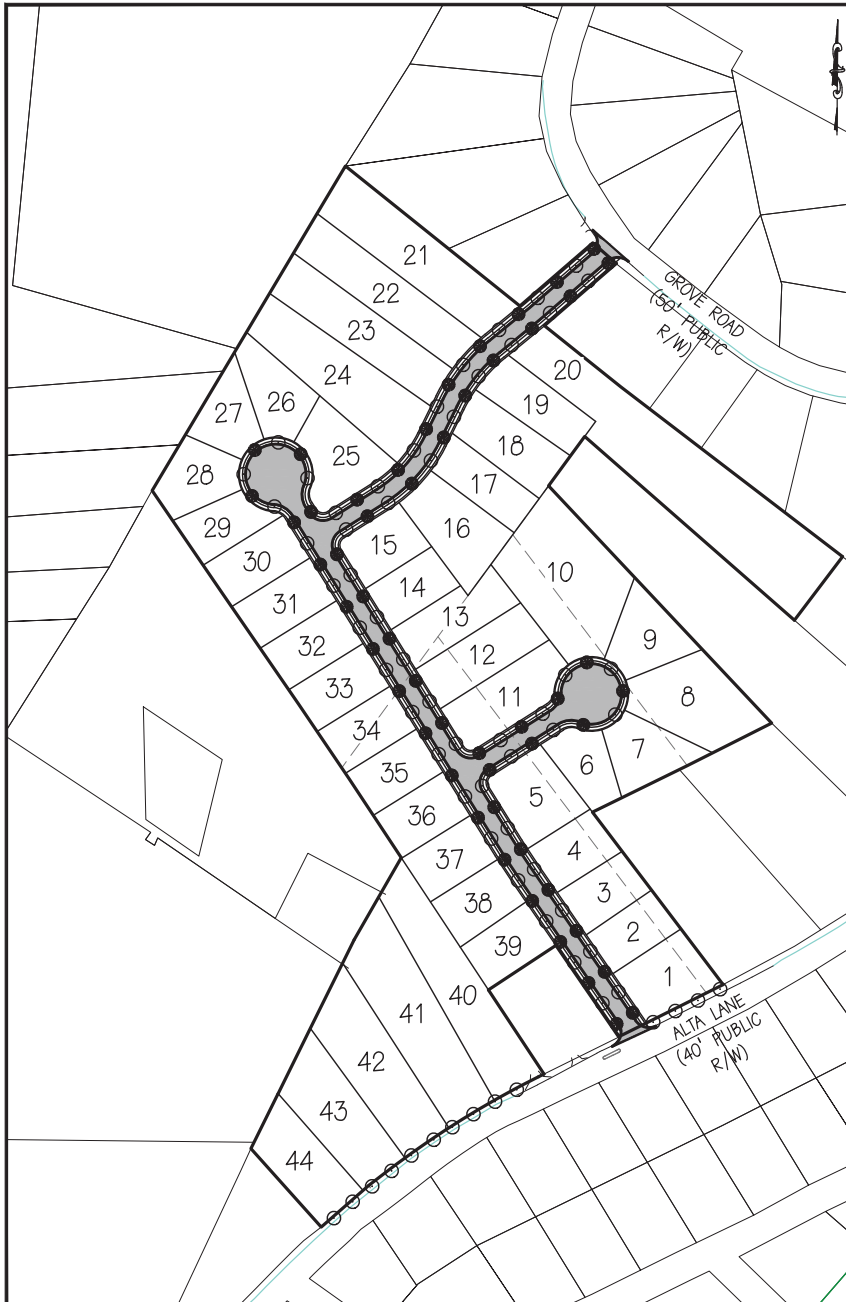
CLIENT:
**BELL TERRACE
DEVELOPERS**

1	09/05/17	REV PER CITY COMMENTS
MARK	DATE	DESCRIPTION
ISSUE:	08/04/17	
CONTOUR INTERVAL:	2'	
DRAWN BY:	MJD	
CHECKED BY:	NBW	



JOB NO 13218 SHEET NO 2 OF 4

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LANDSCAPE LEGEND						
	SYM	QUANTITY	BOTANIC NAME	COMMON NAME	PLANTING SIZE	ULT. SIZE
A		52	QUERCUS PHELLOS	WILLOW OAK	1.5-1.75" CALIPER B&B	50'-75'
B		64	WILLOW OAK	*MAPLE OCTOBER GLORY*	1.5-1.75" CALIPER B&B	50'-70'

SEC. 35.2-63.5 RESIDENTIAL STREET TREES

WHEN THE SUBDIVISION OF ANY LAND FOR RESIDENTIAL PURPOSES INCLUDES THE DEDICATION OF NEW CITY STREETS OR THE EXTENSION OF EXISTING CITY STREETS, THE FOLLOWING STREET TREE PLANTING REQUIREMENTS APPLY:

(A) SHADE TYPE TREES SHALL BE PLANTED AT THE RATE OF TWO TREES FOR EVERY 40 FEET OF THE NEW STREET CENTERLINE OR ORNAMENTAL TREES MAY BE SUBSTITUTED AT THE RATE OF TWO TREES FOR EVERY 30 FEET OF THE NEW STREET CENTERLINE. (SEE EXHIBIT VI-4)

(B) REQUIRED STREET TREES SHALL BE PLACED WITHIN THE PROPOSED RIGHT-OF-WAY AND NO REQUIRED LANDSCAPING SHALL BE PLANTED ON ANY PRIVATE PROPERTY.

(C) TREES SHALL BE PLACED IN A MANNER TO PREVENT INTERFERENCE WITH DRIVEWAYS, DRAINAGE AREAS AND/OR UTILITIES.

(D) TO PREVENT DAMAGE TO TREES, REQUIRED LANDSCAPING INSTALLED PRIOR TO COMPLETION OF CONSTRUCTION OF THE SUBDIVISION SHALL BE PROTECTED AS PROVIDED IN AS SPECIFIED IN "STD AND SPEC 3.33, TREE PRESERVATION AND PROTECTION," IN THE 1992 EDITION OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK FOR ALL LANDSCAPING PROPOSED OR REQUIRED TO BE PRESERVED TO SATISFY THE REQUIREMENTS OF THE LANDSCAPE ORDINANCE (SEE EXHIBIT VI-5; TREE PROTECTION DETAIL).

(E) PRIOR TO THE ACCEPTANCE OF ANY NEW ROAD BY THE CITY THE DEVELOPER SHALL DO ONE OF THE FOLLOWING:

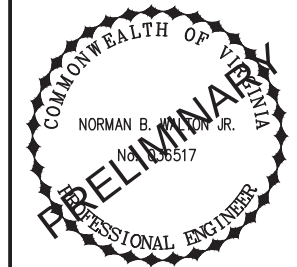
1. INSTALL ALL REQUIRED STREET TREES;
2. POST A PERFORMANCE BOND FOR THE AMOUNT OF ALL REQUIRED STREET TREES, RELATED MATERIALS AND INSTALLATION COST; OR
3. UPON MUTUAL AGREEMENT OF THE CITY AND THE APPLICANT, A CASH PAYMENT MAY BE MADE TO THE CITY FOR ALL REQUIRED STREET TREES, RELATED MATERIAL AND INSTALLATION COST. AT SUCH TIME A CASH PAYMENT IS MADE TO THE CITY, INSTALLATION OF THE REQUIRED LANDSCAPING BECOMES THE RESPONSIBILITY OF THE CITY'S URBAN FORESTER AND LANDSCAPING SHALL BE INSTALLED WITHIN A REASONABLE TIME PERIOD.

LOT AREA TABLE			LOT AREA TABLE			LOT AREA TABLE		
LOT	ACRES	SQUARE FT.	LOT	ACRES	SQUARE FT.	LOT	ACRES	SQUARE FT.
1	0.319	13897.5	16	0.392	17061.5	31	0.273	11884.5
2	0.229	9956.6	17	0.267	11651.4	32	0.266	11597.3
3	0.232	10090.7	18	0.342	14876.1	33	0.260	11310.0
4	0.238	10348.8	19	0.304	13225.5	34	0.253	11024.1
5	0.338	14702.1	20	1.440	62732.6	35	0.249	10824.9
6	0.231	10075.5	21	0.662	28821.5	36	0.248	10814.8
7	0.288	12525.0	22	0.523	22774.3	37	0.248	10814.8
8	0.511	22279.2	23	0.524	22833.7	38	0.248	10814.8
9	0.293	12782.3	24	0.655	28542.8	39	0.248	10814.8
10	0.831	36209.9	25	0.362	15765.1	40	0.701	30529.1
11	0.384	16721.3	26	0.287	12513.5	41	0.758	33004.2
12	0.351	15283.0	27	0.246	10727.1	42	0.618	26910.6
13	0.326	14185.7	28	0.275	11973.6	43	0.510	22196.1
14	0.231	10081.4	29	0.231	10049.4	44	0.391	17048.8
15	0.245	10685.9	30	0.279	12163.1			



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JOB:

REZONING PLAN FOR
BELL TERRACE

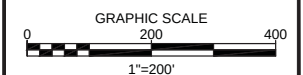
LYNCHBURG, VA

CLIENT:

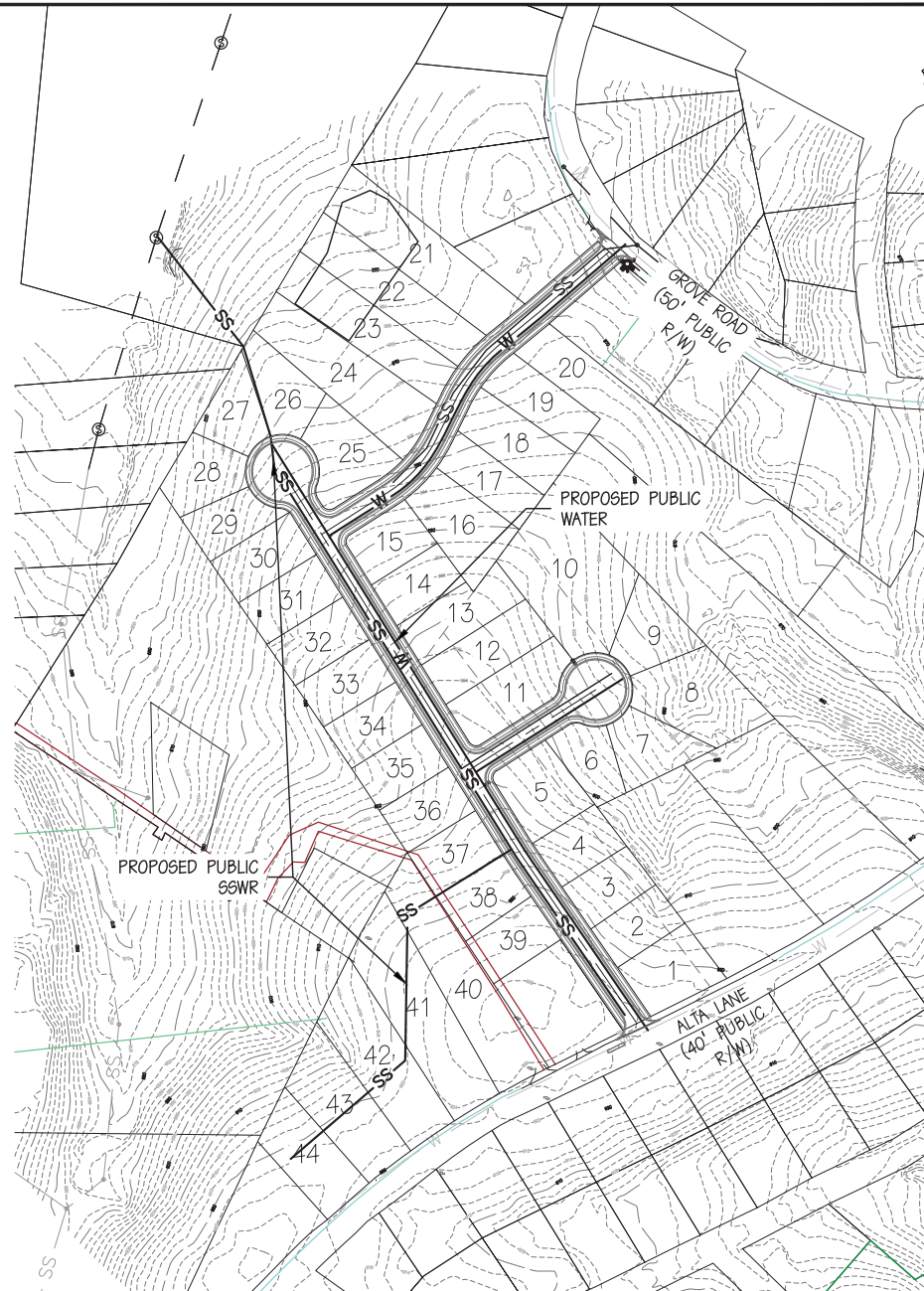
BELL TERRACE
DEVELOPERS

1	09/05/17	REV PER CITY COMMENTS
MARK	DATE	DESCRIPTION
ISSUE:	08/04/17	
CONTOUR INTERVAL:	2'	
DRAWN BY:	MJD	
CHECKED BY:	NBW	

LANDSCAPE PLAN

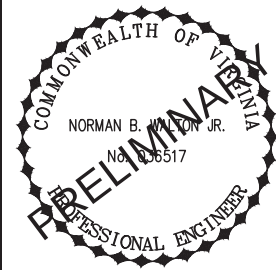


JOB NO 13218 SHEET NO 3 OF 4



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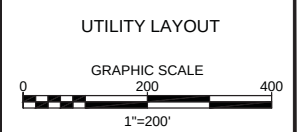
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JOB:
**REZONING PLAN FOR
 BELL TERRACE**

LYNCHBURG, VA
 CLIENT:
**BELL TERRACE
 DEVELOPERS**

MARK	DATE	REV	PER	CITY	COMMENTS
1	09/05/17				
ISSUE: 08/04/17					
CONTOUR INTERVAL: 2'					
DRAWN BY: MJD					
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Lexington

Wes Perkins, LS
Russ Orrison, PE, LS

Pierson Hotchkiss, LS
Gavin Worley, PE



Lynchburg

Kenneth Knott, LS
Norman Walton, PE

Aaron Dooley, LS

August 7, 2017

Tom Martin
City of Lynchburg
900 Church Street
Lynchburg, VA 24502

RE: Rezoning Narrative for TM#'s 261-03-014, 261-03-020, 261-03-021, 261-03-023, 261-03-024 from R-1 to R-2

Dear Mr. Martin,

On behalf of Bell Terrace Developers LLC and Theodore Bell, we are submitting a request to rezone the above referenced property from R-1 (Low Density Residential) to R-2 (Low-Medium Density Residential) to allow the property to be developed with single-household residences. The project is consistent with the FLUM which shows Low Density Residential.

The future land use map currently shows Low Density Residential land use for this area, which the Comprehensive Plan defines as having a maximum density of 4 dwelling units per acre. The current zoning is R-1 Low Density Residential, which allows single-household by-right, at a density of 2.9 units per acre. The development as proposed has a density of 2.23 units per acre, which is actually below Low-Density Residential standards. While there is no increase in density, the R-2 lot standards allows for a more efficient lot layout.

Along Alta Lane there is a mix of residential zonings which include R-1, R-3, and R-4. The subject property directly adjoins R-4, High Density Residential. The proposed R-2, Low-Medium Density zoning will provide a transition between the remaining R-1, Low Density Residential zone.

The project will be served by public water and sewer. An 8" City of Lynchburg water line is available in Alta Lane. An 8" City of Lynchburg sewer is located just offsite at the rear of the property. The sewer will be extended via easement to the site. Stormwater, quality and quantity, will be addressed by part IIC of the stormwater regulations.

Should you have any questions regarding this information, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Norman B. Walton, Jr.", is placed above the printed name.

Norman B. Walton, Jr., P.E.

17 W. Nelson Street · P.O. Box 1567
Lexington, Virginia 24450

27 Green Hill Drive
Forest, Virginia 24551

540-464-9001 Fax: 540-464-5009

434-525-5985 Fax: 434-525-5986

Email: pno@perkins-orrison.com

**Alta Lane Rezoning
Public Hearing
September 13, 2017**

PLEASE PRINT

[illegible]

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **8**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Conditional Use Permit (CUP) – Williams Stadium Expansion – 1971 University Boulevard

KEY ELEMENTS:

X Economic Development Excellent Government **X** Natural and Built Environment **X** Safe Community **X** Vibrant Community

RECOMMENDATION: Approval of the resolution granting a conditional use permit (CUP) to Liberty University Inc. to allow the expansion of Williams Stadium to twenty-five thousand (25,000) seats at 1971 University Boulevard.

SUMMARY: Liberty University Inc. is petitioning for a CUP to allow the expansion of Williams Stadium from nineteen thousand two hundred (19,200) seats to twenty-five thousand (25,000) seats. Section 35.2-50.4 of the Zoning Ordinance requires a traffic impact study with the construction of a stadium to determine what effects it might have on the City's street network and how any level of service reduction can be mitigated. While this upgrade will have some impact on the existing road network, already planned improvements such as the new roundabout at University Boulevard and Liberty University Drive should improve the overall traffic congestion in the area. However, as a condition of the CUP, further study will be conducted on a football game day to better predict the effects of the additional seating on levels of service. If the model shows deterioration in the level of service below "D," further traffic improvements will be implemented to negate the degradation.

PRIOR ACTION(S):

September 13, 2017: The Planning Division recommended approval of the CUP petition.
 The Planning Commission recommended approval (5-0) of the CUP petition, with
 2 members absent (Light and Bowden)

FISCAL IMPACT: N/A

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

ATTACHMENT(S):

- Resolution
- Planning Commission Minutes – September 13, 2017
- Planning Commission Packet – September 13, 2017
 - o Planning Commission Report
 - o Zoning Map with Adjoining Property Owners
 - o Future Land Use Map
 - o Watershed Map
 - o Planimetric and Topographic Map
 - o Concept Plan
 - o Traffic Study
 - o Speaker Signup Sheet

REVIEWED BY: bms

RESOLUTION

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO LIBERTY UNIVERSITY INC TO INCREASE THE CAPACITY OF WILLIAMS STADIUM TO TWENTY-FIVE THOUSAND (25,000) SEATS AT 1971 UNIVERSITY BOULEVARD.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNCHBURG that the petition of Liberty University Inc. to increase the capacity of Williams Stadium to twenty-five thousand (25,000) seats at 1971 University Boulevard is approved subject to the following conditions:

1. A traffic study to the standards of the Zoning Ordinance will be performed on a football game day prepared by a firm qualified to conduct such studies and shall be conducted in compliance with the City's Manual of Specifications and Standard Details in effect as of the March 12, 2013. The study shall indicate the following:
 - a. The existing level of service for the City streets and intersections serving the IN-2 district.
 - b. The impact the anticipated arena, stadium, auditorium or new entrance will have on the level of service (LOS) on City streets and intersections.
 - c. Improvements that will be necessary to prevent such anticipated arena, stadium, auditorium or new entrance to a City street from reducing the Level of Service (LOS) of the streets or intersections serving the IN-2 district lower than "D"; and
 - d. In the case of City streets or intersections with an existing level of service (LOS) of "D", improvements necessary to prevent the arena, stadium, auditorium or new entrance to a City street from further reducing the Level of Service.
2. Improvements required by the traffic study will be constructed concurrently with the stadium expansion.

Adopted:

Certified: _____
Clerk of Council

132K

MINUTES OF THE SEPTEMBER 13, 2017 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Petition of Liberty University, Inc., for a conditional use permit at 1971 University Boulevard to allow the expansion of the existing football stadium for five thousand eight hundred (5,800) spectators. The property is zoned IN-2, Institutional District and after completion the stadium would have a total capacity of twenty five thousand (25,000) spectators.

Mr. Tom Martin summarized the petition for the commission. The purpose of the petition is to approve a conditional use permit (CUP) which would allow the expansion of the existing stadium by increasing seating from 19,200 to 25,000 seats. The seating expansion will allow Liberty University to move into the Football Bowl Subdivision (FBS) as part of its continued growth as a major Lynchburg institution.

The property is zoned IN-2, Institutional 2 District; however, arenas and stadiums do require approval of a CUP in these districts.

The major impact associated with the seating expansion is anticipated to be traffic. Liberty University has and continues to invest in transportation infrastructure to improve congestion around the university. As part of the proposal, Liberty University is proposing to use satellite parking areas and bus stops for shuttles at the stadium. The campus is served by Greater Lynchburg Transit Company. As required by the Zoning Ordinance and recommended as a condition of the CUP, Liberty University will be conducting a traffic study to determine what, if any, improvements will be necessary to maintain a Level of Service Standard "D." Data collection for the study will be done on a game day to better predict existing traffic conditions. This approach is acceptable to the City's Transportation Engineer.

The Planning Division recommends approval of the CUP.

Mr. Dan Deter of Liberty University was present to represent the application. Mr. Deter felt that Mr. Martin had summed it up very well. This is a step toward getting into the FBS and to expose the university nationally. They think it will be a great thing for both Liberty University and Lynchburg. They are very excited about the expansion project.

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

Commissioner Marion asked if they are adding a roundabout (shown on the center left on the concept plan.) Mr. Deter said that is correct. She asked if they are taking out a small roundabout above it. Mr. Deter said they are trying to streamline the small roundabout by the book store. Liberty University Drive would pass through and what they are trying to do with future projects is looking at closing University Boulevard because it is such a heavy student population. They would maybe turn that over to the students. You can see on the concept plan that there is a road shown going between U.S. 460 and the book store. That would be more the University Boulevard for vehicular traffic. They can really keep the student population safer because with the School of Business and Demoss and the Hill Dorms and the tower and all the academic facilities right there, they would like to keep the cars out of that area.

Commissioner Marion clarified that the road will go up and then turn to the right and turn and not go to the left at the "Y." Mr. Deter said that is correct. They would keep it open to the Visitor's Center and then block it off.

Commissioner Johnson asked if the company that did the traffic study was chosen by Liberty University. Mr. Martin said that is correct but the standards and what is in the traffic study has to be reviewed and approved by the City's Transportation Engineer. Bill Weunsch with EPR is doing the traffic study and has been used by many projects before. He has actually done work for the City. Commissioner Johnson asked if Liberty is required to do any traffic improvements recommended by the study no matter what. Mr. Martin said that is correct and the traffic study will not have to come back to the Planning Commission or City Council. Any improvements shown by the traffic study and concurred to by the City's Transportation Engineer will have to be done. If the study does not support it, the Transportation Engineer isn't going to just come up with improvements that have to be done.

Chair Perault asked if that is only if the Level of Service (LOS) drops below a "D." Mr. Martin said that is correct. Chair Perault noted that LOS is pretty low. There is a LOS of "F" below the "D." Chair Perault noted that the bar is already pretty low. Do we have an idea of the current LOS is on game day? Mr. Martin said he does not know but they do a good job of keeping traffic moving. Once they do a traffic study on game day, they will know. Chair Perault said people have to face the fact that if there is an event of that size, you are not going to have a great LOS. You would not expect a "B" or something like that. He thinks that is fine. Commissioner Lowe noted there was a game this past Saturday and we did not hear an outcry. Chair Perault noted a person can attend and accept the traffic or you know to stay away on home game days. Mr. Martin commented that people have the option to ride the bus.

Commissioner Rogers asked for clarification regarding the traffic circle. Is it included in this plan? Mr. Martin said they are going to do that traffic circle anyway. However, it should help to improve conditions. Commissioner Marion asked what roads the traffic study will cover. Mr. Martin said it will study the road network that is serving that area. Mr. Deter noted that they did the sampling this past weekend.

Chair Perault thinks the game days are good for any city and it is certainly going to help the hotels and businesses around there. There is enough being done in his mind to offset any concerns. He thinks they are being very proactive about it.

Commissioner Marion made the following motion, which was seconded by Commissioner Lowe and passed by the following vote:

" That the Planning Commission recommends to City Council approval of the petition of Liberty University Inc., for a conditional use permit to allow the expansion of Williams Stadium up to 25,000 seats at 1971 University Boulevard, subject to the following conditions:

- 1. A traffic study to the standards of the Zoning Ordinance will be performed on a football game day prepared by a firm qualified to conduct such studies and shall be conducted in compliance with the City's Manual of Specifications and Standard Details in effect as of the March 12, 2013. The study shall indicate the following:**
 - a. The existing level of service for the City streets and intersections serving the IN-2 district.**
 - b. The impact the anticipated arena, stadium, auditorium or new entrance will have on the level of service (LOS) on City streets and intersections.**
 - c. Improvements that will be necessary to prevent such anticipated arena, stadium, auditorium or new entrance to a City street from reducing the Level of Service (LOS) of the streets or intersections serving the IN-2 district lower than "D"; and**
 - d. In the case of City streets or intersections with an existing level of service (LOS) of "D", improvements necessary to prevent the arena, stadium, auditorium or new entrance to a City street from further reducing the Level of Service.**

2. Improvements required by the traffic study will be constructed concurrently with the stadium expansion.

AYES:	Johnson, Lowe, Perault, Marion and Rogers	5
NOES:		0
ABSTENTIONS:		0
ABSENT:	Bowden and Light	2

The Department of Community Development

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

To: Planning Commission
From: Planning Division
Date: September 13, 2017
Re: **Conditional Use Permit (CUP) – Williams Stadium Expansion – 1971 University Boulevard**

I. PETITIONER

Liberty University Inc., 1971 University Boulevard, Lynchburg, Virginia 24502
Representative: Russ Orrison, Perkins & Orrison Inc., Lexington, Virginia 24450

II. LOCATION

The subject property is Williams Stadium at 381 Liberty University Drive on Liberty University's campus at 1971 University Boulevard.

III. PURPOSE

The purpose of the petition is to allow the expansion of Williams Stadium from 19,200 seats to 25,000 seats.

IV. SUMMARY

- The petition agrees with the Zoning Ordinance in that stadiums are allowed within IN-2, Institutional 2 Districts, upon approval of a conditional use permit (CUP) by City Council.
- Traffic will improve in the area with the installation of a roundabout at University Boulevard and Liberty University Drive. An additional traffic study is being required per Zoning Ordinance requirements to determine if additional improvements are necessary.

The Planning Division recommends approval of the CUP petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2013-2030* recommends Institution use for this area. Institutional uses include the city's churches, cemeteries, private schools and universities, hospitals, service clubs and organizations, and other nonprofit institutions. (p76)
2. **Zoning.** The subject property was annexed into the City in 1976. The property's current zoning, IN-2, Institutional District 2, was established on January 12, 2016.
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 a several items requiring City Council approval in the immediate area:
 - On January 11, 1983, Council approved the petition of Old Time Gospel Hour to rezone property located on the eastside of U.S. Route 460 (103, 104 East Campus Drive, 100 Towns Court, 2200 Liberty Mountain Drive & 5001 Candler's Mountain Road) from R-C, Conservation District to R-4C, Medium-High Density, Multi-Family Residential District (Conditional).

- On October 14, 1986, Council approved the petition of Thomas L. Phillips to rezone the 3700 Block of Candler's Mountain Road from I-3, Heavy Industrial District & I-2, Light Industrial District to B-5C, General Business District (Conditional), B-3C, Community Business District (Conditional) & R-4C, Medium-High Density, Multi-Family Residential District (Conditional).
- On February 24, 1988, Council approved the petition of Old Time Gospel Hour to rezone 3765 Candler's Mountain Road (now 135, 143 & 301 South Campus Drive from I-2, Light Industrial District to B-5C, General Business District (Conditional).
- On April 14, 1988, Council approved the petition of Liberty University for a (CUP) at 1971 University Boulevard to allow the construction of dormitories, visitors center, additions to the Demoss Building and parking.
- On October 10, 1988, Council approved the petition of Old Time Gospel Hour to rezone property located on the eastside of U.S. Route 460 (103, 104 East Campus Drive, 100 Towns Court, 2200 Liberty Mountain Drive & 5001 Candler's Mountain Road) from R-4C, Medium-High Density, Multi-Family Residential District (Conditional) & B-3C, Community Business District (Conditional) to B-3C, Community Business District (Conditional).
- On March 14, 1989, Council approved the petition of Old Time Gospel Hour & Liberty University for a CUP at 3765 Candler's Mountain Road to allow the construction of a football stadium and basketball arena.
- On July 11, 1989, Council approved the petition of NW Development Inc., to rezone the 3600 & 3700 Blocks of Candler's Mountain Road from I-2, Light Industrial District, B-3C, Community Business District (Conditional), B-5C, General Business District (Conditional) & R-4, Medium-High Density, Multi-Family Residential District to B-3C, Community Business District (Conditional).
- On October 9, 1990, Council approved the petition of Candler's Station Limited Partnership to rezone 3764 Candler's Mountain Road from I-3, Heavy Industrial District to B-3C, Community Business District (Conditional) & B-5C, General Business District (Conditional).
- On September 13, 1994, Council approved the petition of Candler's Mountain Development Company, L.C., to rezone property on the eastside of Candler's Mountain Road (3786, 3788, 3794, 3802, 4000, 4300, 4520, 4530 Candler's Mountain Road & 218, 230 Top Ridge Road) from R-C, Conservation District to R-2C, Low-Medium Density, Single-Family Residential District & B-3C, Community Business District and a CUP to allow a planned unit development (PUD) and cluster commercial development (CCD).
- On April 9, 1996, Council approved the petition of T&I Properties, Inc., to rezone 3765 Candler's Mountain Road from R-C, Conservation District to R-1, Low-Density, Single-Family Residential District.
- On September 9, 1997, Council approved the petition of the Inn Group to rezone 1910 University Boulevard from R-C, Conservation District & I-2, Light Industrial District to B-3C, Community Business District.
- On November 13, 2001, Council approved the petition of Liberty University for a CUP at 1971 University Boulevard to allow the construction of two student centers and parking.

- On October 14, 2003, Council approved the petition of Thomas Road Baptist Church, Liberty University Inc., and GDT, CGI, LLC for a CUP at 100 Mountain View Road to allow a community recreational facility.
 - On December 16, 2003, Council approved the petition of Thomas Road Baptist Church, Liberty University Inc., Lynchburg Christian Academy, Freedom Liberty Partners, Jerry Falwell Ministries, GDT, CGI, LLC and Bostic Development at Lynchburg, LLC to rezone 100 Mountain View Road, 1971 University Boulevard & Liberty Mountain Drive to rezone from B-3C, Community Business District (Conditional) to B-3C, Community Business District (Conditional), from I-2, Light Industrial District to B-5C, General Business District (Conditional) and a CUP to allow university and K-12 uses.
 - On November 9, 2004, Council approved the recommendation of city staff to amend conditions of the December 16, 2003 CUP for Jerry Falwell Ministries to allow an additional access point at 100 Mountain View Road.
 - On April 10, 2007, Council approved the petition of Cole Bros Circus for a CUP at 100 Mountain View Road to operate a temporary circus.
 - On June 12, 2007, Council approved the petition of Central Virginia Indoor Soccer to rezone 3572 & 3576 Young Place from I-3, Heavy Industrial District to I-2C, Light Industrial District (Conditional) and a CUP to allow an indoor soccer facility.
 - On November 13, 2007, Council approved the petition of Liberty University at 500 Liberty Mountain Drive for a Future Land Use Map Amendment from Institution to Community Commercial, to rezone from R-C, Conservation District to B-3C, Community Business District (Conditional) and a CUP to allow the construction of a building across the City/County corporate limit.
 - On June 10, 2008, Council approved the petition of Liberty University at 3794, 3778, 3786, 3802 & 4000, 4250, 4300, 5000 & 5001 Candler's Mountain Road, 100 Mountain View Road, 100, 112, 200, 212, 300 Liberty Mountain Drive, 1971 1973, 1975, 1977 University Boulevard & 4013 Wards Road to amend future land use from Low Density Residential to Institutional, to rezone from B-3C, Community Business District (Conditional) to B-3C, Community Business District (Conditional) and for a CUP to allow an increase of up to fifteen thousand (15,000) students and a consolidated sign plan.
 - On January 12, 2016, City Council approved the petition of Liberty University Inc. to rezone Liberty University campus from B-5, General Business District, to IN-2, Institutional District 2.
5. **Site Description.** The subject property is one (1) tract of approximately one hundred eighty-six and five hundred sixty-nine thousandths (186.569) acres located at 1971 University Boulevard. The stadium proposed for expansion is at the intersection of University Boulevard and Liberty University Drive.
6. **Proposed Use of Property.** If the petition is approved, the stadium's capacity will increase by 5,700 seats.
7. **Traffic, Parking and Public Transit.** The City's Transportation Engineer has reviewed the proposal and had no comments of concern.

Section 35.2-50.4 of the Zoning Ordinance requires a traffic impact study with the construction of a stadium to determine what effects it might have on the City's street network and how any level of service reduction can be mitigated. With the installation of a new roundabout at Liberty University Drive and University Boulevard, Liberty University is already making improvements in the area to ease traffic congestion. The university plans to conduct further traffic counts on a football game day in September 2017 per ordinance requirements to determine whether these improvements are adequate for the highest volume of traffic currently seen and the increase in seating capacity proposed by this petition. If there is deterioration in the level of service below "D," the University will construct the required improvements to mitigate these effects.

A specific number of parking spaces are not required within the IN-2 District. Major institutions are encouraged to provide spaces according to their need as they are most directly impacted by their own parking deficits. Liberty has identified additional parking for game days at the indoor track facility and at River Ridge Mall and plans to provide bus shuttles to the stadium.

The stadium is served by the Greater Lynchburg Transit Company (GLTC) with a bus stop located at Green Hall, approximately a quarter mile away and connected by sidewalks. Additionally, Liberty is installing bus stops around the stadium that will be used for the parking area shuttles.

8. **Stormwater Management.** An Erosion and Sediment Control plan is under review by the Department of Community Development. The project is required to meet the part IIC stormwater regulations for both quantity and quality and will do so via existing regional facilities with excess capacity.
9. **Emergency Services:** The City's Fire Marshal and Police Department had no comments of concern regarding the proposed concept plan amendment.
10. **Impact.** Approval of the facility upgrade allows Liberty University to move to the Football Bowl Subdivision (FBS), part of the continued growth of a major Lynchburg institution. While this upgrade will have some impact on the existing road network, already planned improvements (new roundabout) should improve the overall traffic congestion. However, as a condition of the CUP, further study will be conducted on a game day to better predict the effects of the additional seating on levels of service. If the model shows deterioration in the level of service below "D," further traffic improvements will be done to negate the degradation.
11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the CUP on August 22, 2017. Comments related to the proposed use have or will be addressed at the final site plan stage.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of Liberty University Inc., for a conditional use permit to allow the expansion of Williams Stadium up to 25,000 seats at 1971 University Boulevard, subject to the following conditions:

1. A traffic study to the standards of the Zoning Ordinance will be performed on a football game day prepared by a firm qualified to

conduct such studies and shall be conducted in compliance with the City's Manual of Specifications and Standard Details in effect as of the March 12, 2013. The study shall indicate the following:

- a. The existing level of service for the City streets and intersections serving the IN-2 district.**
- b. The impact the anticipated arena, stadium, auditorium or new entrance will have on the level of service (LOS) on City streets and intersections.**
- c. Improvements that will be necessary to prevent such anticipated arena, stadium, auditorium or new entrance to a City street from reducing the Level of Service (LOS) of the streets or intersections serving the IN-2 district lower than “D”; and**
- d. In the case of City streets or intersections with an existing level of service (LOS) of “D”, improvements necessary to prevent the arena, stadium, auditorium or new entrance to a City street from further reducing the Level of Service.**

2. Improvements required by the traffic study will be constructed concurrently with the stadium expansion.

This matter is respectfully offered for your consideration.



William T. Martin, AICP
City Planner

pc: Ms. Bonnie M. Svrcek, City Manager
Mr. Charles Hartgrove, Deputy City Manager
Mr. Walter C. Erwin, City Attorney
Mr. Kent L. White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Ms. Cynthia Kozerow, Lynchburg Police Department
Battalion Chief Thomas Goode, Fire Marshal
Mr. Don Deberry, Transportation Engineer
Mr. Doug Saunders, Building Official
Mr. Kevin Henry, Zoning Administrator
Mr. Todd Carroll, Petitioner
Mr. Russ Orrison, Representative

VII. ATTACHMENTS

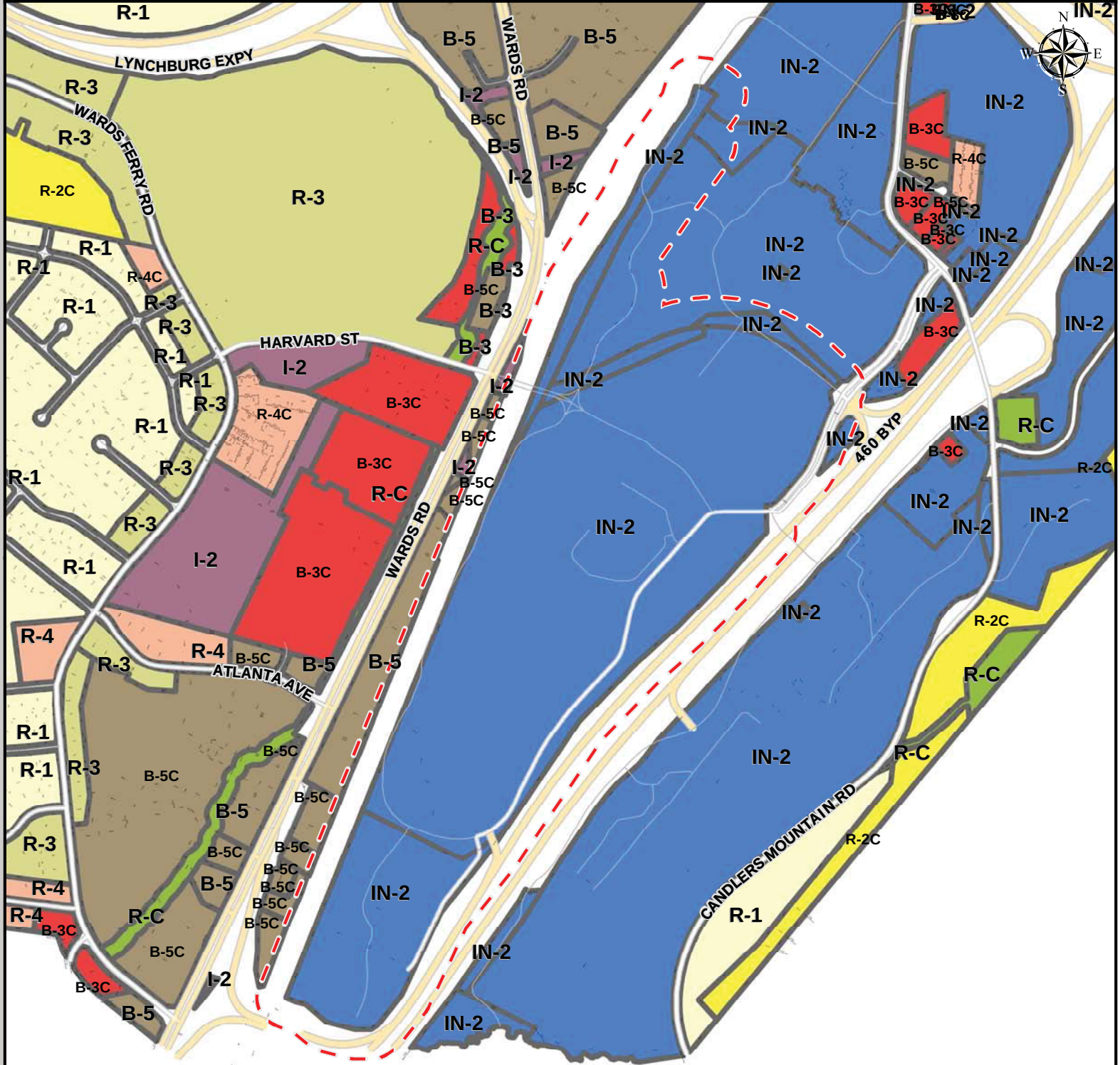
- 1. Zoning Map with Adjoining Owners List**
- 2. Future Land Use Map**
- 3. Watershed Map**
- 4. Planimetric and Topographic Map**
- 5. Concept Plan**
- 6. Traffic Study**

Zoning Map

LIBERTY UNIVERSITY WILLIAMS STADIUM EXPANSION

Conditional Use Permit Request

Liberty University



PROPERTY INFORMATION

PARCEL ID	ADDRESS
25701001	1971 UNIVERSITY BLVD

LEGEND

 Subject Property		
 215' Buffer		
 B-1	 I-1	 R-4
 B-2	 I-2	 R-5
 B-3	 I-3	 R-C
 B-4	 R-1	 IN-1
 B-5	 R-2	 IN-2
 B-6	 R-3	

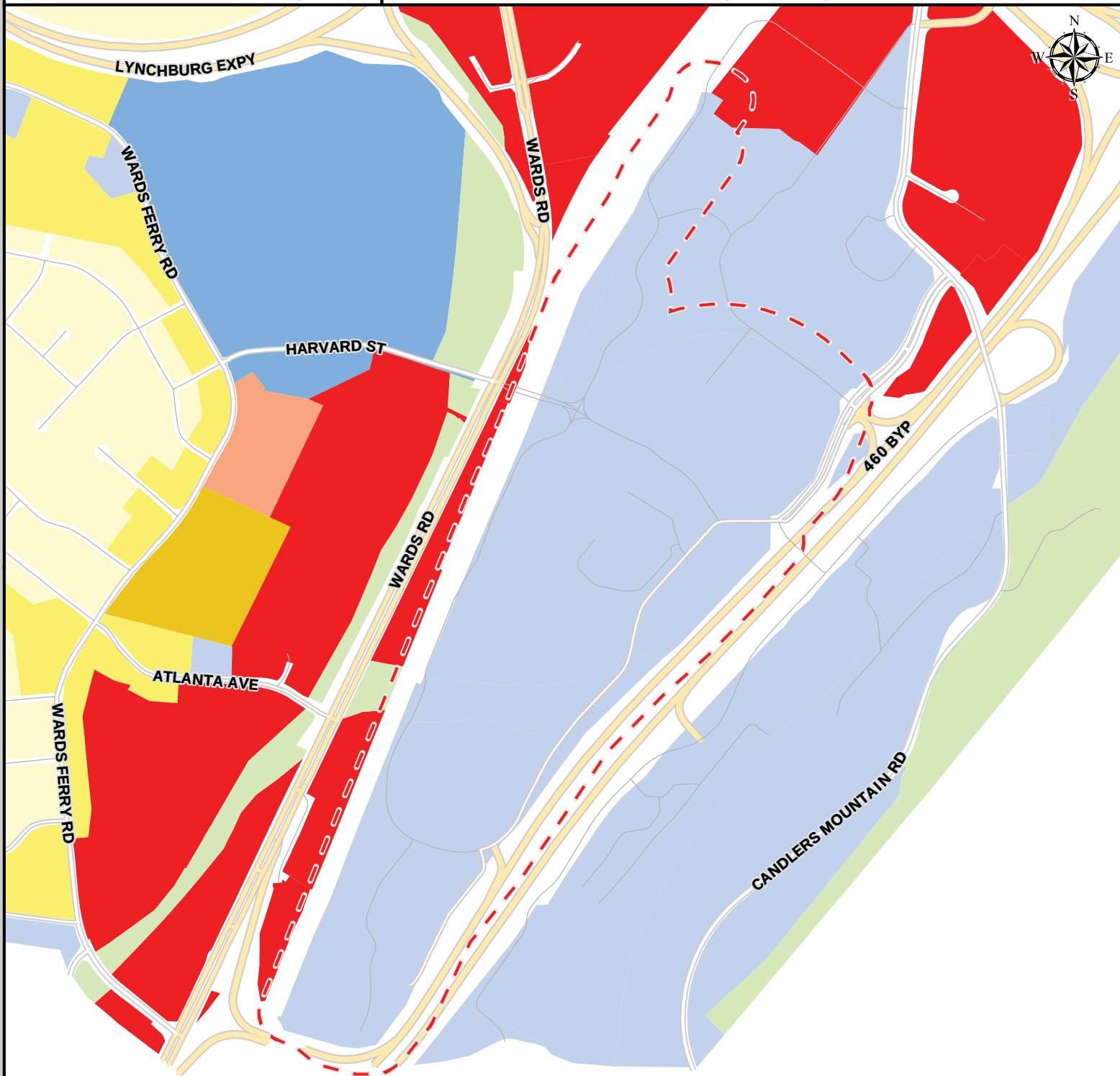
OVERVIEW MAP



MAP SCALE: 1" = 4,000' DATE PRINTED: 9/8/2017

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.

Parcel ID	Address	Owner
26003011	4017 WARDS RD	ABBITT BROTHERS PROPERTIES LLC
26003001	4021 WARDS RD	AMD HOTEL GROUP LLC
25702016	3805 WARDS RD	B & H HOLDINGS LLC
26003010	4011 WARDS RD	BER REAL ESTATE INVESTMENTS I LLC
25702003	4003 WARDS RD	CFA-NC TOWNRIDGE SQUARE LLC
25702008	3813 WARDS RD	GACOMB LLC
25702017	3701 WARDS RD	I H MCBRIDE SIGN COMPANY
13001002	751 MOUNTAIN VIEW RD	LIBERTY UNIVERSITY INC
25701001	1971 UNIVERSITY BLVD	LIBERTY UNIVERSITY INC
25702010	3761 WARDS RD	LIBERTY UNIVERSITY INC
25702012	3501 WARDS RD	LIBERTY UNIVERSITY INC
25804001	1530 UNIVERSITY BLVD	LIBERTY UNIVERSITY INC
13005005	1422 UNIVERSITY BLVD	LIBERTY UNIVERSITY INC
13001006	1120 HERSHEY-ESBENSHADE DR	LIBERTY UNIVERSITY INC
26003003	4025 WARDS RD	LYNCHBURG HOTEL GROUP LLC
25702006	3919 WARDS RD	MID-ATLANTIC LYNCHBURG LLC
25702011	3725 WARDS RD	SANDROF, NIGEL P & TAMERA Y
25702015	3717 WARDS RD	SANDROF, NIGEL P & TAMERA Y
16231003	3429 CANDLERS MOUNTAIN RD	SOUTHERN RAILWAY
24604005	3301 WARDS RD	SOUTHERN RAILWAY CO
25702001	4005 WARDS RD	SPIRIT MASTER FUNDING VI LLC
25702007	3901 WARDS RD	SWIFT CREEK CAPITOL LLC
25702013	3809 WARDS RD	VAN FIRST LLC
25702005	3927 WARDS RD	WARDS ROAD PROPERTY LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

25701001

1971 UNIVERSITY BLVD

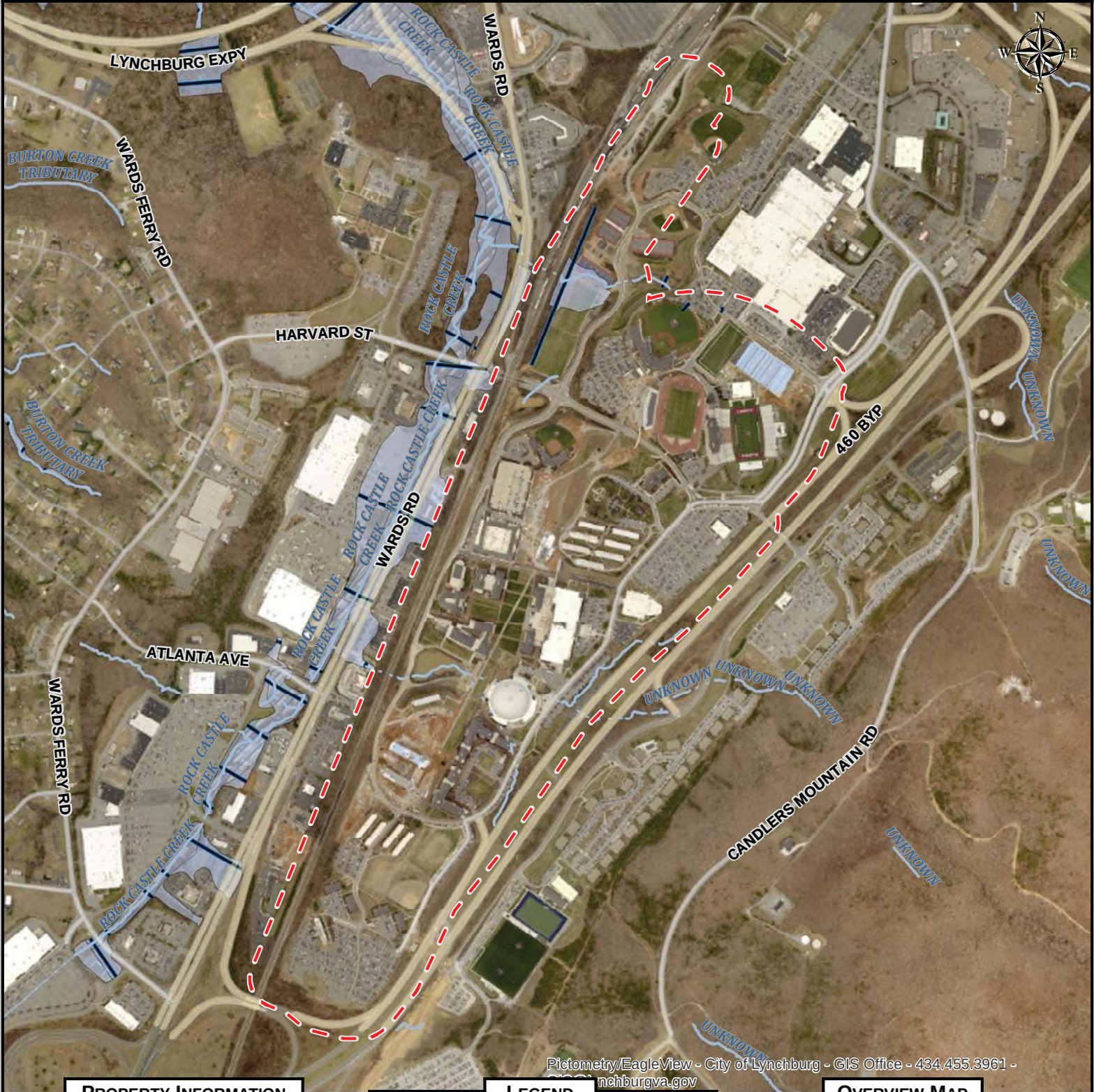
LEGEND

- | | |
|----------------------------|-----------------------|
| 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" to 4,000' DATE PRINTED: 9/6/2017

OVERVIEW MAP





PROPERTY INFORMATION	
PARCEL ID	ADDRESS
25701001	1971 UNIVERSITY BLVD

nchburgva.gov

LEGEND

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



MAP SCALE: 1" to 33,333 **DATE PRINTED: 9/6/2017**

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.



PROPERTY INFORMATION

PARCEL ID	ADDRESS
25701001	1971 UNIVERSITY BLVD

LEGEND

	Active	Proposed	Abandoned
Utilities			
Water			
Sanitary			
Storm			
Structure			
Roadway			
Parking			
Sidewalk			
Driveway			
Topography			
Contour			

OVERVIEW MAP



MAP SCALE: 1" to 4,000' DATE PRINTED: 9/6/2017

LIBERTY UNIVERSITY WILLIAMS STADIUM EXPANSION CONDITIONAL USE PERMIT CITY OF LYNCHBURG, VIRGINIA CITY PROJECT NUMBER: #CUP1708-0001

SITE INFORMATION

PARCEL ID: 25701001
DEED BOOK 774 PAGE 350, INST 100006756
OWNER/DEVELOPER: LIBERTY UNIVERSITY INC.
AGENT: RUSSELL ORRISON
17 W. NELSON STREET
LEXINGTON, VA 24450

ZONING: IN-2
SETBACKS:
FRONT: 0'
REAR: 0'
SIDE: 0'
AREA: 106.57 ACRES
USE: INSTITUTIONAL
DESIGNER: RUSSELL ORRISON
PERKINS & ORRISON
P.O. BOX 1567 17 W. NELSON STREET
LEXINGTON, VA 24450

ON-CAMPUS STUDENTS = 700
COMMUTING STUDENTS = 6,100
DATA FROM 2014

GENERAL NOTES

- (G1.) THE EXISTING UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON AVAILABLE INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION OF ALL UTILITIES BEFORE COMMENCING WORK AND FOR ANY DAMAGES THAT OCCUR BY HIS/HER FAILURE TO LOCATE OR PRESERVE THESE UTILITIES. IF, DURING CONSTRUCTION, THE CONTRACTOR SHOULD ENCOUNTER UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS, HE/SHE SHOULD NOTIFY THE ENGINEER AND TAKE NECESSARY AND PROPER STEPS TO PROTECT THE FACILITY AND ASSURE THE CONTINUANCE OF SERVICE.
- (G2.) ANY DISCREPANCIES FOUND BETWEEN THE DRAWINGS AND SITE CONDITIONS OR ANY DISCREPANCIES OR AMBIGUITIES IN THE DRAWINGS SHALL BE IMMEDIATELY REPORTED TO THE ENGINEER. WORK DONE BY THE CONTRACTOR WITHOUT DIRECTION AFTER THE DISCOVERY OF SUCH INCONSISTENCIES SHALL BE DONE AT THE CONTRACTOR'S RISK.
- (G3.) ALL CONSTRUCTION SHALL CONFORM TO CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION STANDARDS AND SPECIFICATIONS. CONSTRUCTION OF SANITARY SEWER AND WATER SERVICES SHALL CONFORM TO CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND THE VIRGINIA DEPARTMENT OF HEALTH STANDARDS AND SPECIFICATIONS.
- (G4.) ALL CONSTRUCTION SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT (ADA) REQUIREMENTS & WITH THE 2009 VIRGINIA STATEWIDE BUILDING CODE (VSBC) AND ICC/ANSI A117.1-2003.
- (G5.) CONSTRUCTION LIMITS SHALL BE PROPERTY LINES OR AS INDICATED ON THE PLAN.
- (G6.) ALL FINAL GRADING, SEEDING, SOOTING AND/OR PLANTING SHALL BE DONE IN SUCH A MANNER TO PRECLUDE PONDING OF WATER ON THE SITE.
- (G7.) THE CONTRACTOR SHALL BE RESPONSIBLE FOR ACQUIRING ALL NECESSARY PERMITS BEFORE THE START OF CONSTRUCTION.
- (G8.) THE CONTRACTOR SHALL NOTIFY M&S UTILITY (1-800-562-1001) 48 HOURS PRIOR TO EXCAVATION.
- (G9.) THE CONTRACTOR SHALL COORDINATE INSTALLATION OF ELECTRICAL, TELEPHONE AND CABLE SERVICES.
- (G10.) DISPOSE OF TREES, STUMPS AND OTHER DEBRIS OFF SITE.
- (G11.) ALL MATERIALS USED FOR FILL SHALL BE FREE OF UNDESIRABLE MATERIALS SUCH AS WOOD, ROOTS, FROZEN MATERIAL, ROCKS OR Boulders OF UNACCEPTABLE SIZE OR ANY OTHER NON-COMPACTING SOIL MATERIALS.
- (G12.) A PERMIT MUST BE SECURED FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION BEFORE ANY WORK IS PERFORMED IN A STATE RIGHT-OF-WAY.
- (G13.) THE CONTRACTOR SHALL PROVIDE ADEQUATE MEANS OF CLEANING TRUCKS AND/OR OTHER EQUIPMENT OF MUD PRIOR TO TRAVELING ON A PUBLIC RIGHT-OF-WAY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CLEAN STREETS AND TO ALLEVIATE DUST AND TAKE ALL MEASURES NECESSARY TO ENSURE THAT THE ROAD IS MAINTAINED IN A CLEAN, MUD AND DUST FREE CONDITION AT ALL TIMES DURING CONSTRUCTION.
- (G14.) DIMENSIONS ARE FROM THE FACE OF CURB UNLESS OTHERWISE NOTED.
- (G15.) PAINT UNDEVELOPED SYMBOL ON PARKING SPACES WHERE SHOWN ON DRAWINGS. TRAFFIC MARKINGS FOR HANDICAP PARKING SPACES AND ACCESSIBLE SHALL BE BLUE. TRAFFIC MARKINGS SHALL BE IN CONFORMANCE WITH THE LATEST VIRGINIA DEPARTMENT OF TRANSPORTATION AND THE MANUAL FOR UNIFORM TRAFFIC CONTROL DEVICES STANDARDS AND SPECIFICATIONS.
- (G16.) TRAFFIC CONTROL SIGNS SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE VIRGINIA WORK AREA PROTECTION MANUAL AND THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
- (G17.) ALL PILES TO BE COMPACTED IN 6" LOOSE LIFTS TO 90% STD. PROCTOR.
- (G18.) EXISTING SLOPES GREATER THAN 4:1 SHALL BE BENCHMARK PRIOR TO PLACEMENT OF FILL.
- (G19.) CONTRACTOR WILL COMPLETE ALL SITE WORK: FINAL GRADING, UNDERGRADING, SEEDING, PLANTING AND REMOVAL OF DEBRIS.
- (G20.) THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- (G21.) ARCHITECTURAL PLANS, SIGNAGE PLANS, AND LIGHTING PLANS SHALL BE SUBMITTED BY OTHERS UNDER SEPARATE COVER. ALL ARCHITECTURAL, SIGNAGE, AND LIGHTING INFORMATION SHOWN ON THIS PLAN IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY.
- (G22.) BOUNDARY INFORMATION FROM A FIELD SURVEY BY PERKINS & ORRISON.
- (G23.) TOPOGRAPHIC INFORMATION FROM A FIELD SURVEY BY PERKINS & ORRISON.
- (G24.) PIPE BEDDING SHALL BE PER VDOT STANDARDS UNLESS OTHERWISE NOTED.
- (G25.) HOPE PIPE SHALL BE DOUBLE WALL TYPE "S" WITH SMOOTH INTERIOR AND MEET A-HAND REQUIREMENTS M24. HOPE PIPE BEDDING SHALL BE PER MANUFACTURER'S SPECIFICATION. ALL JOINTS SHALL BE WATER TIGHT.

CONDITIONAL USE PERMIT NARRATIVE

LIBERTY UNIVERSITY HAS RECENTLY ANNOUNCED THAT IT WILL MOVE FROM THE FGS TO THE FRB, EFFECTIVE IN 2019, AND WILL BE AN INDEPENDENT IN COLLEGE FOOTBALL'S HIGHEST DIVISION. THIS MOVE WILL REQUIRE CERTAIN CHANGES TO THE EXISTING STADIUM, INCLUDING ADDITIONAL SEATING OF VARIOUS TYPES, AND CHANGES TO FACILITIES AND SYSTEMS THAT SUPPORT TELEVISION NETWORK COVERAGE OF GAMES. A NEW SCOREBOARD, SIGNAGE, LIGHTING, FOOD SERVICE, DATA HANDLING FACILITIES, BOX LOBBY, SEATS, CAMERA PLATFORMS, AND AN ENTRANCE GATEWAY FEATURE ARE ALL PROPOSED, ALONG WITH ROAD IMPROVEMENTS TO IMPROVE TRAFFIC FLOW GENERALLY, AND ON GAME DAY. SEVERAL NEW BUS LOADING AND UNLOADING AREAS ARE BEING PROVIDED AT OR NEAR THE STADIUM AS PART OF THE INFRASTRUCTURE IMPROVEMENTS.

RECENT ZONING ORDINANCE CHANGES ALLOW LIBERTY WIDER LATITUDE WITHIN PERMITTED USES OF THE NEW ZONING DISTRICT; HOWEVER, STADIUM AREAS REQUIRE CONDITIONAL USE PERMITS. WHILE THE UNIVERSITY HAS AN EYE ON THE LONG RANGE CONTINUED EXPANSION OF THE STADIUM IN THE FUTURE, THE PROPOSED WORK AND CUP APPLICATION ARE FOR A TOTAL OF 25,000 SEATS, 23,100 ACTUAL SEATS, AND APPROXIMATELY 19,000 SPECTATORS ON THE GRAND STAND IN THE "BOWL" BEHIND THE SOUTHERLY END ZONE. THE STADIUM AS CURRENTLY CONFIGURED IS UNDERSTOOD TO HAVE A CAPACITY OF 19,000.

SINCE THE LAST STADIUM UPGRADE IN 2006, A NET OF APPROXIMATELY 2400 BEDS HAVE BEEN ADDED ON SOUTH CAMPUS WITHIN THE NEW DORMS. THE RESIDENTS OF THESE DORMS WILL NATURALLY WALK OR RIDE THE BUS TO THE STADIUM ON GAME DAYS, REQUIRING NO PARKING. THE ADDITIONAL PARKING REQUIRED BY THE ADDITIONAL CAPACITY OF THE STADIUM WILL BE ACCOMMODATED BY THE RECENTLY CONSTRUCTED PARKING AT THE INDOOR TRACK AT CAMPUS EAST, WHERE RED PAVED PARKING SPACES HAVE BEEN CONSTRUCTED, ALONG WITH 340 AVAILABLE SPACES WITHIN THE GROWING LOT. GAME SPECTATORS WILL BE SHUTTLED BY LU BUS TO THE STADIUM, WHERE SEVERAL PROPOSED BUS STOPS WILL FACILITATE DROP-OFFS AND PICK-UPS.

SPECIFIC PARKING CALCULATIONS FOLLOW:

25,000 NEW CAPACITY - 19,000 EXISTING CAPACITY = 6,000 NET NEW SPECTATORS AT SOLD OUT GAME

ASSUME 67% STUDENT ATTENDANCE AT HIGH-PROFILE GAMES = 2400 DORM BEDS X .67 = 1600 SEATS NOT REQUIRING PARKING SPACES

OF REMAINING 5,000 - 1800 = 4200 SPECTATORS, CAR LOADING IS ASSUMED AT 3.5 OCCUPANTS PER VEHICLE. (PER AVAILABLE LITERATURE)

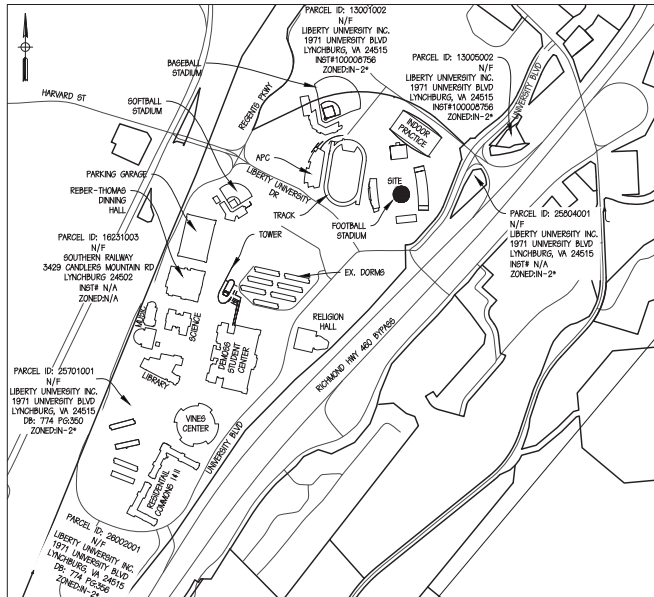
4200/3.5 = 1200 ADDITIONAL CARS.

900 CARS WILL BE PARKED AT THE INDOOR TRACK FACILITY AT CAMPUS EAST AND THE REMAINING (220 PER CALCULATIONS) CARS WILL BE PARKED AT THE MALL, WITH BUS SHUTTLES FROM EACH LOCATION.

THE UNIVERSITY IS ALSO INVESTIGATING THE LOCATION FOR AT LEAST ONE ADDITIONAL PARKING STRUCTURE; THE CONSTRUCTION OF WHICH WILL PROVIDE MORE AVAILABLE PARKING CLOSER TO THE STADIUM.

STORMWATER MANAGEMENT SUMMARY:

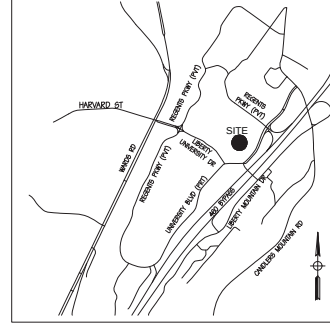
THERE ARE TWO POINTS OF DISCHARGE, POD, ON THIS PROJECT PER THE LIBERTY UNIVERSITY STORMWATER MASTER PLAN, POD 6 & 7. POD 6 IS DA-1, HAS A LARGE REGIONAL STORMWATER QUANTITY MANAGEMENT FACILITY, AND A 12.54 LBS/YR SURPLUS OF PHOSPHORUS. POD 7 IS DA-J AND DA-K, HAS A LARGE REGIONAL STORMWATER QUANTITY MANAGEMENT FACILITY, AND A 40.05 LBS/YR SURPLUS OF PHOSPHORUS.



Location Map and Boundary Insert

SHEET INDEX

- 1 OF 4 COVER SHEET
2 OF 4 CONDITIONAL USE SCHEMATIC SITE PLAN
3 OF 4 EXISTING CONDITIONS & SITE SCHEMATIC SITE PLAN
4 OF 4 SUMMARY OF TRAFFIC STUDY AT UNIVERSITY BLVD / LIBERTY UNIVERSITY RD



VICINITY MAP
NO SCALE

EXISTING	DESCRIPTION	NEW	FUTURE
---	BUILDING WALL	---	---
---	CONC. WALLS	---	---
---	CONTOURS	---	---
---	SPOT ELEVATION	---	---
---	STORM SEWER	---	---
---	SANITARY SEWER & MANHOLES	---	---
---	WATER LINE, VALVE & FIRE HYDRANT	---	---
---	WATER METER	---	---
---	DUAL WATER METER	---	---
---	FENCE	---	---
---	UNDERGROUND ELECTRIC LINE	---	---
---	OVERHEAD ELECTRIC LINE	---	---
---	GAS LINE	---	---
---	EDGE OF PAVEMENT	---	---
---	CURB (CG-2)	---	---
---	CURB AND GUTTER (CG-6)	---	---
---	REVERSE CURB AND GUTTER (CG-8)	---	---
---	TRANSITION CURB	---	---
---	PROPERTY LINE	---	---
---	TREELINE	---	---
---	EXISTING TREES TO BE PROTECTED & PRESERVED	---	---
---	DEMOLITION POINT	---	---
---	KEYNOTE	---	---
---	STORM SEWER ID	---	---
---	SANITARY SEWER ID	---	---
---	AREA DRAIN ID	---	---

ABBREVIATIONS

AB	ANCHOR BLOCK	MN	MINIMUM
BDS	BUILDING	MN	MONUMENT
BC	BOTTOM FACE OF CURB	N.I.C.	NOT IN CONTRACT
BM	BENCHMARK	ON CENTER	ON CENTER
CL	CENTERLINE	PVC	REG. VERTICAL CURVE
CL	CLAS	PVC	POLYVINYL CHLORIDE
CIP	CORRUGATED METAL PIPE	PVT	END VERTICAL CURVE
CO	CLEANOUT	RCP	REINFORCED CONCRETE PIPE
CONC	CONCRETE	SET	STORM DRAINAGE
D	DROP INLET	SH	SQUARE FOOTAGE
DA	DAMETER	SH	SHOULDER
DIP	DUCTILE IRON PIPE	SS	SANITARY SEWER
EA	EACH	STR	STRUCTURE
EC	EROSION CONTROL	STR	STORM SHED
ELEV	ELEVATION	SW	SIDEWALK
EP	EDGE OF PAVEMENT	TN	TIN
END SECTION	END SECTION	TS	CONCRETE THRUST BLOCK
EX	EXISTING	TSA	TO BE ABANDONED
FB	FACE OF BUILDING	TSM	TEMPORARY ROAD MARK
FF	FINISHED FLOOR ELEVATION	TBR	TO BE REMOVED
FG	FIRE HYDRANT	TBR	TO BE REMOVED OR RELOCATED
GF	GROSS SQUARE FOOTAGE	TO	TO
GV	GATE VALVE	TOC	TOP OF CURB
HB	HORIZONTAL BEND	TOW	TOP OF WALL
HD	HEAVY DUTY	TP	TELEPHONE POLE
HOPE	HIGH DENSITY POLYETHYLENE PIPE	TP	TOP OF RM
HPT	HIGH POINT	VB	VERTICAL BEND
HOR	HORIZONTAL	VS	VIRGINIA DEPARTMENT OF TRANSPORTATION
IN	INVERT	WL	WATER LINE
IN	INVERT	WM	WATER METER
LPT	LOW POINT	WM	WELDED WIRE FABRIC
MAN	MANHOLE	WM	WELDED WIRE MESH
MECH	MECHANICAL	W	WITH
MI	MANHOLE	W	WATER VALVE



27 GREEN HILL DRIVE, FOREST, VIRGINIA 24601
PHONE: 434-525-5985 FAX: 434-525-5986
EMAIL: pro@perkins-orrison.com

PO BOX 1567 17 W. NELSON STREET LEXINGTON, VIRGINIA 24450
PHONE: 540-464-9001 FAX: 540-464-9009
EMAIL: pro@perkins-orrison.com

CONSULTANTS

SEAL:



JOB:

LIBERTY UNIVERSITY
WILLIAMS STADIUM EXPANSION
CONDITIONAL USE PERMIT
CITY OF LYNCHBURG, VIRGINIA

CLIENT:

LIBERTY UNIVERSITY

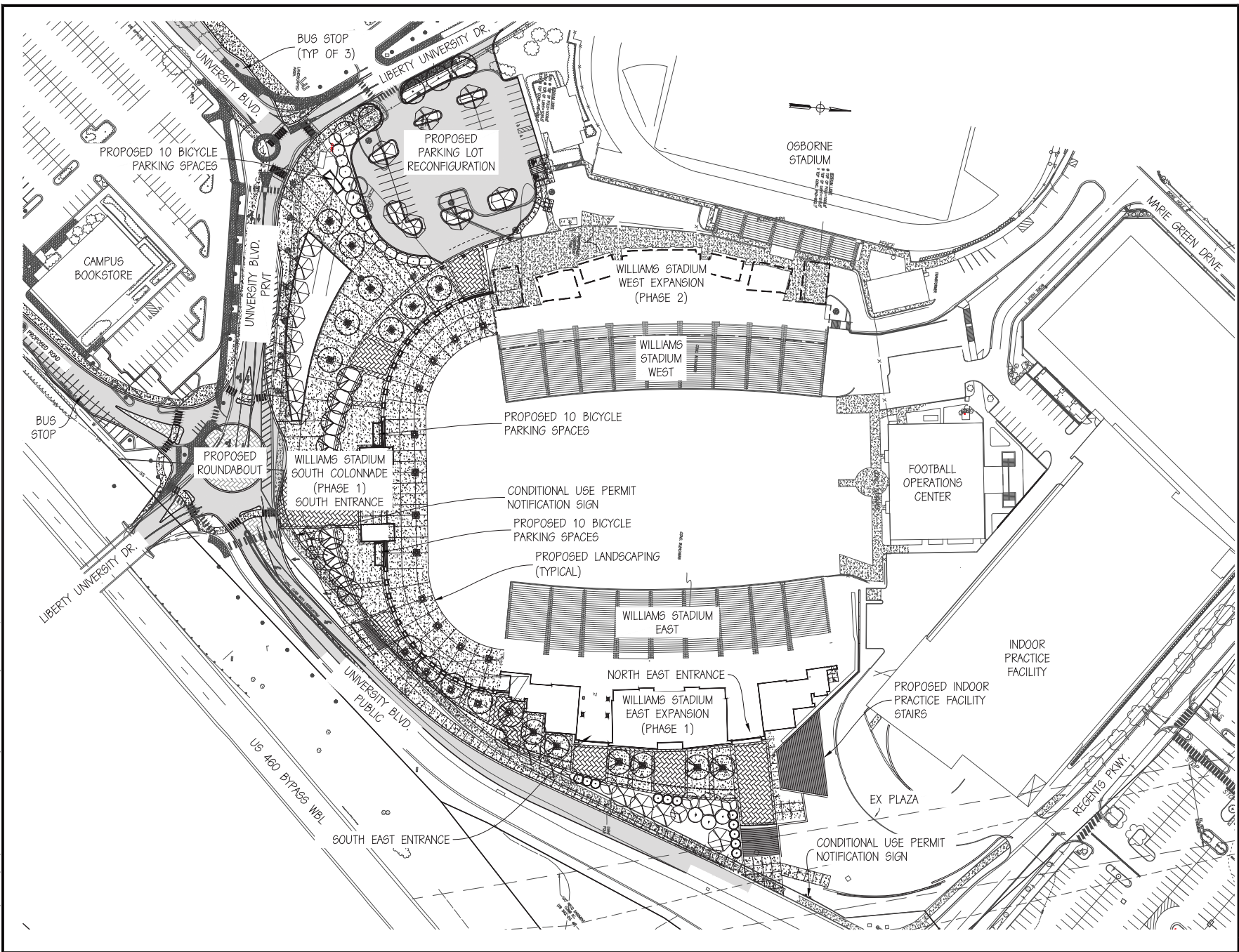
1	06/29/2017	PER THE COMMENTS
MARK	DATE	DESCRIPTION

ISSUE: 06/07/2017
CONTOUR INTERVAL: 2'
DESIGNED BY: RHO
DRAWN BY: PWS
CHECKED BY: RHO

SHEET TITLE

COVER SHEET

#CUP1708-0001
17099 1 4





PERKINS+ORRISON
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CONSULTANTS

SEAL:



JOB:

LIBERTY UNIVERSITY
WILLIAMS STADIUM EXPANSION
CONDITIONAL USE PERMIT
CITY OF LYNCHBURG, VIRGINIA

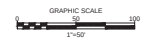
CLIENT:

LIBERTY UNIVERSITY

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DESIGNED BY:	RHO	
DRAWN BY:	PWS	
CHECKED BY:	RHO	

SHEET TITLE

CONDITIONAL USE SCHEMATIC
SITE PLAN



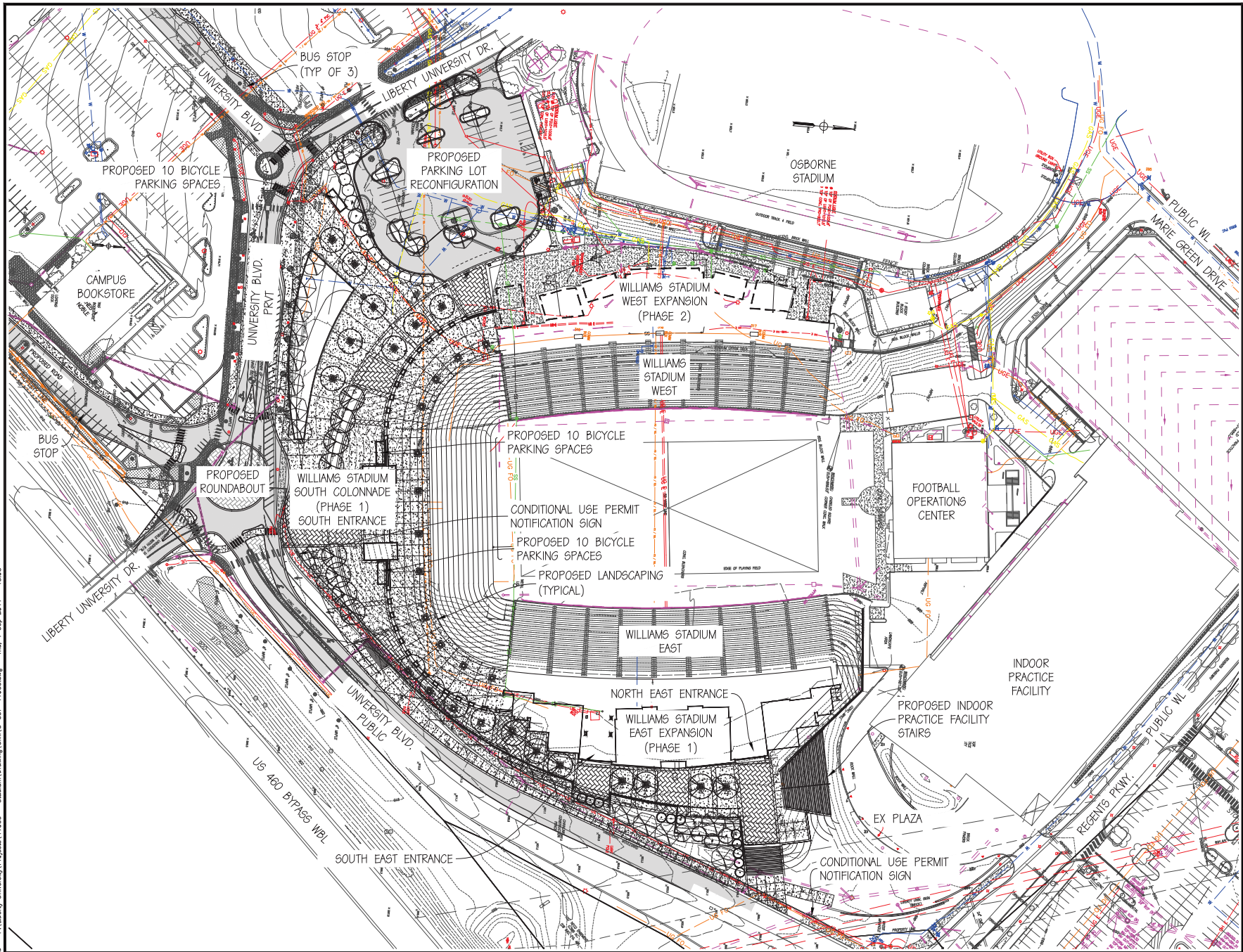
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PROJ. NAME

#CUP1708-0001

PR. NO. 17099 SHEET NO. 2 OF 4

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**PERKINS
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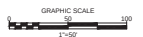
JOB:
LIBERTY UNIVERSITY
WILLIAMS STADIUM EXPANSION
CONDITIONAL USE PERMIT
CITY OF LYNCHBURG, VIRGINIA

CLIENT:
LIBERTY UNIVERSITY

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DESIGNED BY:	RHO	
DRAWN BY:	PWS	
CHECKED BY:	RHO	

SHEET TITLE

EXISTING CONDITIONS & SITE
SCHEMATIC SITE PLAN



PROJECT NUMBER
#CUP1708-0001

17099 SHEET NO. 3 OF 4

MEMORANDUM

TO: RUSS ORRISON, P.E.

FROM: DREW DRAPER, PTP

BILL WUENSCH, P.E., PTOE

ORGANIZATION: PERKINS & ORRISON, INC.

DATE: AUGUST 14, 2017

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

RE: DRAFT LIBERTY UNIVERSITY TRAFFIC STUDY
– ALTERNATIVES AT UNIVERSITY BLVD / LIBERTY
UNIVERSITY RD (DRAFT DOCUMENT)

YOUR REFERENCE NUMBER:

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

1. Introduction

The purpose of this technical memorandum is to summarize the results of a traffic analysis for Liberty University in the City of Lynchburg, Virginia. The intersection at University Boulevard / Liberty University Drive is a side-street stop controlled intersection that has been experiencing increased congestion and delays associated with growing multimodal travel demand. Furthermore, the University has plans to realign University Boulevard south of Williams Stadium Road further east opposite of the University Bookstore parking lot. This new alignment will connect to the University Boulevard / Liberty University Drive intersection; thereby, creating a four-leg intersection. To better accommodate traffic demand and the new configuration, several intersection alternatives were considered.

To note, University Boulevard north of Liberty University Drive, and Liberty University Drive across Route 460 are public roads. Therefore, the purpose of this traffic study is to provide the University and City of Lynchburg documentation that presents the potential impacts and benefits associated with the transportation alternatives for their respective review process.

The following sections describe the scope, methodology, assumptions and traffic operational results of this analysis.

2. Scope

The unsignalized intersection of University Boulevard / Liberty University Drive will be analyzed to document baseline (existing) traffic operations. The assessment will then consider how traffic patterns will change as a result of the realignment and potential impacts to the University Boulevard / Liberty University Drive intersection. The installation of a traffic signal or a roundabout will then be analyzed under the build condition. The goal of the analyses is to find a traffic control solution that improves traffic operations and provides a more efficient and safer way to accommodate the new connection at the intersection. To ensure build conditions do not result in adverse impacts, the following intersections have also been included in this analysis:

- University Boulevard / Route 460 ramps / Evans Boulevard
- University Boulevard / Williams Stadium Road
- Liberty University Drive / Liberty Mountain Drive

While these three (3) intersections will also be modeled under build conditions, the focus of this assessment will remain with University Boulevard / Liberty University Drive. However, other improvements may be recommended for further consideration, if identified. An illustration of the study area is provided as an **Attachment**. The following section summarizes the data required to complete the scope of this analysis.

a. Data Collection

EPR coordinated with Perkins & Orrison, Inc. and University staff to discuss the specifics of the development vision and gain a better understanding of multimodal transportation elements being considered. Additionally, the following data was collected for the purposes of this analysis:

- 1) Traffic data from previous studies was assembled and reviewed, as available, including relevant data from the *Liberty University On-Campus Development Program Traffic Study*, completed in 2014.
 - o The referenced traffic study included AM and PM traffic counts at Liberty University Drive / Liberty Mountain Drive (2014).
- 2) AM and PM traffic counts at University Boulevard / Route 460 ramps / Evans Boulevard were available from the 2012 *VDOT Route 460 Ramp Alternatives Study*.

To note, while the 2012 and 2014 traffic volumes are considered dated, further review has indicated traffic levels have reduced since then as a result of increased connectivity to/from the University. Therefore, the volumes are conservatively high.

- 3) New AM and PM traffic counts were collected in November 2016 for the two (2) intersections along University Boulevard at Liberty University Drive and Williams Stadium Road.
- 4) A detailed field review, in addition to extensive knowledge of the study area, was conducted to observe queuing, intersection operations, pedestrian activity and other relevant features.
- 5) Relevant design plans were obtained from University staff.
- 6) Signal timing plans for the University Boulevard / Route 460 ramps / Evans Boulevard intersection were obtained from the City of Lynchburg.

3. Methodology

The analysis methodology consisted of developing a traffic operational model, determining traffic re-route assumptions, and analyzing design hour traffic for multiple alternatives.

a. Traffic Model Development

The traffic modeling network was developed using aerial mapping, roadway geometry, intersection traffic counts, and field observations. The operational analysis for the study area intersections was completed using Synchro 9.0, a computer-based intersection operations model that replicates procedures from the *Highway Capacity Manual* (HCM) (Transportation Research Board, 2000 and 2010). Also, Sidra (roundabout analysis software) was utilized to examine the roundabout traffic operations. These programs were used to assess existing and future operations of intersections in the study area.

i. Traffic Performance Measures

To determine lane geometric needs, intersection level of service (LOS) standards have been applied. Intersection LOS is a qualitative measure of vehicular delay and takes into account a number of conditions related to intersection design and traffic volume, and the perception of those conditions by motorists. Ratings range from A to F, with LOS A indicating little or no average delay and LOS F indicating severe average delays. Typically, LOS A-D are considered acceptable ratings for an intersection, while LOS E-F indicate the potential need for improvements. **Table 1** summarizes the LOS criteria, as specified in HCM 2000 and 2010.

Table 1: Level of Service Criteria

Level of Service (LOS)	Signalized Intersection Control Delay (seconds/vehicle)	Unsignalized Intersection Control Delay (seconds/vehicle)
A	0-10	0-10
B	>10-20	>10-15
C	>20-35	>15-25
D	>35-55	>25-35
E	>55-80	>35-50
F	>80	>50

Source: 2000 and 2010 Highway Capacity Manual

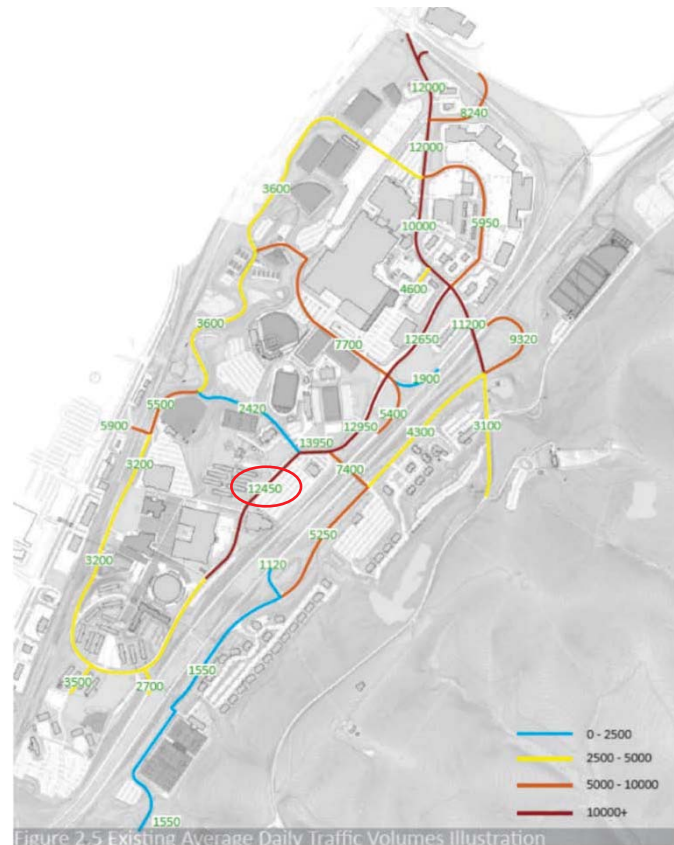
In addition to LOS, the 95th percentile queue is the probable furthest distance from the stop bar to the back of the last vehicle waiting at an intersection. This queue represents the length of the line of cars that arrive at an intersection when the signal is red combined with vehicles that did not clear the intersection during the previous green light. Comparing the length of this line of vehicles to potential lane lengths available at each intersection provides another measure of how efficiently the intersection is processing traffic demand.

b. Traffic Re-Assignment

An important consideration in traffic modeling and analysis is determining how traffic patterns will change by re-aligning University Boulevard. Data from the *Liberty University On-Campus Development Program Traffic Study* and other relevant documents have been used to inform traffic distributions once the re-alignment is complete. **Figure 1** illustrates the counted and interpolated daily traffic demand along key roadways throughout the University. Daily traffic demand along University Boulevard south of Williams Stadium road was previously estimated to be approximately 12,450 vehicles per day (vpd). To note, this is an interpolated volume and likely represents a conservatively high estimation.

Since then, changes in traffic patterns associated with the opening of the Williams Stadium Road tunnel, the new bridge across Route 460, parking reorganization, and improved multimodal connections (including transit) have reduced demand along this portion of University Boulevard. In fact, the intersection counts collected in November 2016 on University Boulevard were 15% to 20% less than those counts collected in 2014. As improved transit and pedestrian enhancements continue to come online, traffic demand is expected to continue to reduce, or at least be maintained.

To approximate what the expected traffic demand will be for the re-alignment, the PM peak hour intersection traffic counts collected in November 2016 and adjusted based on engineering judgement to represent the resulting traffic diversion onto the new alignment. The PM peak was selected because the demand is much higher than what was measured during the AM peak hour. This diversion reduces the traffic demand at

Figure 1: 2014 Daily Traffic

Williams Stadium Road / University Boulevard, but increases demand at University Boulevard / Liberty University Drive. To check if the diverted peak hour traffic along the new connection aligns with expected daily volume, the peak hour traffic was converted to vehicles per day ("vpd") using industry stand factors.¹ When reverse engineered, the resulting daily volume is approximately 10,000 vpd. This is consistent with the reduction rate noted above (20% reduction from 12,450 vpd).

All traffic volume figures are provided as an **Attachment**.

4. Traffic Operational Results

The unsignalized intersection of University Boulevard / Liberty University Drive was analyzed to document baseline (existing) traffic operations. Then, a build analysis at University Boulevard / Liberty University Drive considered the installation of a traffic signal or a roundabout with the re-alignment connection creating a four-leg intersection. The analysis was expanded to ensure the build condition did not result in adverse impacts to the following intersections:

- University Boulevard / Route 460 ramps / Evans Boulevard
- University Boulevard / Williams Stadium Road
- Liberty University Drive / Liberty Mountain Drive

LOS, delay and 95th percentile queues have been reported for all movements and for the overall intersection. **To note, the study area serves heavy pedestrian traffic and all scenarios considered the interaction of pedestrians as part of the operational analysis.** Pedestrian counts, as collected and applied, are provided as an **Attachment**. All subsequent Synchro reports are available upon request.

a. Existing Conditions

The existing conditions analysis was completed for the unsignalized intersection of University Boulevard / Liberty University Drive. **Table 2** summarizes the findings of the operational analysis. Results indicate that even though traffic levels have dropped recently, the westbound approach to University Boulevard still operates as LOS F during the PM peak hour, with high delays and queuing that extends back over the bridge.

Table 2: Existing Conditions Results

Approach	Movement	Existing AM			Existing PM		
		LOS	Delay (seconds)	95th % Queue (in feet)	LOS	Delay (seconds)	95th % Queue (in feet)
University Blvd NB	T/R	A	0	0	A	0	0
University Blvd SB	L	A	8.4	5	A	8.7	5
University Blvd SB	T	A	0	0	A	0	0
Liberty University Dr WB	L/R	E	36.4	108	F	72.1	255

Source: Synchro 9.0, HCM 2010

The addition of a new connection will only exacerbate an existing problem and create potential safety challenges for all modes. **Poor traffic operations justify the need to consider either signalization or a roundabout.**

b. Future Build Conditions

a. Signalization

A traffic signal was considered for the unsignalized intersection of University Boulevard / Liberty University Drive to better accommodate existing and build traffic conditions. **Table 3** summarizes the findings of the operational analysis. Results

¹ A D-Factor (directional distribution) of 0.55 and a K-Factor of 0.10 (peak hour distribution) are typical factors considered for this exercise, given traffic characteristics of the University.

indicate that while the westbound approach to University Boulevard improves from LOS F to LOS D, all remaining movements see increased delays and queues. Queues on University Boulevard extend over 250', or 10 vehicles. Because there are offset angles and more than one left-turn option for several movements, split phasing is required increasing delay. Furthermore, the southbound left movement from University Boulevard may create confusion as drivers can either make a hard left to Liberty University Drive or veer left to stay the re-aligned University Boulevard. Adverse impacts are not expected at the nearby intersections.

Table 3: Build Signalization Results

Intersection / Approach	Movement	Design Hour Build (PM Peak)		
		LOS	Delay (in seconds)	95th % Queue (in feet)
#1: University Blvd/Williams Stadium Rd				
University Blvd SB	L/R	A	7.4	50
Williams Stadium Rd EB	L/T	A	8.8	75
Parking Entrance WB	T/R	A	5.5	0
Intersection		A	8.1	
#2: University Blvd/Liberty University Dr				
University Blvd NB	L	C	32.6	170
University Blvd NB	T/R	D	39.8	267
University Blvd SB	L	D	40.6	86
University Blvd SB	T	C	33.2	248
University Blvd SB	R	B	15	41
Liberty University Dr WB	L/T/R	D	39.9	209
New Connection NWB	L	D	37	150
New Connection NWB	T/R	C	23	104
Intersection		C	33	
#3: Liberty University Dr/Liberty Mountain Dr				
Liberty University Dr EB	L/T/R	B	14.8	70
Parking Entrance WB	L/T	B	10.1	3
Parking Entrance WB	R	A	9.7	0
Liberty Mountain Dr NB	L	C	17.2	85
Liberty Mountain Dr NB	T/R	A	9.3	10
Liberty Mountain Dr SB	L	B	10.9	15
Liberty Mountain Dr SB	T/R	B	10.7	28
Intersection		B	14	
#4: University Blvd/Evans Blvd				
Evans Blvd EB	L	C	26.2	111
Evans Blvd EB	T	B	18.3	283
Evans Blvd EB	R	B	14.7	49
Rt 460 WB	L	C	27.3	16
Rt 460 WB	T	B	15.2	18
Rt 460 WB	R	A	0	0
University Blvd NB	L	C	25.3	120
University Blvd NB	T	B	17	76
University Blvd NB	R	A	0	19
University Blvd SB	L	C	20.2	105
University Blvd SB	T	B	16.3	102
University Blvd SB	R	B	15.4	0
Intersection		B	19.1	

Source: Synchro 9.0, HCM 2000 and 2010

b. Single Lane Roundabout

Because signalization did not reasonably accommodate build conditions primarily from a queuing and functionality perspective (driver confusion), a single lane roundabout was also considered. **Table 4** summarizes the findings of the operational analysis. Results indicate that all movements operate at LOS C, or better. The longest queue at University Boulevard / Liberty University Drive is approximately 175', or seven vehicles. Adverse impacts are not expected at the nearby intersections. *Note that these results are based on Highway Capacity Manual 2010 methodology, which is more conservative in terms of considering a lower capacity for a roundabout. Thus when analyzed in Sidra the resulting levels of service are better.*

Table 4: Build Roundabout Results

Intersection / Approach	Movement	Design Hour Build (PM Peak)		
		LOS	Delay (in seconds)	95th % Queue (in feet)
#1: University Blvd/Williams Stadium Rd				
University Blvd SB	L/R	A	7.4	50
Williams Stadium Rd EB	L/T	A	8.8	75
Parking Entrance WB	T/R	A	5.5	0
Intersection Total		A	8.1	
#2: University Blvd/Liberty University Dr				
University Blvd NB	L/T/R	C	23	175
University Blvd SB	L/T/R	C	17.6	125
Liberty University Dr WB	L/T/R	B	11.8	50
New Connection NWB	L/T/R	B	11.2	75
Intersection Total		C	16.7	
#3: Liberty University Dr/Liberty Mountain Dr				
Liberty University Dr EB	L/T/R	B	14.8	70
Parking Entrance WB	L/T	B	10.1	3
Parking Entrance WB	R	A	9.7	0
Liberty Mountain Dr NB	L	C	17.2	85
Liberty Mountain Dr NB	T/R	A	9.3	10
Liberty Mountain Dr SB	L	B	10.9	15
Liberty Mountain Dr SB	T/R	B	10.7	28
Intersection Total		B	14	
#4: University Blvd/Evans Blvd				
Evans Blvd EB	L	C	26.2	111
Evans Blvd EB	T	B	18.3	283
Evans Blvd EB	R	B	14.7	49
Rt 460 WB	L	C	27.3	16
Rt 460 WB	T	B	15.2	18
Rt 460 WB	R	A	0	0
University Blvd NB	L	C	25.3	120
University Blvd NB	T	B	17	76
University Blvd NB	R	A	0	19
University Blvd SB	L	C	20.2	105
University Blvd SB	T	B	16.3	102
University Blvd SB	R	B	15.4	0
Intersection Total		B	19.1	

Source: Synchro 9.0, HCM 2010

A roundabout will serve this location well because traffic demand is relatively evenly spread across all approaches and keeps moving. Furthermore, to accommodate individual movements such as the southbound left, all other movements

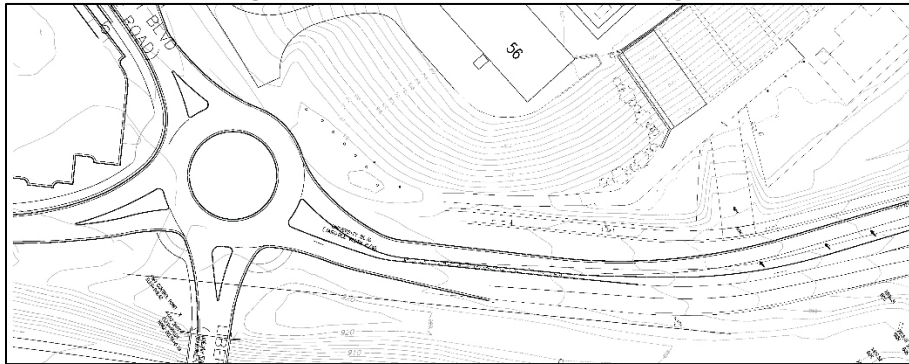
do not need to be restricted as with a signal. Because a roundabout is more effective at managing traffic under build conditions (and existing conditions in reality), it is recommended over signalization.

Important to note, since several assumptions were needed to develop traffic conditions for the re-alignment, all approach volumes were pushed up another 10 percent to ensure the roundabout could still process traffic, if the assumptions turned out to understate demand. With the additional traffic, the roundabout still operated at LOS D, or better for all movements and queues of 250', or less. Furthermore, consideration was given to pedestrian movements at the roundabout, and entered into the model.

c. Roundabout Concept Design

This study has also provided input regarding the required roundabout geometry, final roadway alignment, bus pull off location and alignment, and also intersection / tie-in needs at University Boulevard / Liberty University Drive. **Figure 2** illustrates a plan view of the roundabout concept designed using CADD software. The complete CADD sketch is provided as an **Attachment**.

Figure 2: Roundabout Concept Design



When considering the roundabout it is important to examine truck turning movement for each of the approaches. As such, articulated bus and WB-62 truck turning templates via AutoCAD were examined, and graphics are provided as an **Attachment** to this document. It appears that bus movements will be well accommodated per the roundabout geometry, and the WB-62 will function well at most movements. For the right turn movement from the new University Blvd alignment, and also the right turn movement from the bridge, a WB-62 will need to traverse the full length of the roundabout since the corner radii will not well accommodate the movement. Special signing can be used as needed.

University Boulevard southbound from Route 460 ramps / Evans Boulevard will merge to a single lane approximately 400' north of the roundabout. Conversely, University Boulevard northbound to Route 460 ramps / Evans Boulevard will widen to two lanes approximately 200' north of the roundabout. Vehicle maneuverability, bollards for use at the newly closed off University Boulevard (near the visitor's center), crossing treatments for pedestrians, and general roadway typical sections (as a function of bus and bicycle accommodations) are included in the comprehensive design package.

d. Other Considerations and Notes

An all-way stop was considered to replace the mini roundabout at Williams Stadium Drive / University Boulevard after University Boulevard is re-aligned and traffic is reduced. Stop controls can serve multiple purposes including reducing speeds and providing a *potentially* safer environment for pedestrians. The all-way stop functioned well at LOS C, or better for all movements and queuing of 175', or seven vehicles. A raised intersection could also be installed to complement and enhanced pedestrian environment.

The all-way stop control intersection at Liberty University Drive / Liberty Mountain Road has been the topic of discussion for signalization. While the operations were acceptable under the parameters of this study, there could be times (i.e. special events or other) that add a lot pressure to this key gateway. Furthermore, pedestrian traffic is relatively high. Perhaps consider a compact roundabout or special event traffic control measures to better accommodate periods of increased demand. The University should continue monitoring traffic conditions into the future.

A growth rate was not applied for the purposes of this analysis. Traffic levels have been falling recently and the University has plans to continue prioritizing multimodal options and reorganizing parking off-site. For these reasons, it is not expected for traffic to grow. Additionally, as new projects are considered, they will need to complete traffic studies as necessary.

5. Conclusions and Next Steps

The purpose of this technical memorandum was to summarize the results of a traffic analysis for Liberty University in the City of Lynchburg, Virginia. The University has plans to realign University Boulevard south of Williams Stadium Road further east opposite of the University Bookstore parking lot. The new alignment will connect to the University Boulevard / Liberty University Drive intersection; thereby, creating a four-leg intersection. This analysis considered how traffic patterns will change as a result of the re-alignment and potential impacts to the University Boulevard / Liberty University Drive intersection. The installation of a traffic signal and a roundabout was analyzed under the build condition, stemming from 1) poor existing operations and 2) a more efficient and safer way to accommodate the new connection at the intersection. **In conclusion, a roundabout as designed is the best option to advance, based on the results of this traffic study.**

This technical memorandum will be provided to the University and City of Lynchburg for review and comment.

End of Memorandum

Attachment A: Study Area

Attachment B: Existing (AM & PM Peak hour) Traffic Counts

Attachment C: Build Condition (PM Design Hour) Traffic Volumes

Attachment D: Existing (PM Peak Hour) Pedestrian Counts

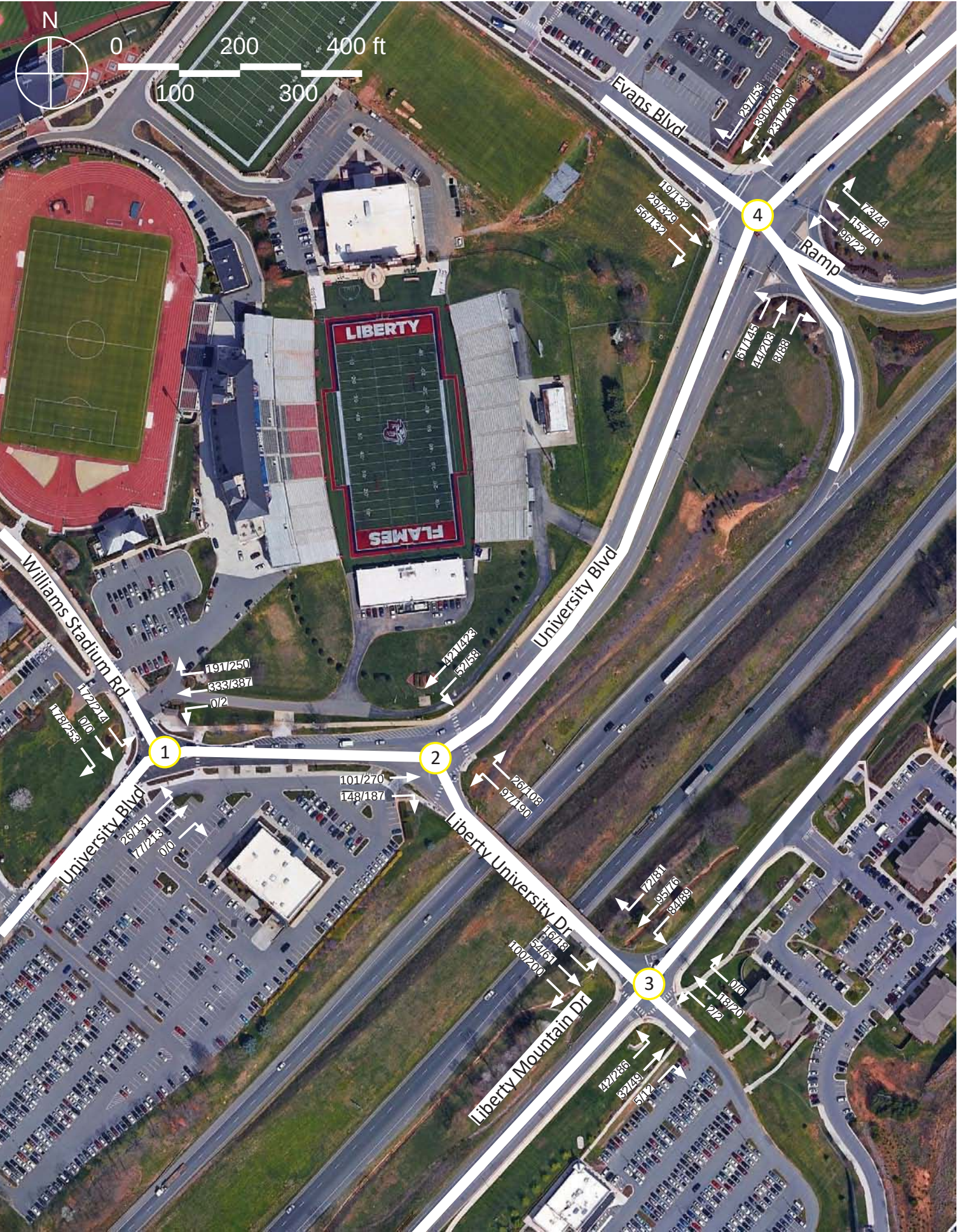
Attachment E: Roundabout Concept Design

Attachment F: Sidra Summary Sheets

Attachment G: Bus and Truck Turning Template Exhibits

Attachment A Study Area





Attachment C Build Condition (PM Design Hour) Traffic Volumes

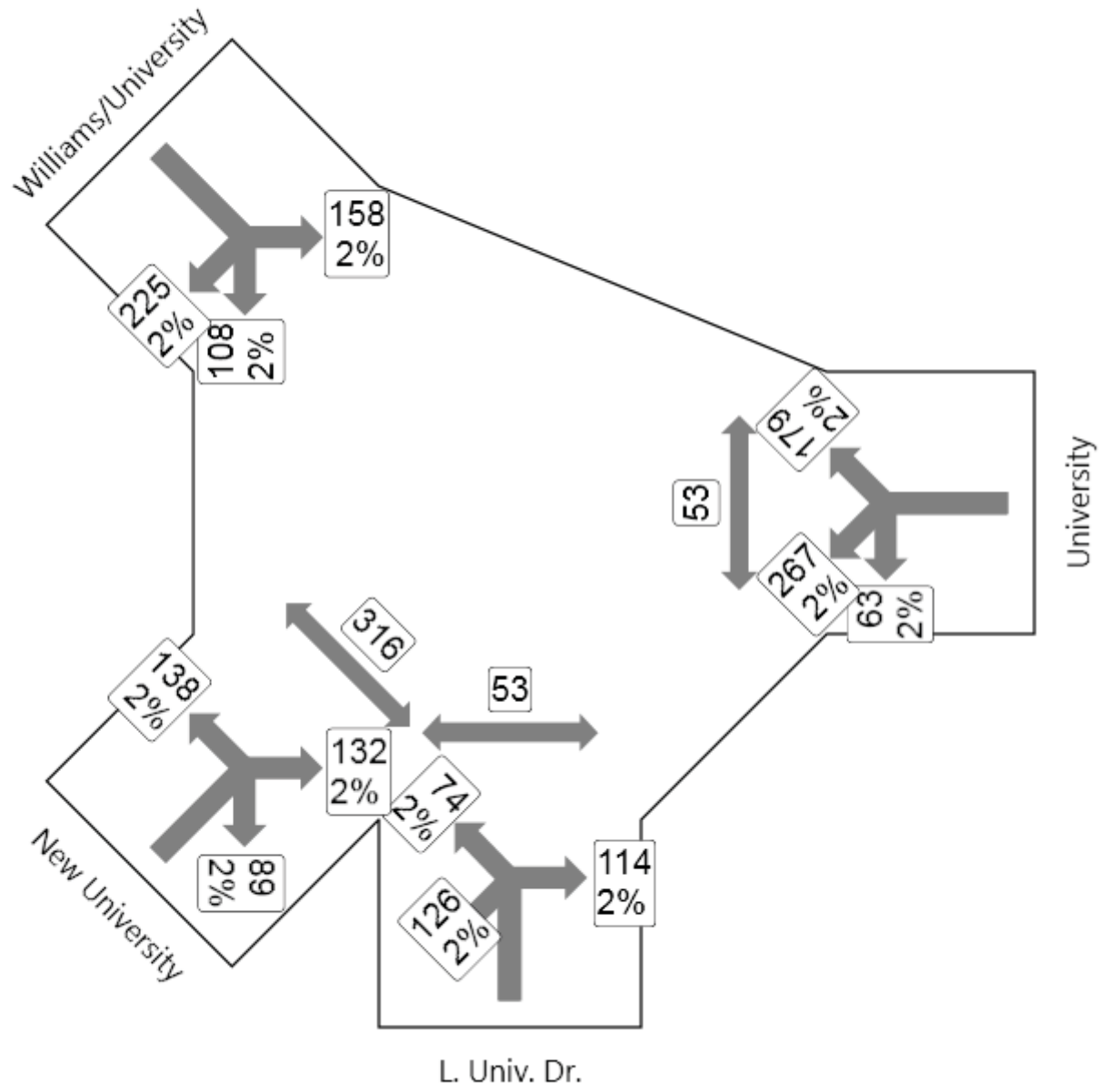


Attachment D Existing (PM Peak Hour) Pedestrian Counts



Attachment E: Roundabout Concept Design

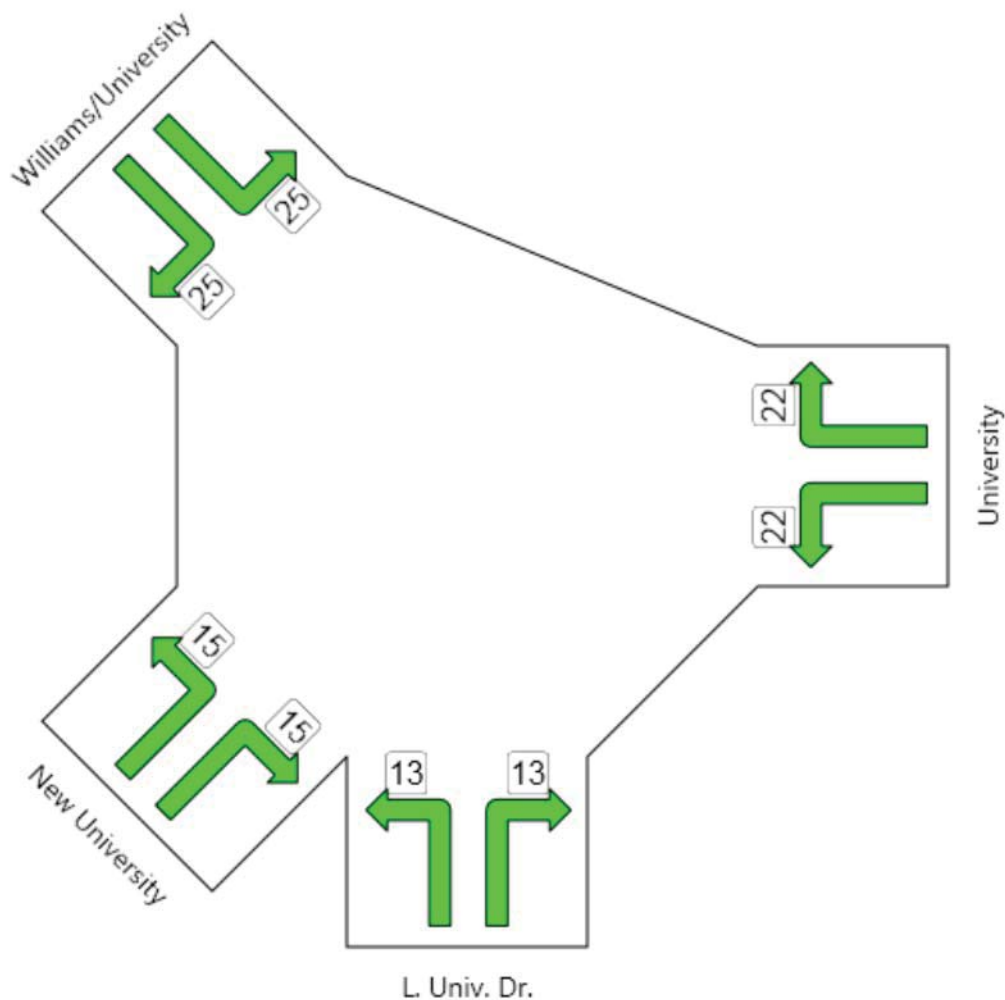
Attachment F: Sidra Summary Sheets



QUEUE DISTANCE

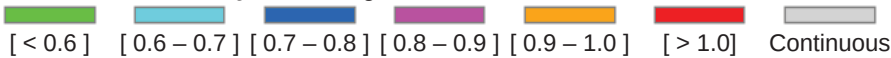
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LU Roundabout
Roundabout



	South	East	Northwest	Southwest	Intersection
Queue Distance	13	22	25	15	25

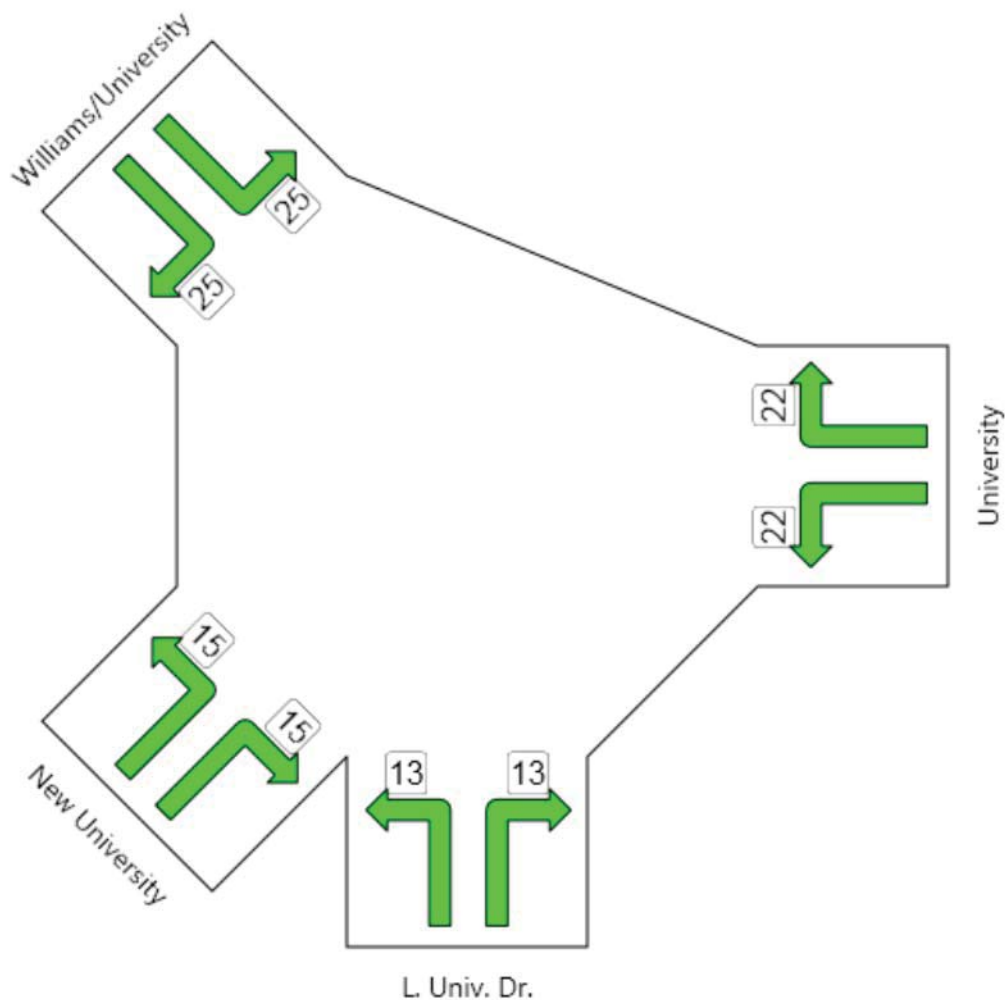
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QUEUE DISTANCE

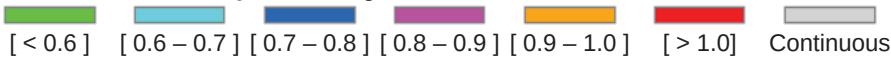
Largest 95% Back of Queue for any lane used by movement (metres)

LU Roundabout
Roundabout

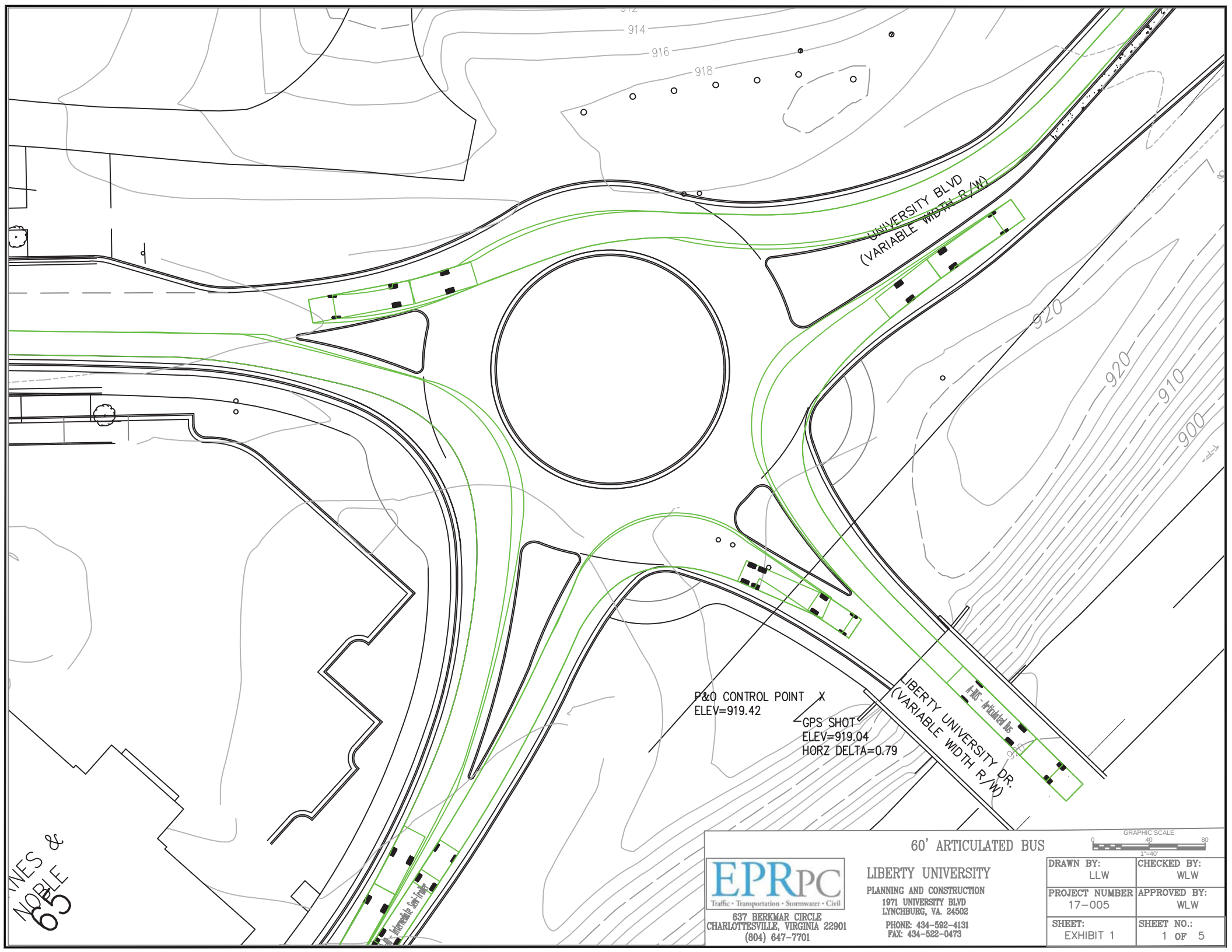


	South	East	Northwest	Southwest	Intersection
Queue Distance	13	22	25	15	25

Colour code based on Queue Storage Ratio



Attachment G: Bus and Truck Turning Template Exhibits



UNIVERSITY BLVD
(VARIABLE WIDTH R/W)

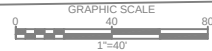
LIBERTY UNIVERSITY DR.
(VARIABLE WIDTH R/W)

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GPS SHOT
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HORZ DELTA=0.79

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NOBLE &
65

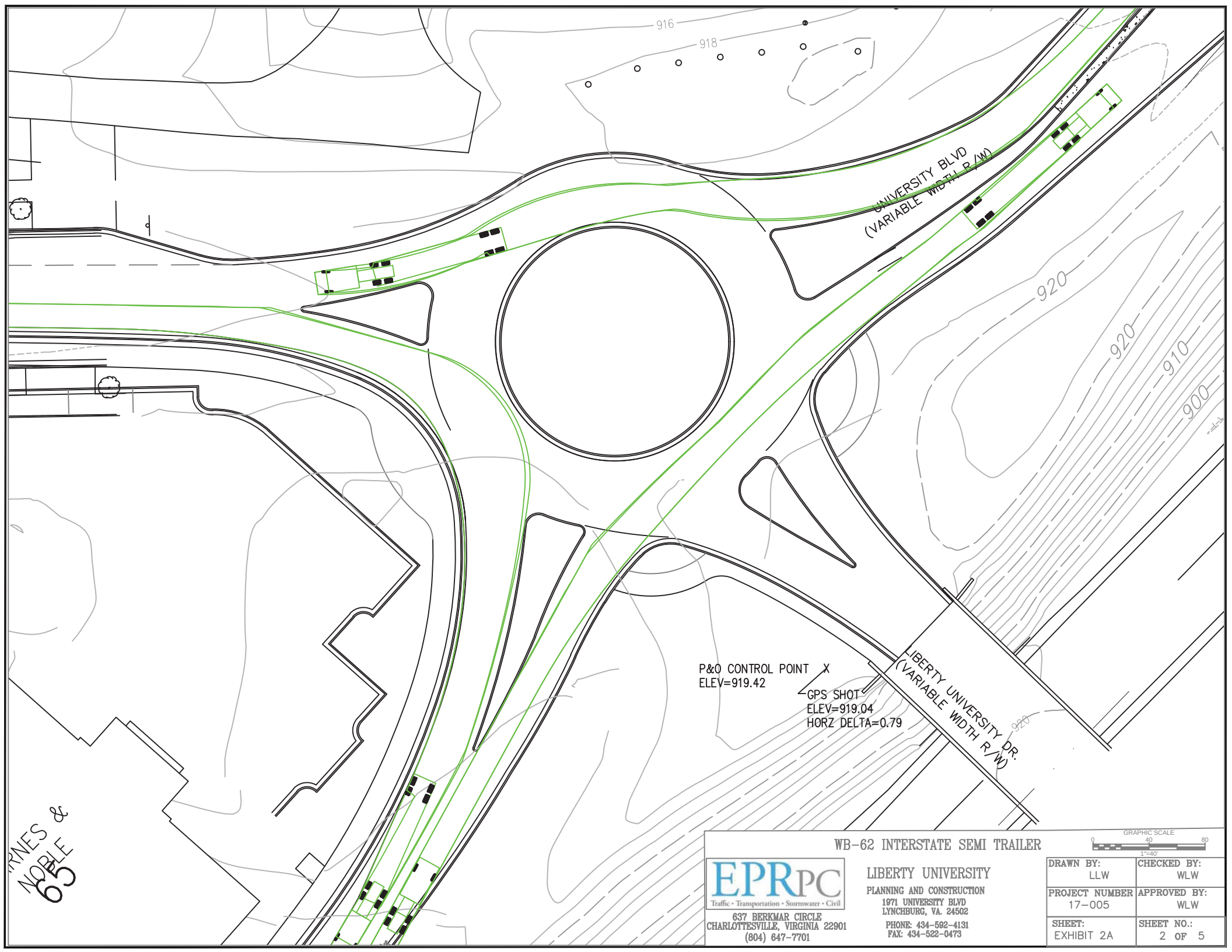
60' ARTICULATED BUS



EPRPC
Traffic • Transportation • Stormwater • Civil
637 BERKMAR CIRCLE
CHARLOTTESVILLE, VIRGINIA 22901
(804) 647-7701

LIBERTY UNIVERSITY
PLANNING AND CONSTRUCTION
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LYNCHBURG, VA. 24502
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DRAWN BY: LLW	CHECKED BY: WLW
PROJECT NUMBER 17-005	APPROVED BY: WLW
SHEET: EXHIBIT 1	SHEET NO.: 1 OF 5



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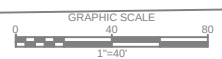
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WB-62 INTERSTATE SEMI TRAILER

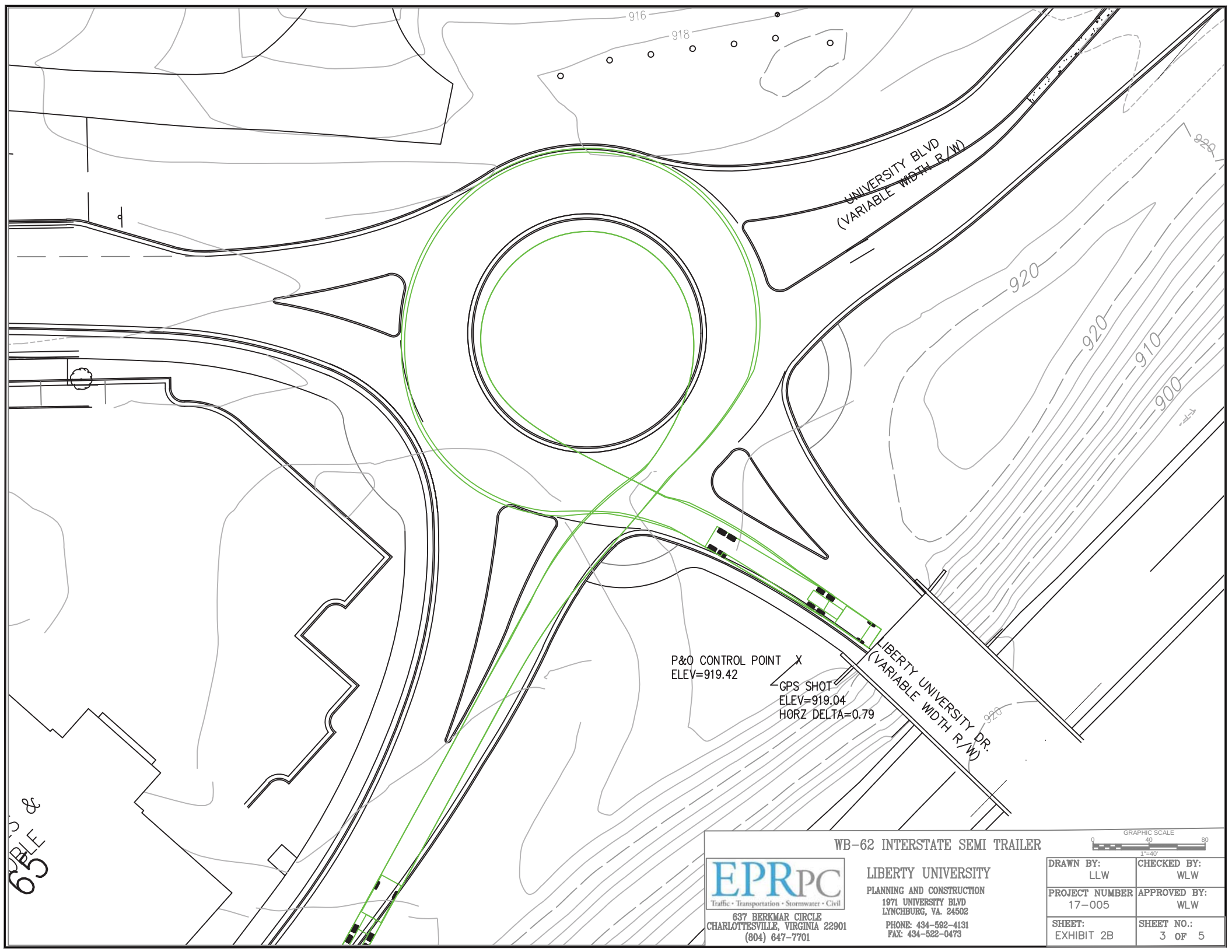


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PROJECT NUMBER 17-005	APPROVED BY: WLW
SHEET: EXHIBIT 2A	SHEET NO.: 2 OF 5



63 BLE &

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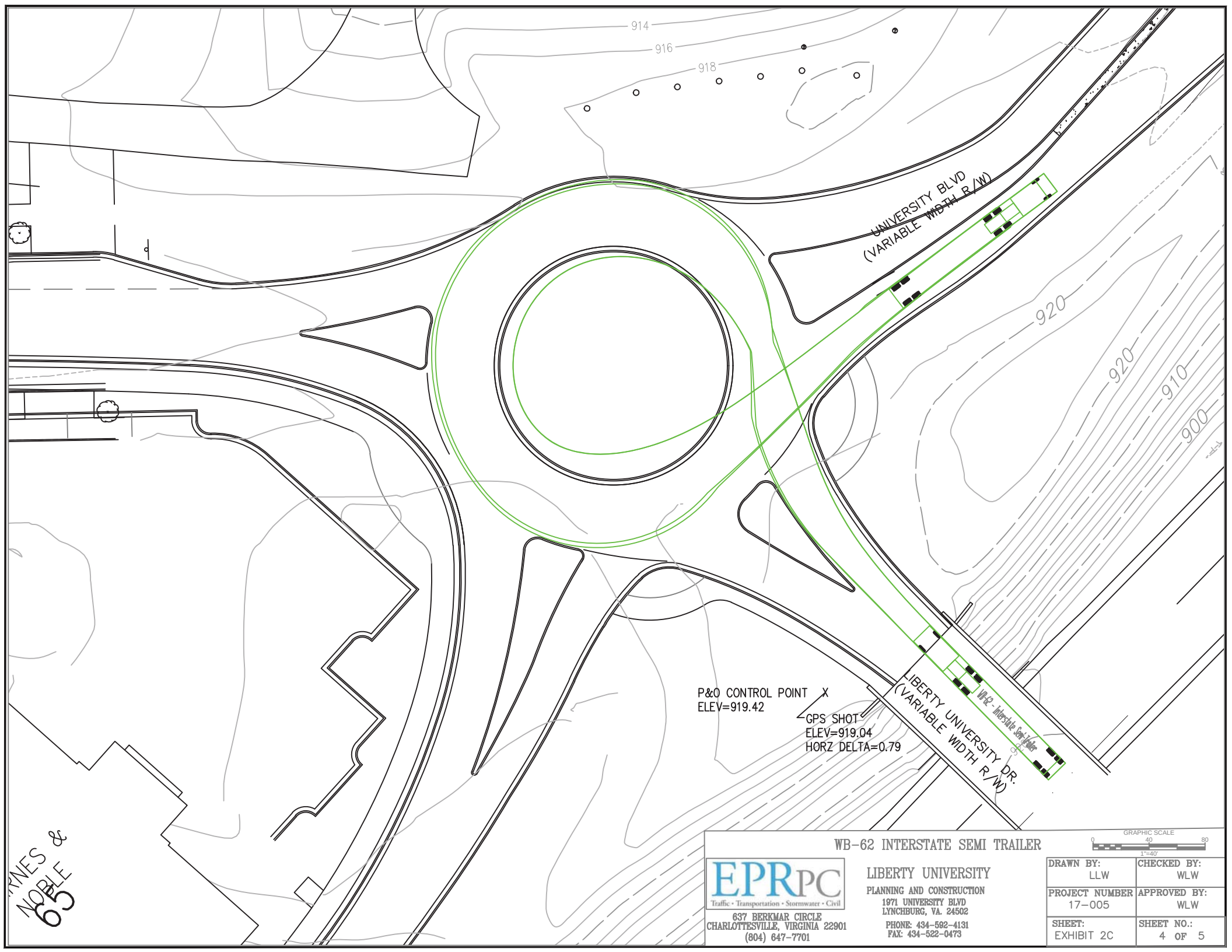
WB-62 INTERSTATE SEMI TRAILER



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LYNCHBURG, VA. 24502
PHONE: 434-592-4131
FAX: 434-522-0473

DRAWN BY: LLW	CHECKED BY: WLW
PROJECT NUMBER 17-005	APPROVED BY: WLW
SHEET: EXHIBIT 2B	SHEET NO.: 3 OF 5



TIMES
NOBLE &
63

P&O CONTROL POINT X
ELEV=919.42

GPS SHOT
ELEV=919.04
HORZ DELTA=0.79

UNIVERSITY BLVD
(VARIABLE WIDTH R/W)

WB-62 Interstate Semi Trailer
LIBERTY UNIVERSITY DR.
(VARIABLE WIDTH R/W)

WB-62 INTERSTATE SEMI TRAILER

EPRPC
Traffic • Transportation • Stormwater • Civil

637 BERKMAR CIRCLE
CHARLOTTESVILLE, VIRGINIA 22901
(804) 647-7701

LIBERTY UNIVERSITY

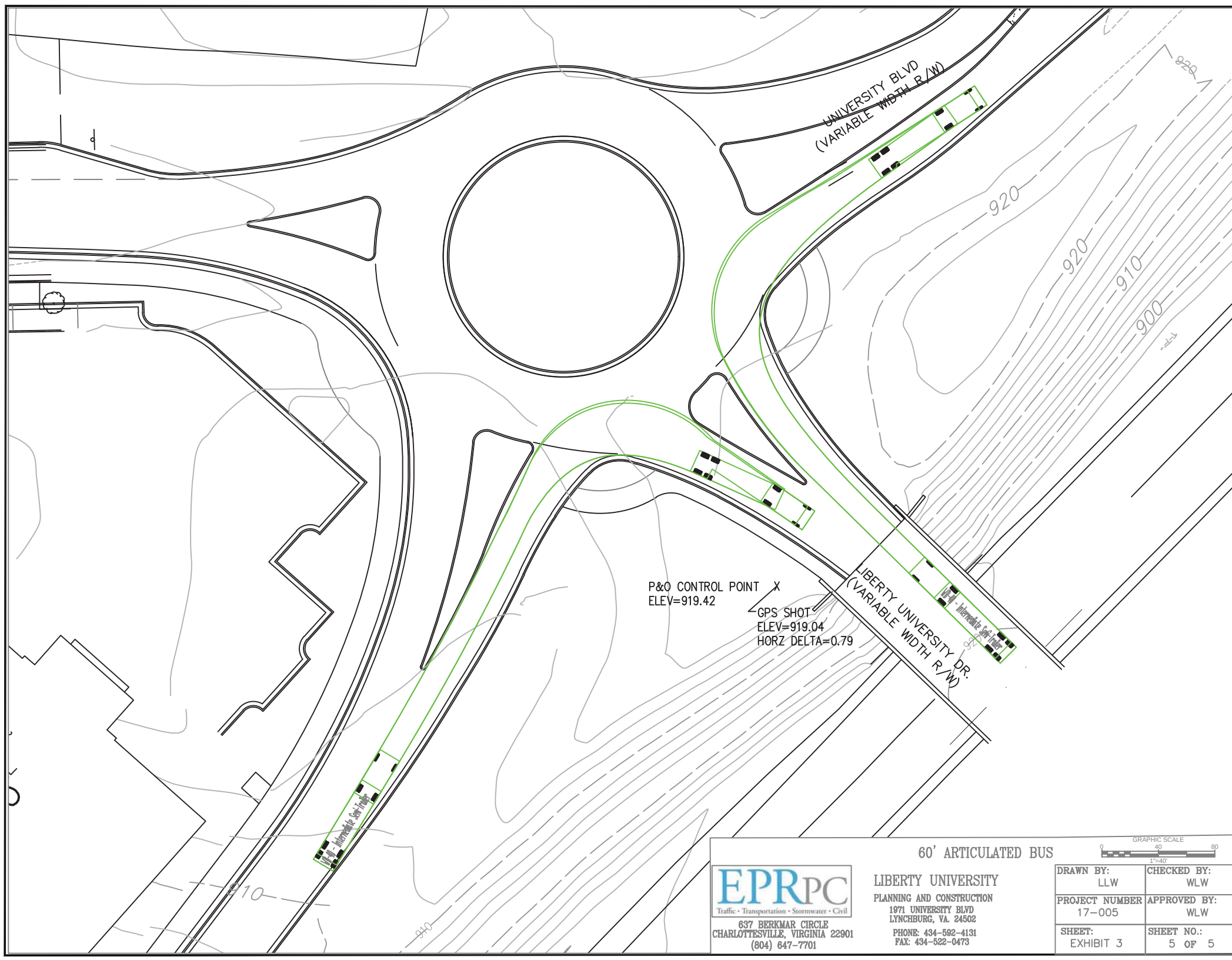
PLANNING AND CONSTRUCTION

1971 UNIVERSITY BLVD
LYNCHBURG, VA. 24502

PHONE: 434-592-4131
FAX: 434-522-0473



DRAWN BY: LLW	CHECKED BY: WLW
PROJECT NUMBER 17-005	APPROVED BY: WLW
SHEET: EXHIBIT 2C	SHEET NO.: 4 OF 5



637 BERKMAR CIRCLE
CHARLOTTESVILLE, VIRGINIA 22901
(804) 647-7701

LIBERTY UNIVERSITY
PLANNING AND CONSTRUCTION
1971 UNIVERSITY BLVD
LYNCHBURG, VA. 24502
PHONE: 434-592-4131
FAX: 434-522-0473

DRAWN BY: LLW	CHECKED BY: WLW
PROJECT NUMBER 17-005	APPROVED BY: WLW
SHEET: EXHIBIT 3	SHEET NO.: 5 OF 5

**Williams Stadium CUP
Public Hearing
September 13, 2017**

PLEASE PRINT

[illegible]

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **9**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Vacate a portion of University Boulevard

KEY ELEMENTS:

___ Economic Development ___ Excellent Government **X** Natural and Built Environment ___ Safe Community ___ Vibrant Community

RECOMMENDATION: Approval of the University Boulevard right-of-way vacation.

SUMMARY: Liberty University is petitioning to vacate a portion of University Boulevard to accommodate the proposed expansion of Williams Stadium and associated road realignment. The total area of the proposed vacation is approximately three hundred and twelve thousandths (0.312) of an acre and contains a portion of the street.

If approved, the street vacation would be contingent upon the completion of University Boulevard's realignment. The street would remain open for use by the public via a temporary public easement, and the realigned street will be located in the remaining right-of-way.

PRIOR ACTION(S):

September 7, 2017: The Technical Review Committee (TRC) reviewed the petition. The TRC comments have been incorporated into the proposed ordinance.

October 10, 2017: The Physical Development Committee will review this item at their meeting.

FISCAL IMPACT: \$31,200-- \$39,000 (assessed value range based on the zoning of the adjacent lots))

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

ATTACHMENT(S):

- Ordinance
- Application
- Plat
- Sketch showing realignment

REVIEWED BY: bms

UNCODIFIED ORDINANCE:

AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY KNOWN AS UNIVERSITY BOULEVARD.

WHEREAS, Liberty University is petitioning to vacate a portion of right-of-way known as University Boulevard; and

WHEREAS, City Council finds that no public inconvenience will result from vacating the right of way; and

WHEREAS, City Council determined that the City has no need for the portion of public right-of-way in question and the City's continued ownership of such public right-of-way is not necessary or required to serve the best interest of the City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Lynchburg, on its own motion, and in accordance with the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Sections 35-71 through 35-77 of the City Code, 1981, as amended, the following described right of way be, and the same hereby is, discontinued and vacated, namely:

From an iron pin found in the western right-of-way for University Boulevard approximately 100 feet south of the intersection of University Boulevard and Regents Parkway S 21° 35' 11" W for a distance of 81.71 feet to an iron pin set at the TRUE POINT OF BEGINNING; thence, S 68° 23' 12" E for a distance of 4.86 feet to an iron pin set; thence with a curve, said curve turning to the left through an angle of 00° 46' 22", having a radius of 582.78 feet, and whose long chord bears S 20° 08' 46" W for a distance of 7.86 feet to an iron pin set; thence, S 19° 45' 35" W for a distance of 301.60 feet to an iron pin set; thence with a curve, said curve turning to the right through an angle of 22° 51' 40", having a radius of 543.50 feet, and whose long chord bears S 31° 11' 25" W for a distance of 215.42 feet to an iron pin set; thence, S 42° 37' 14" W for a distance of 134.99 feet to an iron pin set; thence with a curve, said curve turning to the right through 25° 33' 47", having a radius of 93.50 feet, and whose long chord bears S 55° 24' 08" W for a distance of 41.37 feet to an iron pin set; thence with a curve, said curve turning to the right through 16° 08' 56", having a radius of 183.11 feet, and whose long chord bears S 76° 15' 29" W for a distance of 51.44 feet to an iron pin set; thence with a curve, said curve turning to the right through 08° 49' 34", having a radius of 90.50 feet, and whose long chord bears S 88° 44' 45" W for a distance of 13.93 feet to an iron pin set; thence with a curve, said curve turning to the left through an angle of 36° 01' 08", having a radius of 103.50 feet, and whose long chord bears N 59° 49' 07" E for a distance of 64.00 feet to a point; thence, N 41° 48' 33" E for a distance of 245.37 feet to a highway monument; thence with a curve, said curve turning to the left through an angle of 18° 30' 00", having a radius of 377.91 feet, and whose long chord bears N 32° 33' 33" E for a distance of 121.49 feet to an iron pin set; thence N 21° 35' 11" E a distance of 317.45 feet to the TRUE POINT OF BEGINNING, containing 0.312 acres of land, more or less.

Said vacation is contingent upon the following: (1) That a temporary public easement be reserved on the vacated right-of-way and documented on the associated plat; (2) that plans for the realignment of University Boulevard be submitted to and approved by the City Engineer; and (3) that the realignment of University Boulevard is completed and accepted by the City Engineer within 24 months. Failure to meet these conditions shall render the vacation of the above-described portion of University Boulevard null and void.

Provided, however, that any easement to locate, relocate, repair, replace, maintain and perpetually operate all utilities currently located therein or needed by the City in the future is hereby reserved unto the City of Lynchburg and the construction of a permanent structure over any utility line without the prior written approval of the City is prohibited.

BE IT FURTHER ORDAINED that the Clerk of Council is hereby authorized and directed to deliver a duly certified copy of this ordinance to the Clerk of the Circuit Court for the City of Lynchburg so that said certified copy of this ordinance may be recorded as deeds are recorded and indexed in the name of the City of Lynchburg, and the City Manager is hereby authorized to sign any documents that may be needed to complete the vacation of the right-of-way.

Adopted:

Certified: _____
Clerk of Council

130K

APPLICATION FOR THE VACATION OF

A Portion of University Boulevard

LOCATED

Between University Boulevard Private and Regents Parkway (formerly Evans Blvd)

The undersigned applicant, Liberty University, pursuant to the provisions of Section 15.2-2006 of the Code of Virginia, 1950, as amended, and Section 35-71 through Section 35-77 of the City Code 1981, as amended, respectfully makes application to the Lynchburg City Council for the vacation of that certain portion of University Boulevard described as follows:

From an iron pin found in the western right-of-way for University Boulevard approximately 100 feet south of the intersection of University Boulevard and Regents Parkway S 21° 35' 11" W for a distance of 81.71 feet to an iron pin set at the TRUE POINT OF BEGINNING; thence, S 68° 23' 12" E for a distance of 4.86 feet to an iron pin set; thence with a curve, said curve turning to the left through an angle of 00° 46' 22", having a radius of 582.78 feet, and whose long chord bears S 20° 08' 46" W for a distance of 7.86 feet to an iron pin set; thence, S 19° 45' 35" W for a distance of 301.60 feet to an iron pin set; thence with a curve, said curve turning to the right through an angle of 22° 51' 40", having a radius of 543.50 feet, and whose long chord bears S 31° 11' 25" W for a distance of 215.42 feet to an iron pin set; thence, S 42° 37' 14" W for a distance of 134.99 feet to an iron pin set; thence with a curve, said curve turning to the right through 25° 33' 47", having a radius of 93.50 feet, and whose long chord bears S 55° 24' 08" W for a distance of 41.37 feet to an iron pin set; thence with a curve, said curve turning to the right through 16° 08' 56", having a radius of 183.11 feet, and whose long chord bears S 76° 15' 29" W for a distance of 51.44 feet to an iron pin set; thence with a curve, said curve turning to the right through 08° 49' 34", having a radius of 90.50 feet, and whose long chord bears S 88° 44' 45" W for a distance of 13.93 feet to an iron pin set; thence with a curve, said curve turning to the left through an angle of 36° 01' 08", having a radius of 103.50 feet, and whose long chord bears N 59° 49' 07" E for a distance of 64.00 feet to a point; thence, N 41° 48' 33" E for a distance of 245.37 feet to a highway monument; thence with a curve, said curve turning to the left through an angle of 18° 30' 00", having a radius of 377.91 feet, and whose long chord bears N 32° 33' 33" E for a distance of 121.49 feet to an iron pin set; thence N 21° 35' 11" E a distance of 317.45 feet to the TRUE POINT OF BEGINNING, containing 0.312 acres of land, more or less

The applicant further requests the Lynchburg City Council to hold a public hearing on this application at its meeting to be held in the Council Chamber, City Hall, 900 Church Street, Lynchburg, VA on October 10, 2017, at 7:30 p.m., or as soon thereafter as the matter may be heard, and at the conclusion of which hearing to consider whether or not to vacate the above described portion of portion of University Boulevard.

Given under my hand this 19th day of September, 2017.



Daniel C. Deter, Vice President-Major Construction
Liberty University
1971 University Blvd
Lynchburg VA 24515
(434) 592-4172

1. PHYSICAL IMPROVEMENTS, AS SHOWN HEREON, HAVE BEEN PREPARED PER A FIELD SURVEY ON MAY 8, 2017 AND AN AERIAL SURVEY DATED JANUARY 27, 2007. THE PROPOSED RIGHT-OF-WAY AND NEW CITY OF LYNCHBURG ROAD EASEMENT HAVE BEEN PREPARED FROM A CURRENT FIELD SURVEY DONE AS PER THE DATE OF THIS PLAT.
2. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT INDICATE ALL OF THE ENCUMBRANCES UPON THE PROPERTY.
3. AS DETERMINED BY GRAPHIC SCALING ONLY, THE VACATED RIGHT-OF-WAY AND NEW CITY OF LYNCHBURG ROAD EASEMENT IS IN FLOOD ZONE "UNSHADED X" AND NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE ACCORDING TO FEMA PANEL NUMBER 5109030106D, DATED JUNE 3, 2006.
4. IRON PINS ARE TO BE SET AS INDICATED ON THIS PLAT.
5. THE "VACATED RIGHT-OF-WAY", AS SHOWN HEREON, IS TO BECOME PART AND PARCEL OF PARCEL ID 25701001.
6. AS PROVIDED IN SECTION 24.1-45, EXCEPTIONS, THE CITY PLANNER HAS DETERMINED THAT IN THIS INSTANCE ADHERING STRICTLY TO 24.1-37 (c) AND 24.1-37 (d) AND SECTION 24.1-42 (g) WOULD CAUSE AN UNNECESSARY HARSHSHIP IN THE NEED TO SURVEY ALL IMPROVEMENTS AND IS NOT RELEVANT IN THE RIGHT-OF-WAY VACATION, AS SHOWN HEREON.

7. THE VACATED RIGHT-OF-WAY, AS SHOWN HEREON, SHALL BE SUBJECT TO A TEMPORARY CITY OF LYNCHBURG ROADWAY EASEMENT TO BECOME NULL AND VOID AT SUCH TIME AS THE ROAD IMPROVEMENTS TO UNIVERSITY BOULEVARD ARE COMPLETE AND ACCEPTED BY THE CITY.

LIBERTY UNIVERSITY, INC.
1971 UNIVERSITY BLVD.
LYNCHBURG, VIRGINIA 24515
PARCEL ID: 25701001
DB 774 PG 350 IN THE CLERK'S
OFFICE FOR THE CITY OF LYNCHBURG

THE RIGHT-OF-WAY VACATION AND NEW CITY OF LYNCHBURG ROAD EASEMENT, AS SHOWN HEREON, ARE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

LIBERTY UNIVERSITY, INC.

BY: _____
JERRY L. FALWELL, JR., CHANCELLOR & PRESIDENT DATE _____

COMMONWEALTH AT LARGE TO WIT:
STATE OF VIRGINIA

COUNTY OF _____

I, _____ A NOTARY
PUBLIC IN AND FOR THE AFORESAID STATE, DO
HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES ARE
SIGNED ABOVE HAVE ACKNOWLEDGED THE
SAME BEFORE ME.

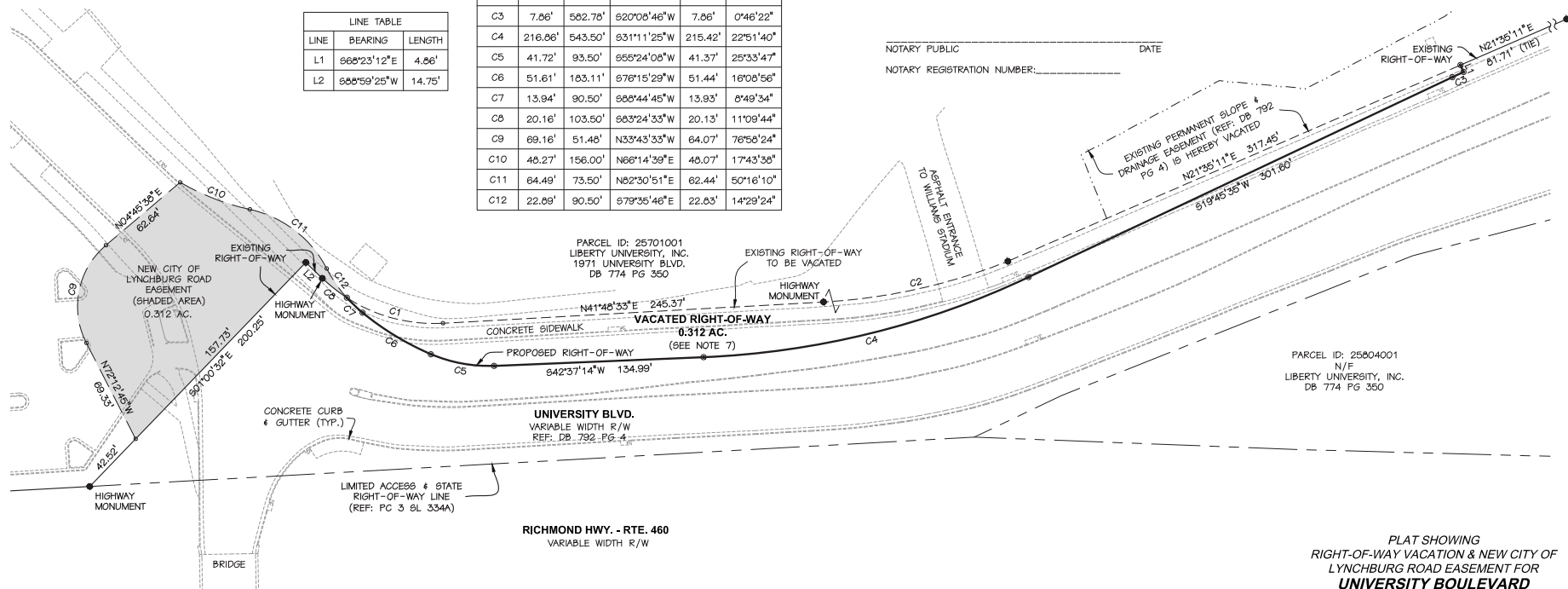
MY COMMISSION EXPIRES:_____

NOTARY PUBLIC _____ DATE _____

NOTARY REGISTRATION NUMBER: _____

CURVE TABLE				
CURVE	LENGTH	RADIUS	BEARINGS	DELTA
C1	65.07'	103.50'	N59°49'07"E	64.00'
C2	122.02'	377.91'	S32°33'33"E	121.49'
C3	7.86'	582.78'	E20°08'46"W	7.86'
C4	216.86'	543.50'	S11°11'25"W	215.42'
C5	41.72'	93.50'	85°52'04"W	41.37'
C6	51.61'	183.11'	S76°15'29"W	51.44'
C7	13.94'	90.50'	S88°44'45"W	13.93'
C8	20.16'	103.50'	S82°24'33"W	20.13'
C9	89.16'	51.46'	N33°43'33"W	84.07'
C10	48.27'	156.00'	N66°14'39"E	48.07'
C11	64.49'	73.50'	N20°30'51"E	62.44'
C12	22.89'	90.50'	S79°35'46"E	22.63'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S68°23'12"E	4.86'
L2	S88°59'25"W	14.75'

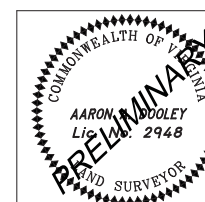


_____ ⊗ _____ IRON PIN SET
 _____ ● _____ IRON PIN FOUND
 (UNLESS OTHERWISE INDICATED)
 _____ N/F _____ NOW OR FORMERLY

APPROVED:

DIRECTOR OF ENGINEERING, LYNCHBURG, VIRGINIA DATE

CITY PLANNER, LYNCHBURG, VIRGINIA DATE _____

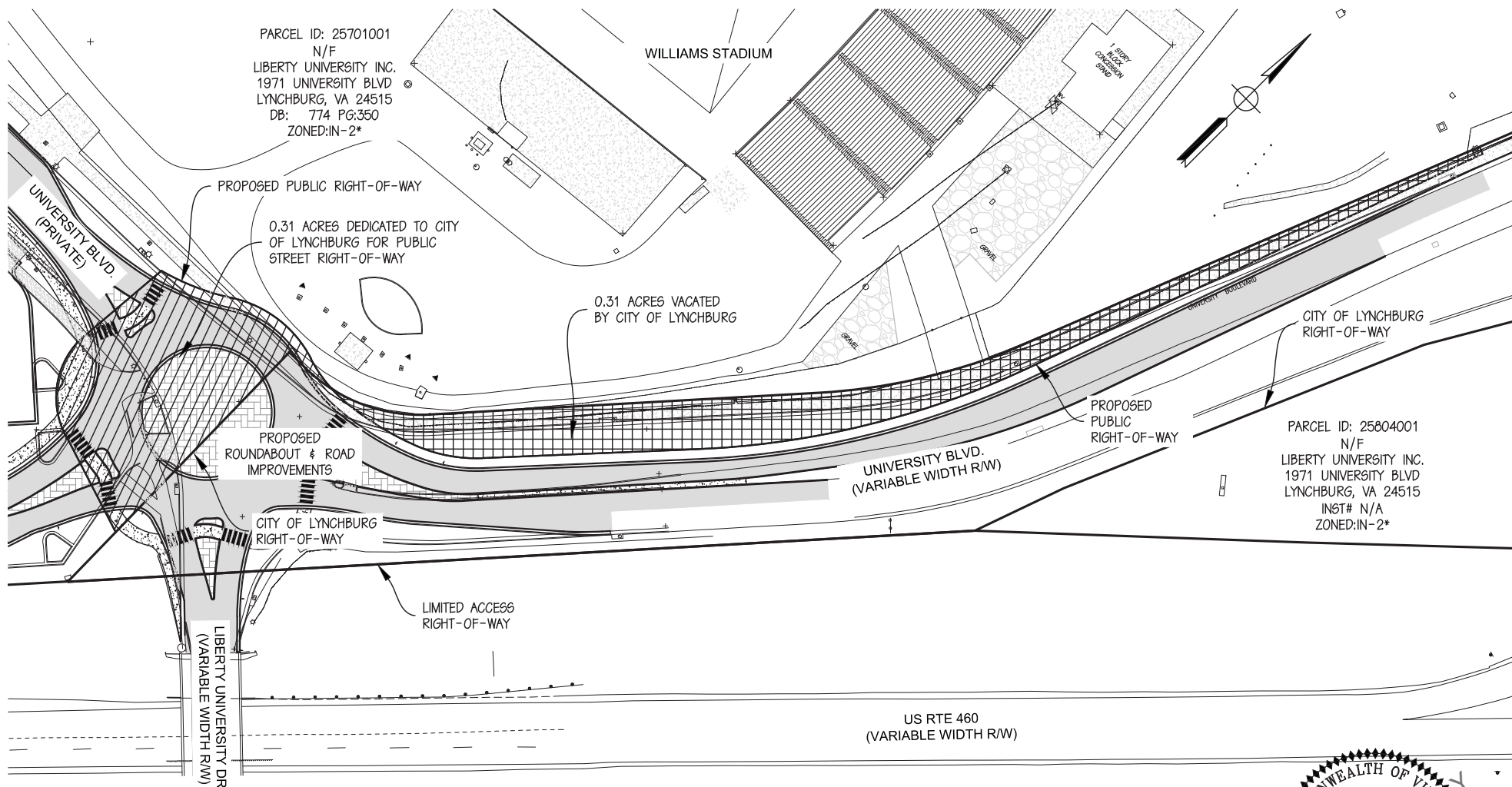


DWN:	AAD	
DATE:	9/9/2017	
DWG:	V-BLA-1702	
JOB:	17020	

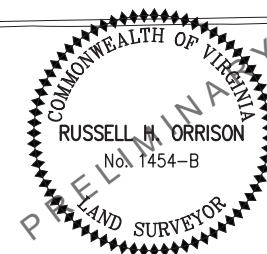
PLAT SHOWING
RIGHT-OF-WAY VACATION & NEW CITY OF
LYNCHBURG ROAD EASEMENT FOR
UNIVERSITY BOULEVARD
CITY OF LYNCHBURG, VIRGINIA



27 GREEN HILL DRIVE, FOREST, VIRGINIA 24551
PHONE: 434-525-5965 FAX: 434-525-5966
E-Mail: prn@perkins-orrison.com WEBSITE - <http://www.perkins-orrison.net>

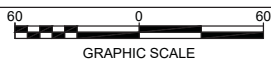


LIBERTY UNIVERSITY
UNIVERSITY BOULEVARD IMPROVEMENTS
RIGHT-OF-WAY VACATION & DEDICATION EXHIBIT
CITY OF LYNCHBURG, VA



27 Green Hill Drive
Forest, Virginia 24551

Office: 434-525-5985
Fax: 434-525-5986
E-Mail: pno@perkins-orrison.com
WEBSITE - <http://www.perkins-orrison.net/>



DATE: 2017-08-23

JOB#: 17020
DWG: C-RWD-17020.dwg
DWN: GGW

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **10**

CONSENT:
ACTION: X

REGULAR: X
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: *Zoning Ordinance* Amendment – Section 35.2-46, Community Business Districts (B-3) – Tattoo Parlors

KEY ELEMENTS:

☒ Economic Development ☐ Excellent Government ☐ Natural and Built Environment ☐ Safe Community ☐ Vibrant Community

RECOMMENDATION: Approval of amending Section 35.2-46, Community Business Districts (B-3) of the *Zoning Ordinance* to allow tattoo parlors as a use permitted by right.

SUMMARY: On August 9, 2017 the Planning Commission initiated an amendment to Section 35.2-46, Community Business Districts (B-3) at the request of Mr. C. J. Hicks. The ordinance amendment would allow tattoo parlors as a use permitted by right. Tattoo parlors are currently permitted in the B-4, Urban Commercial District, B-5, General Business District and IN-2, Institutional District.

A review of Virginia First Cities indicated various zoning regulations for tattoo parlors, ranging from requirements for a conditional use permit, being permitted only in the most intense commercial districts to being considered a “consumer service” and being permitted in all business districts.

B-3, Districts are associated with the City's Community Commercial areas as identified on the *Comprehensive Plan 2012-2013, Future Land Use Map*. The Planning Commission considered tattoo parlors to be a “personal service” which would have limited impact on the B-3, Districts.

PRIOR ACTION(S):

August 9, 2017: The Planning Commission initiated an amendment to Zoning Ordinance Section 35.2-46, Community Business Districts.

September 13, 2017: The Planning Division recommended approval of the Zoning Ordinance amendment.

September 13, 2017: The Planning Commission recommended approval of the Zoning Ordinance amendment (5-0) with 2 members absent (Bowden, Light).

FISCAL IMPACT: N/A

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

ATTACHMENT(S):

Ordinance
Planning Commission Minutes – September 13, 2017
Planning Commission Report – September 13, 2017
Planning Commission Minutes – August 9, 2017
Planning Commission Memorandum – August 9, 2017
Planning Commission Resolution – August 9, 2017

REVIEWED BY: bms

ORDINANCE:

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981 BY AMENDING ZONING ORDINANCE SECTION 35.2-46, COMMUNITY BUSINESS DISTRICTS RELATED TO TATTOO PARLORS:

WHEREAS, the Planning Commission initiated an amendment to Section 35.2-46, Community Business Districts to consider allowing tattoo parlors as a permitted use on August 9, 2017.

WHEREAS, the Planning Commission held a public hearing to consider and address the proposed Zoning Ordinance Amendment to receive public comment on September 13, 2017.

WHEREAS, the City Council held a public hearing to consider and address the proposed Zoning Ordinance Amendment and to receive public comment on October 10, 2017.

WHEREAS, the City Council finds that this Ordinance should be adopted in order to promote the public necessity, convenience, welfare and good zoning practice.

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

That Section 35.2-46, Community Business Districts of the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted as follows:

35.2-46 Community Business Districts (B-3)

35.2-46.1 B-3 District Purpose

The B-3 district is intended to provide for office, retail and service uses meeting the needs of the community as a whole. Residential uses are limited to upper floors of mixed-use buildings or in transitional buildings between commercial and residential uses in mixed use developments.

They will include a wide range of business uses and other uses compatible with a moderate-sized business area, at densities lower than those permitted in the central business area. New districts of this type will be strongly encouraged to develop as fully planned entities.

35.2-46.2 Authorized Uses

(a) The uses authorized by Exhibit IV-15 may be established in accordance with the procedures established in Article II, the district standards in this article, the site development standards established in Article VI and specific use standards established in Article VII, as well as other applicable rules and regulations.

(b) Uses may also be limited by overlay standards established in Article V of this Zoning Ordinance.

(c) See Article III for the rules of interpreting authorized uses and Appendix A for a complete listing of land uses allowed in every zoning district.

(d) Uses designated "P" are permitted by right and uses designated "C" require issuance of a conditional use permit.

Exhibit IV-15: Authorized Uses in B-3 District

Land Use	LBCS #	Description	Approval Type
single-household detached	1111S	Typical single-household dwelling	P
modular home	1114S	A prefabricated home without axles or frames (see definitions)	P
Two-household (duplex)	1121S	A building located on one (1) zoning lot containing not more than two (2) dwelling units	C
single-household attached (townhouse)	1140S	Each unit on a separate lot; fire wall may protrude from roof or roofs may be staggered	C
Multi-household structures	1200S	Includes triplexes, four-plexes, and other multi-household dwellings	C
Mixed-use residential structures (see district regulations for limitations)	1201S	Typically commercial uses on lower floors and residential uses on upper floors	P
Housing Services	1200	Housing and custodial services for those who cannot care for themselves. Includes nursing and retirement homes, congregate living, assisted and continuing care living, but excludes rehab uses in LBCS #6520)	P

Land Use	LBCS #	Description	Approval Type
Bed & Breakfast and Tourist Homes	1310	Guest rooms in a private home or accessory building to a private home	P
boarding house	1321	Non-transient lodging that may include meals and is owner occupied	P
rooming house	1322	Transient or non-transient lodging that may include meals	P
dormitory, sorority or fraternity house	1323	Allowed only as accessory uses to and owned by a college or university	C
Hotel, motel, or tourist court	1330	Hotels that do not have gambling services; includes extended-stay hotels	P
bicycles	2113b	New or used bicycle sales, rental and repair	P
parts, accessories, or tires	2115	Automotive parts and supply stores, automotive stereo stores.	P
gasoline service	2116	Gas stations with or without convenience stores or food marts, excludes truck stops, light auto repair and heavy auto repair	P
light auto repair	2117a	Oil change, light auto repair and car wash. May include gasoline and other retail sales.	C
heavy auto repair	2117b	Auto repair, paint and body shops. May include gasoline and other retail sales.	C
furniture or home furnishings, hardware, home center, lawn and garden supplies, department store, warehouse club or superstore, electronics and appliances	2121-2125	Furniture, flooring, bedding stores; home building and repair supplies, painting supplies, farm goods, lighting supply, window treatment; nursery and garden products predominantly grown elsewhere, power equipment sales or services; large variety stores; household-type appliances, television, stereos, including repair shops and cell phone stores.	P
computer and software	2131	Computers and prepackaged software including repair, support, and training	P
camera and photographic supplies; clothing, jewelry, luggage, shoes, clocks, sewing; sporting goods, toy and hobby, and musical instruments; mixed media, school and office supplies	2132-2135	Primarily retail cameras and photographic supplies or retail with repair and film developing; clothing (including shoe repair and tailoring, sporting goods, toys, musical instruments, kitchen goods, books, magazines, music, videos, stationary, greeting cards, seasonal decorations, office and school supplies.	P
florist, art supplies, tobacco products	2141-2143	Florists, art supplies and art dealers, frame shops, tobacco products	P
art galleries	2142b	Excludes art supply sales and retail framing services	P
antique shop	2145	Antique shops, (excludes flea markets, thrift stores and pawn shops)	P
flea markets and thrift stores	2145b	Flea markets and thrift stores	P

Land Use	LBCS #	Description	Approval Type
grocery store, supermarket, or bakery, convenience store, specialty food stores	2151-2154	Included are grocery stores, convenience stores, meat, seafood and produce markets, coffee, confections, variety goods and general stores, and delicatessens. Excludes stores with fuel pumps (see 2116 for fuel sales).	P
beer, wine, and liquor store	2155		P
Health and personal care	2160	Retail prescription or nonprescription drugs; retail cosmetics, perfumes, toiletries; prescription or nonprescription eyeglasses; prescription or nonprescription health and convalescent aids; medical devices, retail food supplement products such as vitamins, nutrition supplements, and body enhancing supplements.	P
Markets for farm produce or crafts	2199	Markets and truck gardens.	C
Bank, credit union, or savings institution	2210	Central banking functions	P
credit card and other financing	2221	Credit card, sales financing, unsecured consumer lending, real estate credit, mortgages, international trade financing	P
pawn shops	2222		P
short-term loans	2223	Pay-day lenders and other businesses providing loans with terms of 45 days or less	P
precious metal buyers	2224	Businesses providing cash for gold and other precious metals or gems (excludes retail jewelers)	P
Investment banking, securities, and brokerages; insurance; fund, trust, or other financial establishment	2230-2250	Securities underwriting, brokering, exchange services, managing portfolios; Insurance underwriting, selling insurance; manage assets on behalf of shareholders or beneficiaries	P
Real estate services	2310	Sell or lease real estate such as buildings, manufactured home sites and vacant lots; includes real estate appraisers and realtor offices	P
Property management services	2320	Manage real property for others	P
vehicles	2331 & 2332	Lease passenger cars, trucks, trailers, RVs, buses and aircraft; drivers not provided	C
Professional offices	2411-2014	Title abstract, lawyers, notaries, accountants, bookkeeping, payroll services, architects, engineers, surveyors, graphic design, interior design and industrial design	P
consulting services (management, environmental technical)	2415	Advise and assist businesses on management, scientific, and technological issues	P
scientific research and development services	2416	Conduct research or analyze in the physical, engineering, cognitive, or life sciences in laboratories or offices.	P

Land Use	LBCS #	Description	Approval Type
advertising, media and photography services	2417	Includes advertising, marketing and public relations agencies, photographic studios and photographic services.	P
veterinary services	2418	Veterinary medicine, testing services for veterinary practitioners	C
other professional offices	2419, 6810, 6820	Includes advertising and media services intellectual property rights, franchising, labor, political or business organizations, and uses with similar impacts	P
office administrative services	2421	Office administration such as billing, record keeping, personnel, organizational planning	P
facilities support services	2422	Provide operating staff for support services within a client's facilities, including janitorial, security, laundry services, etc.	P
employment agency	2423a	Provide employee placement, temporary help	P
copy center, private mail center, other business support services	2424	Provide document preparation, telephone answering, telemarketing, court reporting, steno typing, FAX, internet access, small signs and banners	P
collection agency	2425	Collect payments, compile credit information, repossess tangible assets	P
Travel arrangement and reservation services	2430	Promote or sell travel, includes convention and visitors' bureaus	P
Investigation and security services	2440	Provide detective, guard and patrol services, picking up and delivery of money, selling of security systems, remote monitoring of security systems, locksmiths	P
Restaurants, cafeterias, snack bars & catering	2510-2530 & 2560	Provide food and drinks to patrons – see district specific use regulations for limitations. Includes banquet, assembly and reception halls. See district standards.	P
Mobile food services	2550	Prepare and serve meals and snacks for immediate consumption from motorized vehicles	P
Personal care	2610	Hair, nail, and skin care and related personal care, barbers, beauty shops, dieting and weight loss, tanning, hair removal, hair weaving, ear piercing and similar services	P
laundromat and dry cleaning	2621 & 2622	Includes Laundromats, dry cleaners, diaper services as well as other commercial laundry services	P
Photofinishing	2630	Primarily engaged in developing film or making slides, etc.	P
Parking lot and parking garage	2640	See district standards	P
licensed massage therapist	2651		P
Tattoo parlor	2652	<u>Tattoos by a licensed professional</u>	<u>P</u>
Adult retail establishment	2653	Stores primarily selling adult oriented products, including books, videos, magazines, toys, lingerie and other sexually-oriented goods	P
Pet or pet supply store	2710	Retail pets, pet foods, pet supplies	P

Land Use	LBCS #	Description	Approval Type
animal services	2721	grooming and training	P
animal boarding	2722	sitting and boarding	C
pet cemetery	2723		P
national post office	4181		P
retail courier and package delivery	4182	Retail courier, package drop-off and mail services	P
radio and television broadcasting	4231, 4232 & 4241	Operate broadcasting studios and facilities for over the air, cable or satellite delivery of radio and television programs	P
wireless telecommunications transmission	4233	Operate, maintain or provide access to facilities for the transmission of voice, data, text, sound or video, see section 35.2-73 for telecommunications towers	P
telephone and other wired telecommunications	4234	Operate telephone networks – excludes switching stations	P
Telecommunications switching stations/exchanges	4239	Telecommunications switching stations and exchanges with no on-site employees	C
library or archive	4242	Provide library or archive services	P
data processing and management, hosting and related services	4244	Web hosting, computer data storage, optical scanning, computer input preparation, microfilm imaging	P
Public Utilities Services, Major	4315, 4329, 4339, 4349	Includes transmission lines for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission of a regional nature and normally entail the construction of new buildings or structures such as electrical switching facilities and stations or substations, electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission. All overhead transmission lines are included in this definition.	C
Public Utilities Service Minor	4315, 4329, 4339, 4349	Includes distribution or collection lines and appurtenances for water, wastewater, stormwater, electricity, natural gas or telecommunications services regulated by the State Corporation Commission that are necessary to support development within the immediate vicinity and involve only minor structures. Included in this use type are small facilities such as transformers, relay and booster devices, and well, water and sewer pump stations, and wireless communication antennas attached to existing buildings or structures.	P
electric substations	4316		C
Water treatment plants and utility facilities	4331 – 4333,	Water treatment plants, pumping stations and lift stations	C

Land Use	LBCS #	Description	Approval Type
Theater, dance or music establishment	5110 & 5160	Companies, groups, or theaters that produce theatrical presentations, dance, dinner theaters, and live musical entertainment; includes facilities for independent artists and performers	P
Motion picture viewing and exhibition services	5111	Operate movie theaters (excluding drive-ins), film festival exhibitions	P
Promoter of sports, performing arts, similar events and management services	5140 - 5150	Organize, promote, and manage performances and events; agents representing artists, athletes and entertainers	P
Indoor auditorium or arena	5170	Indoor auditoriums, arenas, conference centers, or multipurpose facilities	P
Museums and Other Special Purpose Recreational Institutions	5200	Public and private museums, historical sites, and similar establishments	P
Amusement or theme park establishment	5310	Operate a variety of attractions such as mechanical rides, water rides, games	C
Commercial Amusements	5320, 5380, 5390	Operate arcades and other commercial amusements as defined herein	P
Country Club	5340 & 6830	Operate private country clubs, with tennis courts and golf courses along with dining facilities and other recreational facilities; includes civic, social and fraternal organizations without dwellings	P
fitness and recreational sports center	5371	Aerobic dance or exercise center, gymnasium, physical fitness center, health and athletic club, indoor handball, racquetball, volleyball, tennis, or swimming facilities conducted inside a building	P
outdoor recreation	5372, 5373 & 5374	Includes golf courses, archery ranges, outdoor volleyball, tennis, or swimming facilities, recreational courts, recreational day camp and horseback riding (excludes automobile, dog and horse racing)	C
shooting ranges, indoor	5375		C
Natural and other Recreational Parks	5500	All parks without special economic functions, other than limited concessions	P
Nursery or preschool	6110		P
Grade school	6120	Comprises all public, private, and specialty schools between the preschool and university level; includes adult education services not addressed elsewhere. See district use standards.	P
College or university	6130	See district use standards.	P
general technical schools	6141-6143, 6145, 6147	Offer courses in office procedures, administrative skills, and basic office skills; dance, art, drama, and music; athletic activities. See district use standards.	P
driving education	6144		P

Land Use	LBCS #	Description	Approval Type
Public Safety	6400	Government-owned establishments providing fire and rescue, police, and emergency response services	P
clinic	6511 & 6567	Include physician offices, dentists, chiropractors, optometrists, licensed massage therapists, and veterans affairs services	P
outpatient care clinic	6512	Provide outpatient family planning services and outpatient care	P
medical or diagnostic laboratory; blood/organ bank	6513 - 6514	Provide analytic or diagnostic services including medical imaging	P
group home small	6522	Fewer than five (5) aged or infirm individuals or fewer than nine (9) individuals with mental, intellectual or developmental disabilities	P
group home large	6523	Five or more aged or infirm individuals, or nine (9) or more individuals with mental, intellectual or developmental disabilities	P
Hospital	6530		C
child and adult day care	6562	Provide day care for children and adults	
home	6562a	Day care for fewer than six (6) individuals in a residence	P
small	6562b	Day care for six (6) to twelve (12) individuals in a residence	P
large	6562c	Provide care for more than 12 individuals	P
Religious Institutions	6600	Churches, temples, synagogues, mosques, convents and monasteries	P
Death Care Services	6700	Funeral homes, crematories, cemeteries	
Funeral home and services	6710	Includes funeral homes combined with crematories	P
free-standing cemetery	6722		P
columbarium	6724		C
CONSTRUCTION-RELATED BUSINESSES	7000	Contractors who can build or demolish buildings, leveling, earthmoving, excavating, land drainage; should reflect the location of the establishment and not where it is performing its services. This category also includes the manufacture of industrial buildings, manufactured homes, modular homes, storage buildings and similar structures. Note that district standards may limit or preclude manufacturing, outdoor operations, outdoor storage of commercial vehicles and materials.	P
Vegetable farming or growing	9120	Includes private fields and community gardens with production limited to retail sales	P
Commercial orchards	9130	Includes fruit and nut trees with production limited to retail sales	P
Greenhouse – no on-premises sales	9141	Commercial greenhouse production	P

Land Use	LBCS #	Description	Approval Type
Greenhouse – sales of products grown on premises	9142		P
Greenhouse – sales of products and related accessory products	9143		P
Animal Production	9300	Keep, graze, breed or feed animals (see standards in section 35.2-71.7)	P
tent revival meetings/transient amusements	9921	Includes temporary carnivals and circuses sponsored by non-profit organizations (see section 35.2-72.23)	P
temporary outdoor promotional attractions	9922	Includes car shows, boat shows and similar short-term events intended to promote commercial sales or services (see section 35.2-72.23)	P
traditional neighborhood development	9952	See section 35.2-82	C
large scale retail establishments	9954	See section 35.2-84	P
cluster commercial development	9955	See section 35.2-85	C

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

Adopted:

Certified:

Clerk of Council

131K

MINUTES FROM THE SEPTEMBER 13, 2017 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Consideration of amending Section 35.2-46.2, Exhibit IV-15: Authorized Uses in B-3, District of the Zoning Ordinance to allow tattoo parlors as a use permitted by right.

Mr. Tom Martin commented that this petition was initiated by the Planning Commission on August 9, 2017, at the request of a citizen, Mr. C. J. Hicks. Mr. Hicks currently has a tattoo parlor in a B-3 district, which is obviously not permitted by right.

Tattoo parlors are currently allowed in B-4, Urban Commercial District, B-5, General Business District and IN-2, Institutional 2 District. Staff looked at other First Cities as far as what they require for tattoo parlors and they vary greatly. Some require a conditional use permit; some allow them in their most intense districts and some allow them by right in all of their business districts because they look at them as a personal care or artistic expression use.

The City's B-3 districts are very closely related with our Community Commercial uses on the *Future Land Use Map (FLUM)*. Those areas are the B-3 and B-5 areas, your heavy retail parts of the City. These are very large shopping centers that draw people from either several neighborhoods or the entire City or the region. They include restaurants, hotels and any type of retail or professional services.

Staff believes that inclusion of a tattoo parlor within the B-3 district would have very minimal impact on the City's zoning and the Planning Division recommends approval of the amendment.

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

Commissioner Marion does not think the inclusion of tattoo parlors in the B-3 district would have a huge impact one way or the other. Commissioner Johnson feels they discussed it at the August 9, 2017 meeting and she is fine with it. Commissioner Lowe does not see any reason why they should not be included. Most of them are kept up very well and are not seedy. Tattoos are a form of artistic expression and he supports the petition. Commissioner Rogers does not have a problem with the petition. Tattoos are becoming a social norm. Chair Perault said this is one of those rare times when he doesn't have an opinion one way or the other. This is a case where he relies on City staff and their recommendation. He sees no reason not to support it.

Commissioner Rogers made the following motion, which was seconded by Commissioner Lowe and passed by the following vote:

"That the Planning Commission recommends to City Council approval of amending Section 35.2-46, Community Business Districts (B-3) to allow tattoo parlors as a use permitted by right."

AYES:	Johnson, Lowe, Perault, Marion and Rogers	5
NOES:		0
ABSTENTIONS:		0
ABSENT:	Bowden and Light	2

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

To: Planning Commission
From: Planning Division
Date: September 13, 2017
Re: ***Zoning Ordinance*** Amendment – Section 35.2-46, Community Business Districts (B-3) – Tattoo Parlors

I. PETITIONER

City of Lynchburg, 900 Church Street, Lynchburg, Virginia 24504
Representative: Tom Martin, AICP, City Planner

II. LOCATION

The amendment would be applicable to all B-3, Community Business Districts.

III. PURPOSE

The purpose of the petition is to amend *Zoning Ordinance* Section 35.2-46, Community Business Districts to allow “tattoo parlors” as a use permitted by right.

IV. SUMMARY

- On August 9, 2017, the Planning Commission initiated amendments to the Zoning Ordinance to allow tattoo parlors as a use permitted by right in the B-3, Community Business District.
- Tattoo parlors and body piercing are currently permitted by right in the B-4, Urban Commercial, B-5, General Business District and IN-2, Institutional 2 Districts.
- A review of “Virginia First” Cities indicated various Zoning Regulations ranging from requirements for a conditional use permit, being permitted only in the most intense business districts to being considered a “consumer service” business or a “qualified arts entity”.

The Planning Division recommends approval of the Zoning Ordinance amendment.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** B-3, Community Business Districts are closely associated with Community Commercial areas indicated on the *Comprehensive Plan 2012-2030* Future Land Use Map (FLUM). Community Commercial areas contain retail, personal service, entertainment, and restaurant uses that draw customers from at least several neighborhoods, the entire City or the region. Community Commercial areas contain clusters of businesses, often at major intersections, and shopping centers. Most community shopping centers range from 100,000 to 200,000 square feet and serve 40,000 to 70,000 people. Regional shopping centers would be at least as large as Community Commercial ones, 100,000 to 200,000 square feet, possibly larger, if parcels of sufficient size can be found or assembled. They are intended to serve 70,000 to 100,000 people. Office, research and development, and technology development uses may be permitted in Community Commercial areas as long as traffic and other impacts to the community are mitigated. In particular, conversion of existing vacant retail space to these uses may be appropriate in areas where there is sufficient retail to serve the community and space for employment uses is needed. Residential uses may be established on the upper floors of

commercial structures or as transitional structures between residential and commercial buildings. (*pp.75-76*)

2. **Zoning.** *Zoning Ordinance* Section 35.2-46 was adopted February 23, 2016.
3. **Board of Zoning Appeals (BZA).** N/A
4. **Surrounding Area.** N/A
5. **Site Description.** N/A
6. **Proposed Use of Property.** N/A
7. **Traffic, Parking and Public Transit.** N/A
8. **Stormwater Management.** N/A
9. **Emergency Services:** N/A
10. **Impact.** §15.2-912 of the Code of Virginia regulates tattoo parlors and body-piercing salons. The Sate Code provides a definition for both activities:

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin to make a hole, mark, or scar, generally permanent in nature. "Body piercing" does not include the use of a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

"Tattoo parlor" means any place in which is offered or practiced the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

The City's Zoning Ordinance allows "ear piercing" starting in the B-1, Limited Business District; however, the Zoning Ordinance is silent on other types of "body piercing". Typically, body piercing studios have been permitted along with tattoo parlors, in the B-4, Urban Commercial, B-5, General Business and IN-2, Institutional 2 Districts. As proposed the uses would also be permitted by right in the B-3, Community Business District and should have limited negative impact.

11. **Technical Review Committee.** N/A

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of amending Section 35.2-46, Community Business Districts (B-3) to allow tattoo parlors as a use permitted by right.

This matter is respectfully offered for your consideration.



William T. Martin, AICP
City Planner

pc: Ms. Bonnie M. Svrcek, City Manager
Mr. Charles Hartgrove, Deputy City Manager
Mr. Walter C. Erwin, City Attorney
Mr. Kent L. White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Ms. Cynthia Kozerow, Lynchburg Police Department
Battalion Chief Thomas Goode, Fire Marshal
Mr. Don Deberry, Transportation Engineer
Mr. Doug Saunders, Building Official
Mr. Kevin Henry, Zoning Administrator
Mr. C. J. Hicks

VII. ATTACHMENTS

- 1. Section 35.2-46 Ordinance Amendment**
- 2. Planning Commission Memorandum – August 9, 2017**

MINUTES OF THE AUGUST 9, 2017 PLANNING COMMISSION MEETING (MINUTES HAVE BEEN APPROVED):

b. Discussion of allowing tattoo parlors in B-3 districts: Mr. C. J. Hicks was present to request the Planning Commission to include tattoo parlors in B-3 districts. He is a local real estate investor in the City since 2003. He manages about 40,000 square feet of commercial space mainly in the Midtown area. Mr. Hicks noted that prior to 2014, tattoo parlors were not mentioned in the ordinance. Mr. Hicks noted that there was a tattoo parlor in another part of this building between 2011 and 2014. The proprietor was able to get her business license because there were no restrictions at that time. There were no issues with or complaints by the neighbors.

When Mr. Hicks went to rent to another person with a tattoo parlor, he found out about the new code. Rather than rezone the building to B-5, which is not appropriate zoning, he would like the ordinance to be changed to something a little more reasonable. From his point of view, tattoo parlors are not substantially different from hair and nail salons with respect to foot and vehicular traffic, hours of operation, noise and waste by products. They really are no more trouble than any other of his tenants. He feels the B-5 restriction is a little harsh for this type of business. He needs to keep his properties open to the widest number of tenants and uses.

Mr. Tom Martin explained to the commission that they are being asked to initiate a resolution directing staff to draft some language changes to the ordinance and hold a public hearing to consider the changes. Mr. Martin explained that tattoo parlors are currently allowed in B-4, B-5 and IN-2 districts. Mr. Martin explained that the ordinance is silent on body piercings but state code does differentiate between ear piercing and body piercing. He believes that the tattoo parlors we have in the City are doing body piercings. From the outside of the property Mr. Martin is not sure why tattoo parlors would be any different than a nail or hair salon.

Commissioner Bowden asked for the reasoning for why tattoo parlors were not permitted in B-3 districts. Mr. Martin said that in the ordinance prior to 2014 tattoo parlors fell under "other uses as deemed appropriate by Council." A tattoo parlor came in for approval and Council said they were appropriate in B-5 districts. Mr. Martin cannot speak to how the previous tattoo parlor was allowed in Mr. Hicks' building.

Commissioner Rogers noted that the issues that surrounded businesses maybe 20 or 30 years ago, culturally, we really need to look at them differently because they are different. It is a different environment and culture. He thinks they should look at changing the language because we are going to see more and more of this as time goes by. If we had banned cell phone stores twenty years ago, we would be looking at them now because everyone has a cell phone.

Commissioner Bowden feels that there isn't anything about this business that seems to conflict with any standards or parameters of a B-3 district. This is not a situation where something does not fit or belong there. It is a personal care item and, in his opinion, fits in the B-3 district.

Commissioner Marion asked if the change would include body piercings. Commissioner Rogers indicated that the amendments proposed in the staff memorandum and resolution would include body piercings.

Mr. Hicks added that these businesses are pretty fairly well regulated at the state level. He does not worry about them as a property owner because he knows they are being looked at very closely.

Commissioner Marion said she not have a problem with them being in B-3 districts. Twenty or thirty years ago they might have had a different connotation. You would have expected them to be along the same strip as peep shows or strip clubs. They have come a long way.

Mr. Hicks thinks the state went through a massive deregulation. They had some very stringent medical training requirements to operate them until fairly recently.

Commissioner Johnson indicated that looking over the other businesses that are allowed in B-3, she feels it is worth looking into and starting the initiation to amend the current zoning.

Commissioner Marion made a motion, which was seconded by Commissioner Johnson, to initiate the resolution provided to them by staff. The motion passed by the following vote:

AYES:	Bowden, Johnson, Marion and Rogers	4
NOES:		0
ABSTENTIONS:		0
ABSENT:	Light, Lowe and Perault	3



Memorandum

Planning Division • Community Development

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

To: Planning Commission

From: Tom Martin, AICP, City Planner

CC: File

Date: August 9, 2017

Re: Tattoo Parlors

At the August 9, 2017, meeting, Mr. C.J. Hicks has requested to address the Commission to request that the Zoning Ordinance be amended to permit "Tattoo Parlors" in B-3, Community Business Districts.

The Zoning Ordinance adopted by Council in February 2016 permits this type of use in the B-4, Urban Commercial District, B-5, General Business District and the IN-2, Institutional 2 District.

Mr. Hicks was issued a Notice of Violation on July 12, 2017, by Kevin Henry, Zoning Administrator, for allowing the operation of a tattoo parlor at 3114 Memorial Avenue. The property is currently zoned B-3, Community Business District.

City staff discussed rezoning the property to B-5, General Business District, to bring the violation into conformity; however, staff is unlikely to support a rezoning due to the existing B-3, Community Business District and R-3, Medium Density Residential District zoning in the area. The area fronting Memorial Avenue is recommended for Community Commercial uses on the *Comprehensive Plan 2013-2030, Future Land Use Map*.

§15.2-912 of the Code of Virginia regulates tattoo parlors and body-piercing salons. The State Code provides a definition for both activities:

"Body-piercing salon" means any place in which a fee is charged for the act of penetrating the skin to make a hole, mark, or scar, generally permanent in nature. "Body piercing" does not include the use of a mechanized, presterilized ear-piercing system that penetrates the outer perimeter or lobe of the ear or both.

"Tattoo parlor" means any place in which is offered or practiced the placing of designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of any person with ink or any other substance, resulting in the permanent coloration of the skin, including permanent make-up or permanent jewelry, by the aid of needles or any other instrument designed to touch or puncture the skin.

The City's Zoning Ordinance allows "ear piercing" starting in the B-1, Limited Business District; however, the Zoning Ordinance is silent on other types of "body piercing". Typically, body piercing studios have been permitted along with tattoo parlors, in the B-4, Urban Commercial, B-5, General Business and IN-2, Institutional 2 Districts.

Memo to the Planning Commission

August 9, 2017

Page Two

A review of other “Virginia First” Cities indicates various Zoning regulations concerning tattoo parlors. These regulations range from requiring a conditional use permit, being permitted in only the more intensive commercial districts to being considered a “consumer service” business or “qualified arts entity” and being permitted in the majority of commercial districts.

If the Planning Commission would like to consider amendments to the Zoning Ordinance concerning tattoo parlors, city staff recommends that body piercing also be included.

A resolution initiating a Zoning Ordinance amendment is attached for consideration by the Planning Commission:

RESOLUTION OF THE LYNCHBURG PLANNING COMMISSION

WHEREAS: Lynchburg's Zoning Ordinance currently permits tattoo parlors in the B-4, Urban Commercial, B-5, General Business and IN-2, Institutional Districts and not the B-3, Community Business District;

WHEREAS, the City's *Comprehensive Plan 2013 – 2030* recommends retail, personal service, entertainment and restaurant uses that draw customers from at least several neighborhoods, the entire City or the region;

WHEREAS, The Planning Commission has determined that its consideration of allowing tattoo parlors and body piercing salons and action on the proposed zoning amendments will promote the public necessity, convenience, general welfare and good zoning practice within the City;

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 does hereby initiate, will consider and directs City Staff to prepare a proposed amendment of Section 35.2-46, Community Business Districts (B-3) of the City's Zoning Ordinance to permit tattoo parlors and body piercing salons within the B-3 District for consideration by the Planning Commission.

Adopted: August 9, 2017

Certified: With 7 MB
Secretary, Planning Commission

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **11**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Public Hearing to Consider the Sale of Property at 405 Cabell Street

KEY ELEMENTS:

☒ Economic Development ☒ Excellent Government ☐ Natural and Built Environment ☐ Safe Community ☐ Vibrant Community

RECOMMENDATION: After a public hearing, authorize the City Manager to sell 405 Cabell Street.

SUMMARY: The City advertised the property as being for sale and received an offer from Boyd Coons to purchase the property for the sum of \$175,000.00 with the intent of restoring and preserving the buildings on the property and to authentic historic standards, to occupy the main building as his home, and to possibly rehabilitate the kitchen building as a two bedroom rental unit and convert either the service wing or basement of the main house into an additional one bedroom rental unit.

The City also received a second offer in the amount of \$240,000 to purchase the property with the intent to convert the entire property to rental units.

After careful consideration of this matter, City Council has decided not to accept the higher offer for the following reasons:

(i) The occupancy of the property by Boyd Coons as a home will be more beneficial to the neighborhood than the conversion of the property to entirely rental units.

(ii) Boyd Coons' plans to restore and preserve the buildings on the property and to authentic historic standards will help preserve structures that have important historic, architectural, and cultural interests for the benefit of the community.

The property was purchased by the City in 1981; the current assessed value is \$276,600.

Because this property has been used for public purpose, an affirmative vote of three-fourths or 6 votes are required to approve the sale of the property.

PRIOR ACTION(S): Purchase of property by the City – 1981
Advertisement of public hearing

FISCAL IMPACT: Proposed net proceeds of \$163,600

CONTACT(S): Bonnie Svrcek, City Manager, 455-3990

ATTACHMENT(S): Resolution
Letter from Boyd Coons

REVIEWED BY: bms

RESOLUTION

A RESOLUTION TO CONVEY THE PROPERTY LOCATED AT 405 CABELL STREET TO F. H. BOYD COONS.

WHEREAS the City of Lynchburg owns the property located at 405 Cabell Street in the City of Lynchburg, Virginia; and

WHEREAS the City used the property as housing for one of its youth group homes, but with the opening of the Lynchburg Youth Group Home in 2016 the City stopped using the building as a youth group home, is not currently using the property and has no plans to use the property in the future; and

WHEREAS the City advertised the property as being for sale and received an offer from F. H. Boyd Coons to purchase the property for the sum of \$175,000.00 with the intent to restore and preserve the buildings on the property and to authentic historic standards, to occupy the main building as his home, and to possibly rehabilitate the kitchen building as a two bedroom rental unit and convert either the service wing or basement of the main house into an additional one bedroom rental unit; and

WHEREAS the City also received a second offer to purchase the property at a higher amount with the intent to convert the property to rental units; and

WHEREAS after careful consideration of this matter, City Council has decided not to accept the higher offer for the following reasons:

- (i) The occupancy of the property by F. H. Boyd Coons as a home will be more beneficial to the neighborhood than the conversion of the property to rental units.
- (ii) F. H. Boyd Coons's plans to restore and preserve the buildings on the property and to authentic historic standards will help preserve structures that have important historic, architectural, and cultural interests for the benefit of the community.

NOW, THEREFORE, BE IT RESOLVED that City Council determines that the City has no need for the property located at 405 Cabell Street as described above and finds the City's continued ownership of the property is no longer necessary or required for the best interests of the City, and finds that the sale of the property to F. H. Boyd Coons will promote the public interest because the property will be owner-occupied and the buildings on the property will be restored and preserved to authentic historic standards, helping preserve structures that have important historic, architectural, and cultural interests; and

BE IT FURTHER RESOLVED that City Council hereby vacates for any public purpose the property located at 405 Cabell Street, approves the conveyance of the property to F. H. Boyd Coons for the sum of \$175,000.00, and authorizes the City Manager to execute a deed and any other documents that may be needed to convey said property to F. H. Boyd Coons.

Adopted:

Certified:

Clerk of Council

To whom it may concern:

I am F. H. Boyd Coons, a resident of Atlanta and Americus, Georgia. For the past eighteen years I have been employed as Executive Director of The Atlanta Preservation Center, a 501 C3 non profit. I am a Board member and Treasurer of Easements Atlanta which holds Historic Façade easements on 43 of the city's historic buildings. I co-founded and serve as Board President of Friends of Historic Westview Cemetery and also serve on the Board of Sweet Auburn Works, and have served on the Boards of Southern Architecture Foundation, Buckhead Heritage, The Cherokee Garden Library, Historic Westville, and the Counseling Center of St Luke's Episcopal Church.

As Director of the A.P.C., I am an advocate for Historic Preservation, History and Culture. We provide 9 historic walking tours and numerous educational programmes as well as children's history camps, lectures and seminars. Our offices are in the 1856 Grant Mansion, one of only two remaining Ante Bellum buildings in the city. We purchased the house 16 years ago to save it from demolition and have been continuously at work on restoration and adaptive reuse throughout that time. Among our other projects has been the restoration of the Sidney Lanier Poet's monument by Carrere and Hastings in Piedmont Park.

My undergraduate degree in Design was from the College of Architecture at the University of Florida, followed after a few years of practice by a Masters of Architectural History with Certificate in Preservation from the School of Architecture of the University of Virginia. While there I was privileged to have studied under Frederick Doveton Nicholls, K Edward Lay, and Richard Guy Wilson. Afterwards I continued at U.Va. with post graduate studies in the Post Bellum Architecture of the New South Period.

In addition to a number of National Register Districts and individual listings, I have done the design work for projects in Georgia, Florida, New York, and in France. I have been involved in the preservation of three Ante Bellum properties of my own in Georgia, where I currently own the 1836 Champion McGarrah Plantation complex near Americus, Ga. I have successfully utilized the State of Georgia's State Historic Rehabilitation Tax Program.

It is my plan to retire from my current job at the A.P.C. in approximately two years. I hope to be able to move back to Virginia and enjoy the wonderful atmosphere of Lynchburg. The Dabney Scott Adams House would be the ideal home and continuing project for me. It would provide me with interest and purpose to preserve the house and to help it to maximize its potential as an authentic historic entity able to function in a contemporary world. I would wish to remove the non original interior partitions and return the rooms to their former sizes and proportions, repair the plaster and woodwork, rework the systems and mechanical elements so that they do not obtrude on the character defining features; in short, restore the integrity of the building. I would like to have baths, kitchen and HVAC which assure a modern level of comfort but which are entirely subsidiary to the historic character of the building. Naturally I will want to maintain the building to assure its structural integrity. As the property is multi family zoned I would like to rehabilitate the Kitchen building as a two bedroom rental unit, with the possibility of an additional one bedroom rental unit in the service wing or basement of the main house. This would allow a very comfortable amount of space for my own use in the main block of the building. I have a collection of 18th and 19th century American furnishings and decorative art which would be complimentary to the house. I would also like to develop a landscape treatment which would suit the style of the building and which would include replacement of the historic fence which was an essential part of the original design. I would also implement a paint scheme which compliments the architectural features of the building. In everything I would respect the original character defining features of the house.

Sincerely,

Boyd Coons

September 27, 2017

Dear Ms. Chambers,

I was given your address to sign up to speak at the 10-10-17 City Council meeting. Could you email me back confirmation that you received this request please?

I am a downtown business owner and on several boards for various non-profits. Our business is in favor of the city taking over the skatepark due to the lack of dawn-to-dusk hours, the lack of posted hours, and the fact that people have tried to volunteer but the current operator does not return calls or notes.

This is a wonderful amenity and, as a roller-skater, I am never able to use the park as it was intended to operate.

My address is 1206 Main Street and my number is 434-846-0004.

Lauren B. Dianich, AIA
President, Atelier 11, Ltd.
434-846-0004 410-819-0004
Celebrating 23 years of Design
www.atelier11architecture

137K

Amazement Square is no longer interested in running the Downtown Skatepark. The local Rotary clubs raised \$100,000 to build this great amenity and a new park could cost \$500,000 to build.

Other areas such as Bedford, Va, Catocin, Suffolk and Fort Belvoir have active and loved skateparks. We would like the current skatepark to be taken over by the City of Lynchburg Parks and Rec

Date	Name	Age	Address
9/15/17	John Laufer	35	304 Boston Ave 24503
9/15/17	John Baskin	42	308 Boston Ave 24503
9/15/17	Tim Griffin	42	3901 Beorchard Rd Apt 203 24503
9/15/17	Keena Collins	54	200 Woodland Ave 24503
9/15/17	Josh Yonell	13	202 Woodland Ave. 24503
9/15/17	Kerri Doremus	37	226 Elmwood Ave. 24503
9/15/17	Holly Tatum	45	236 Boston Ave 24503
9/15/17	AWAT WALLACE	64	238 Boston Ave 24503
9/15/17	Pam Simpson	62	225 Boston Ave Lynchburg VA 24503
9/15/17	Lorson Jones	9	205 Boston Lynchburg VA
9/15/17	Hannah Lass	13	221 Boston Ave Lynchburg VA
9/15/17	Nathan Lass	15	221 Boston Ave Lynchburg VA
9/15/17	JACK Maxwell	58	207 Kensington Ave 24503
9/15/17	Nancy Sorensen	72	209 Kensington Ave
9/15/17	Emily Sorensen	40	209 Kensington Ave 24503
9/15/17	Dawn McDavall	39	213 Kensington Ave 24503
9/15/17	MARK COWARD	70	2nd Kensington
9/15/17	Dawn McClary	51	229 Kensington Ave Lynchburg VA
9/15/17	Grayson Coyle	15	305 Elmwood Ave
15 SEP 2017	MONROE G. BALDWIN JR	79	213 Woodland Ave.
9/15/17	Clarke Gregory	51	221 Woodland Ave
9/15/17	Gary Austin	52	218 Woodland Ave
9/15/17	Sarah West	41	222 Woodland Ave Lynchburg
9/15/17	James Barker	57	231 Woodland Ave Lynchburg
9/15/17	Sarah Knight	51	231 Woodland Ave. Lynchburg, VA
9/15/17	gail bridge	14	231 Woodland Ave. Lynchburg, VA
9/25/17	chec Gahr	23	1911 park Ave Lynchburg, VA
9/26/17			
9.26	Lindy Fialkowski	20	79 Jackson St. Lynchburg, VA
9/27	Michael Troxel	34	204 Pennsylvania Ave Lynchburg
9/27	Allen Young	46	1604 Linden Ave 24503
9/27	Sam S. Delp	44	812 George St 24502
9/27	Landra D. Coleman	58	2330 Cobbs St 24501
9/27	David Whitehead	40	922 Main St. Apt 302 Lynchburg

Petition for City to Run the Downtown Skatepark

Amazement Square is no longer interested in running the Downtown Skatepark. The local Rotary clubs raised \$100,000 to build this great amenity and a new park could cost \$200,000 to build.

Other areas such as Bedford, Va, Catocin, Suffolk and Fort Belvoir have active and loved skateparks. We would like the current skatepark to be taken over by the City of Lynchburg Parks and Rec

Date	Name	Age	Address
9-8-17	Felipe Duarte	40	70 Columbia Ave Lynchburg 24503
9-8-17	Jonathan Sanders	24	404 Lake Vista Drive Forest 24551
9-8-17	Anna Sanders	24	404 Lake Vista Drive Forest 24551
9-8-17	Jackson Wiles	13	104 Farmington Rd 24502
9-8-17	Justin Baty	14	388 Oakland Circle 24502
9-8-17	Samuel Bell	22	204 Beverly Hills Cir
9-8-17	Ben Bell	19	1971 University Blvd
9-8-17	Adam Fabirkiewicz	25	18 West Princeton Cir Apt 92
9-8-17	Shannon Hase	23	↓ ↓ ↓ ↓
9-8-17	Isaac Deal	21	1125 Lakeside Dr Apt 11 Lynchburg
9-8-17	Sarah Day	20	↓ ↓
9-8-17	Rachel Robb	20	↓ ↓
9-8-17	Taylor Bead	21	↓ ↓
9-8-17	Lynell Farrington	28	1810 Broadway St
9-8-17	Marcia Morley	50	1810 Broadway St Lynchburg 24501
9/8/17	Kevin Welsch	30	160 Ivy Creek Ln. Lynchburg VA 24502
9/8/17	Mandy Welsch	28	160 Ivy Creek Ln. Lynchburg VA 24502
9/8/17	Felix Guevara	28	4715 Boonsboro Rd apt 75 Lynchburg VA 24502
9/8/17	Megan Kujawski	28	4715 Boonsboro Rd apt 75 Lynchburg VA 24502
9/8/17	Markus Ward	22	104 Camp Ave Lynch, VA 24501
9/8/17	LVCAS PARRILL	13	104 Camp Ave Lynch, VA 24501
9/8/17	Joel Coleman	28	104 Fox Hollow Rd. Lynchburg VA 24503
9/9/17	Haley Whitten	18	431 Colony Rd Amherst VA 24572
9/9/17	Tyler Logue	21	902 Craddock Street, Lynchburg VA
9/9/17	Dustin Logue	19	6 902 Craddock St. Lynchburg VA
9/9/17	MAUREEN VAIL	50	444 Rivermont Ave Lynchburg VA
9/9/17	Drew Miles	23	103 Capital Street, Unit 108, Lynch. VA 24501
9/9/17	Terrell Bailey	19	9108 Eventine Ct. Charlotte, NC 28214
9/9/17	Paul Mueller	42	2513 Craigs Store Rd Afton, VA 22922
9/9/17	Bayan BOUT	13	2513 Craigs Store Rd Afton, VA 22920
9-9-17	Josh Elder	25	1068 Hermans Hollow Rd Forest, VA
9/9/17	Julio Uchimura	69	922 Federal St, Lynchburg VA
9/9/17	Katie Basten	29	3112 Sedgewick Dr Lynchburg VA 24503

Amazement Square is no longer interested in running the Downtown Skatepark. The local Rotary clubs raised \$100,000 to build this great amenity and a new park could cost \$200,000^{or more} to build.

Other areas such as Bedford, Va, Catocin, Suffolk and Fort Belvoir have active and loved skateparks. We would like the current skatepark to be taken over by the City of Lynchburg Parks and Rec

Date	Name	Age	Address
9/15/17	LARRY FILAGGI	62	195 APPLE WAY, MADISON HTS, VA 24572
9/15/17	STEVE LAMERTY	39	973 LAUDERDALE AVE, VINTON VA 24189
9/19/17	Ronald Bowling	28	300 Westover Blvd., Lynchburg, VA 24501
9/19/17	James Wade Fisher	21	2110 Rivermont Ave. Apt 4, Lynchburg, VA 24503
9/19/17	Adrian Snively	26	405 Langhorne Ln. Lynchburg, VA 24501
9/19/17	Matt Knopp	24	2408 Castle Pl Lynchburg, VA 24503
9/19/17	Anna Childs	20	11 West Princeton Circle Lynchburg Va 245
9/19/17	Tom Adams	55	448 Adams Mill LA Appomattox, VA 2452
9/19/17	Aaron Borsay	38	240 Beverly Hills Circle 311 Lynchburg VA 24502
9/19/17	Andrew Cooper	26	6600 SE 74th St #3303 Oklahoma City, OK
9/19/17	Hannah Bragg	22	6600 SE 74th St. 3303 Oklahoma City OK 73
9/19/17	Abe Lopez	39	3439 Landon St. 24503
9/20/17	Stevie Mangum	21	1225 Main St. Lynchburg VA 24502
9/21/17	Justin Bricks	36	191 Plum Branch Rd. Lynchburg VA 24502
9/21/17	Garrett Haronach	49	Detemeter, Dams, Birara
7/2/2017	Ian F. Rock	22	1009 Jefferson St. 24504
9/21/17	Olivia L. Coleman	22	12658 Richmond Hwy, Concord
9/21/17	Megann E. Crawley	23	190 Foster Ln, Lynchburg, VA 24501
9/21/17	Sarina Lynn	22	171 Mahood Dr, Madison Hts, VA, 24572
9/21/17	Craig Knopp	20	2408 Castle Place, Lynchburg VA 24503
9/22/17	Dustin Hinkle	28	218 Bitt Place Forest VA 24551
9/22/17	Andrew Cressy	25	5216 Waterloo Rd. Apt A.
9/22/17	Kari Susting	19	4437 Tye River Rd Amherst VA 24521
9/22/17	Victoria Goodman	22	132 Goodman Lane Gretna VA 24557
9/22/17	Maria Yulle	20	78 Beasley Road, Lynchburg VA 2450
9/22/17	Natalie Short	36	3509 Willow Lawn Drive, Lynchburg VA 24503
7/22/17	Karla Buckel	33	54 Washington St, Apt 13, Lynchburg, VA 24504
9/22/17	ERIC Hilly	32	54 Washington St, Apt 13, Lynchburg, VA 24504
9/23/17	Ashley Martello	26	78 Cavalier Ct, Lynchburg, VA 24502
9/23/17	Jessica Salvatore	1-21	1107 Main St., Apt D, Lburg 24504
9/23/17	Autumn Smith	18	75 carriage Ln, Concord VA, 24538
9/23/17	Noah McMillan	30	7123 Peachtree Rd Lynchburg, VA 24502
11/23/17	Anna Rands	22	37 Sparrow Dr. Lynchburg Va 24502
9/23/17	Gabriella Renscomb	21	37 Sparrow Dr. Lynchburg Va 24502

Petition for City to Run the Downtown Skatepark

Amazement Square is no longer interested in running the Downtown Skatepark. The local ^{or more} Rotary clubs raised \$100,000 to build this great amenity and a new park could cost \$200,000 to build.

Other areas such as Bedford, Va, Catocin, Suffolk and Fort Belvoir have active and loved skateparks. We would like the current skatepark to be taken over by the City of Lynchburg Parks and Rec

Date	Name	Age	Address
9/14/17	Ben Gold	22	360 Myrtle Lane Lynchburg, VA 24502
9/14/17	Jake Hilbush	23	3025 MT Athos Rd Lynchburg, VA 24504
9/15/17	Sean Tamm	22	1023 Old graves mill rd
9/15/17	Zach Peters	20	1375 Silver Creek Dr
9/15/17	Kathy Brandt	46	1130 Caperton Way, Forest, VA 24555
9/16/17	Antoniad Clark	20	2533 Marson St
9/16/17	Julie Miller	45	3516 Ridgeway Dr Lynchburg 24502
9/16/17	Zach Miller	14	3516 Ridgeway Dr Lynchburg 24502
9/16/17	Blaine Hamilton	20	7612 Timberlake Rd
9/16/17	Joshua Burren	21	738 738 Whitesboro dr. Lynchburg, VA 24502
9/16/17	Blake Parid	18	165 Avery lane, 24572
9/16/17	Tyler Crank	18	2052 River Rd. Madison heights
9-18-17	Cris Alstad	56	1415 Winding Creek Ln Lynchburg
	Eric Braithwaite	15	3 vista Ave Lynchburg
9/18/17	Sam Miller	20	313 College Street Lynchburg
9/20/17	Ethan Fowler	19	1916 Roxbury Street Lynchburg.
9/20/17	Psalm Arnold	21	110 Hunt Street
9/20/17	Jeff Bennett	55	613 Blue Ridge Ave. Bedford, VA 24523
9/20/17	Shelley Bennett	52	613 Blue Ridge Ave. Bedford, VA 24523
9/20/17	Ben Guter	19	2906 Dellwood Circle
9/20/17	Toby Bennett	16	613 Blue Ridge Ave. Bedford, VA 24523
9.20.17	Jennifer C Oliver	n/a	1051 Sagamore Ct. 24503
9/20/17	Stefanie Mviza	20	6204 Gannet Drive Lynchburg VA
9/20/17	Wesley Tate	30	4622 Alabama Ave, Lynchburg, VA 24502
9/20/17	Landon Pre Hy	27	809 Westview Drive Lynchburg VA 24502
9/21/17	Paul Gehl	21	206 shaffey Drive Forest VA 24551
9/21/17	Andrew Fontaine	32	1513 6th St Lynchburg VA 24501
9/22/17	Nick Baxton	25	1621 McKinney Ave Lynchburg VA 24502
9/21/17	Came Jordan	15	815 dinwiddie street Lynchburg
9/21/17	Kaleb Kidd	17	1731 Okey Street Lynchburg VA 24501
9/22/17	Malachi Kidd	19	1737 Okey Street Lynchburg VA 24501
9/22/17	Jabitha Turner	39	1737 Okey Street Lynchburg VA 24501
9/22/17	Marquis Turner	24	1460 DIXIE AIRPORT Rd MADISON HEIGHTS VA 24571

Petition for City to Run the Downtown Skatepark

Amazement Square is no longer interested in running the Downtown Skatepark. The local Rotary clubs raised \$100,000 to build this great amenity and a new park could cost \$400,000 to build.

Other areas such as Bedford, Va, Catocin, Suffolk and Fort Belvoir have active and loved skateparks. We would like the current skatepark to be taken over by the City of Lynchburg Parks and Rec

Date	Name	Age	Address
	Lauren D'Amato	51	3 VISTA AVE LYNCHBURG VA
	Allison Brunett	33	20 EASTON AVE.
	Amey Burzyk	55	208 Rowland Drive
	Chris Young	19	18 W Princeton Circle Apt 44
	The Rev. Jim Young	56	100 Jefferson St. Apt 203 Lynchburg
	Halley Pavao	33	1507 Sangloe Place Lynchburg
	Sydney Stephens	24	609 Lee St Bedford, VA, 24523
	Walter S. Lee	37	18 W PRINCETON CIR # 95
	Rachel Gagen	40	214 Woodland Ave Lynchburg VA 24503
	Ryan Gagen	41	214 Woodland Ave Lynchburg VA 24503
	Avery Gagen	11	214 Woodland Ave. Lynchburg VA 24503
	Colin Gagen	9	214 Woodland Ave. Lynchburg VA 24503
	Mat Yeichun	11	836 woodland ave Lynchburg va 24503
	Alison Moore	43	2716 Farmington Pl. Lynchburg VA 24503
	Jacob Moody	11	412 Woodland East Rowland Lynchburg
	Dylan Doremus	10	226 Elmwood Ave Lynchburg VA
	Nathan Lucado	11	310 Woodland Ave

SIGNATURES FROM LIBERTY SKATEPARK

Amazement Square is no longer interested in running the Downtown Skatepark. The local Rotary clubs raised \$100,000 to build this great amenity and a new park could cost \$200,000 to build.

Other areas such as Bedford, Va, Catocin, Suffolk and Fort Belvoir have active and loved skateparks. We would like the current skatepark to be taken over by the City of Lynchburg Parks and Rec

Date	Name	Age	Address
9/19/17	Kevin Hoff	24	735 Leesville Rd, Lynchburg VA
9/19/2017	Jesse Paul	25	3711 Kinney Street, Los Angeles CA 90065
9/19/17	James Duff	10	1035 irenes petite court, Forest VA
9/19/17	David Fitzgerald	25	1216 Harding st, Lynchburg, VA
9-19-17	Lisa Tibbs	36	1820 Lorton Rd Lynchburg VA 24502
9/19/17	Laura Tibbs	16	1820 Lorton Rd Lynchburg, VA
9/19/17	Joshua Chen	27	230 Oasis Way Apt 104 Lynchburg, VA 24502
9/19/17	Ben Suter	19	2906 Dellwood Circle
9/19/17	Richard Corey	16	706 Birmore avenue Lynchburg, VA 24502
9/19/17	Patrick Lucy	21	1101 wood Rd. Lynchburg, VA 24502
9/19/17	Bryan Ducharme	24	1401 Kemper Street
9/19/17	Ian Bell	23	1701 Langhorne rd Lynchburg VA 24503
9/20/17	Jared Lambert	21	310 Oasis Way, Lynchburg VA 24502
9/20/17	Tyler Weathers	21	310 Oasis Way, Lynchburg VA 24502
9/20/17	Alex forte	21	1015 Peaks st. Bedford, VA 24523
9/20/17	Isaiah Craig	17	5562 Altice Rd Moneta, VA, 245122
9-20-17	Jamie Craig	14	5562 Altice Rd Moneta, VA, 245122
9-20-17	Cameron Sowers	20	201 Peters Dr. Forest VA
9-20-17	Gabe Lowery	21	201 Peters Dr. Forest VA
9-20-17	Aaron Brumfield	21	201 Peters Dr. Forest VA
9-20-2017	James Logwood	26	241 Twin Oak Dr. Lynchburg, VA
9/20/17	Dwight Kuhns	38	2127 Austin M. II Rd VA 24550
9/20/17	Elizabeth Kuhns	8	2127 Austin m. II Rd VA 24550
9/20/17	Jonah Kuhns	11	2127 Austin m. II Rd VA 24550
9/20/17	Kevin Hurman	16	112 McIntosh Dr VA 24503
9/20/17	Jay Scott	16	1116 Pokers creek RD VA 24503
4/20/17	Amy Schner	22	NA Lynchburg, VA
9/20/17	Sophie Kenney	20	4636 Fairmont Avenue, Lynchburg VA
4/20/17	Matthew Puckey	20	105 DEAN STREET, CINCINNATI VA 24502
9/20/17	Toby Bennett	16	613/1 blue Ridge Ave, 24523
9/20/17	Eric Dougherty	22	735 Leesville Rd, Lynchburg, VA
9/21/17	Milton Gray	54	1035 irenes petite court
9/21/17	Jon Cifte	20	613 blue Ridge Ave Bedford VA, 24523
9/21/17	Hannah Green	22	18 W. Princeton Circle Lynchburg, VA 24502

Petition for City to Run the Downtown Skatepark

Chambers, Valeria

From: Katherine Basten <katie.a.basten@gmail.com>
Sent: Thursday, September 28, 2017 2:24 PM
To: Chambers, Valeria
Subject: Skatepark

Valeria,

I am requesting to be on the agenda to speak on behalf of the skatepark. Please verify you received this email.
Thanks!

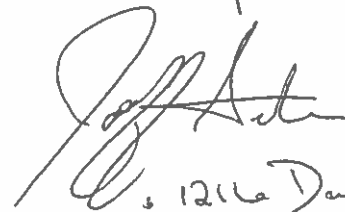
Kind regards,
Katie Basten

138K

Ms. Chambers,

my name is Jeff Siler and I am
writing to request that I be on the council
Agenda to speak on behalf of the Skatepark
on Oct. 10th, 2017.

Sincerely,



1216 Dandridge Dr.
Lynchburg, VA 24501

- acstapere@aol
- (434) 660-7501

139K

Chambers, Valeria

From: Ronald Shavers <shoponation05@gmail.com>
Sent: Friday, September 29, 2017 5:29 AM
To: Chambers, Valeria
Subject: Being Placed on Docket to Speak @ City Council October 10 2017

Good morning Ms. Chambers I would like to be placed on the Docket to Speak before City Council on Tuesday October 10 2017. Would like to address the Council about issues concerning Our Community. For any questions please contact me @ 240-280-4360.

Respectfully Yours,

BB Shavers

Shopo Nation

140K

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **16**

CONSENT:
ACTION: X

REGULAR: X
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Lynchburg College Financing Through the Industrial Development Authority of Campbell County

KEY ELEMENTS:

☒ Economic Development ☐ Excellent Government ☐ Natural and Built Environment ☐ Safe Community ☐ Vibrant Community

RECOMMENDATION: Adopt the attached resolution approving the issuance of up to \$8,500,000 in bonds for Lynchburg College through the Industrial Development Authority of Campbell County, Virginia (IDA).

SUMMARY: Lynchburg College, Incorporated, a nonprofit institution of collegiate education and a Virginia nonstock corporation (the "Borrower"), has requested that Lynchburg City Council approve the issuance by the Industrial Development Authority of the County of Campbell, Virginia (the "Campbell Authority") of up to \$8,500,000 of the Campbell Authority's revenue bonds or notes (the "Bonds"), in one or more series, to assist the Borrower in (a) financing the acquisition, construction, expansion, renovation and equipping of academic, student housing, athletic, utility and other facilities (collectively, the "Project") on or near the Borrower's 214-acre campus at 1501 Lakeside Drive, located between Lakeside Drive and College Street, in the City of Lynchburg, Virginia (the "City"), which may include the renovation of the Borrower's existing dining hall and its existing ballroom and the acquisition of enterprise resource planning software, (b) refunding the outstanding principal balance of the \$7,571,000 Educational Facilities Revenue Bond (Lynchburg College), Series 2013BQ (the "Prior Bond") issued by the Economic Development Authority of Amherst County, Virginia, which financed the acquisition, renovation and equipping of the approximately 66,000-square-foot health sciences building located at 300 Monticello Avenue in the City and other capital projects on the Borrower's aforesaid campus (the "Prior Project"), the current outstanding balance of which is approximately \$4,900,000, (c) paying interest on the Bonds, and (d) paying the costs of issuing the Bonds, and which Project and Prior Project will be owned by the Borrower, and the Authority has held a public hearing on September 28, 2017.

Although the bonds will be issued through the Campbell County Industrial Development Authority, regulations require Lynchburg City Council adopt a resolution supporting the transaction.

PRIOR ACTION(S): N/A

FISCAL IMPACT: There is no financial obligation placed on the City of Lynchburg.

CONTACT(S): Bonnie Svrcek, 455-3990, Anna Bentson, 455-4493

ATTACHMENT(S): Proposed Resolution for Adoption by City
Letter from Al Knighton, Lynchburg College Counsel

REVIEWED BY: bms

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

WHEREAS, the Industrial Development Authority of the County of Campbell, Virginia (the “Authority”) has considered the application of Lynchburg College (the “Borrower”) requesting the issuance of one or more of the Authority’s revenue bonds or notes in an amount not to exceed \$8,500,000 (the “Bonds”) in one or more series, from time to time, to assist the Borrower in (a) financing the acquisition, construction, expansion, renovation and equipping of academic, student housing, athletic, utility and other facilities (collectively, the “Project”) on or near the Borrower’s 214-acre campus at 1501 Lakeside Drive, located between Lakeside Drive and College Street, in the City of Lynchburg, Virginia (the “City”), which may include the renovation of the Borrower’s existing dining hall and its existing ballroom and the acquisition of enterprise resource planning software, (b) refunding the outstanding principal balance of the \$7,571,000 Educational Facilities Revenue Bond (Lynchburg College), Series 2013BQ (the “Prior Bond”) issued by the Economic Development Authority of Amherst County, Virginia, which financed the acquisition, renovation and equipping of the approximately 66,000-square-foot health sciences building located at 300 Monticello Avenue in the City and other capital projects on the Borrower’s aforesaid campus (the “Prior Project”), the current outstanding balance of which is approximately \$4,900,000, (c) paying interest on the Bonds, and (d) paying the costs of issuing the Bonds, and which Project and Prior Project will be owned by the Borrower, and the Authority has held a public hearing thereon; and

WHEREAS, it has been requested that the City Council of the City (the “Council”) approve the financing of the Project, the refunding of the Prior Bond and the issuance of the Bonds, and such approval is required for compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended;

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

1. The Council approves the financing of the Project, the refunding of the Prior Bond and the issuance of the Bonds by the Authority for the benefit of the Borrower, as required by said Section 147(f), to permit the Authority to assist in the financing of the Project and the refunding of the Prior Bond. The Council concurs with the resolution adopted by the Authority on September 28, 2017 with respect to the Bonds, the Project and the Prior Bond.

2. The approval of the issuance of the Bonds, as required by said Section 147(f), does not constitute an endorsement of the Bonds, the creditworthiness of the Borrower or the economic viability of the Project or the Prior Project. The Bonds shall provide that neither the Commonwealth of Virginia (the “Commonwealth”) nor any political subdivision thereof, including the City, Campbell County (the “County”) and the Authority, shall be obligated to pay the principal of or interest on the Bonds or other costs incident thereto except from the revenues and receipts pledged therefor and that neither the faith or credit nor the taxing power of the

Commonwealth or any political subdivision thereof, including the City, the County and the Authority, shall be pledged thereto.

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

Adopted:

Certified: _____
Clerk of Council

129K

ALTON L. KNIGHTON, JR.
(540) 983-7632
knighton@woodsrogers.com

September 29, 2017

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

RECEIVED
OCT 02 2017
OFFICE OF
ECONOMIC DEVELOPMENT

**Re: Industrial Development Authority of the County of Campbell, Virginia;
Lynchburg College**

Ladies and Gentlemen:

Our firm represents Lynchburg College, which has requested that the Industrial Development Authority of the County of Campbell, Virginia issue a bond in an amount not exceeding \$8,500,000.00 for the benefit of the College. The bond proceeds would be used to finance certain capital expenditures on the College's campus in the City of Lynchburg. In addition, proceeds would be used to refund a bond issued for the benefit of the College in 2013 by the Economic Development Authority of Amherst County, Virginia.

Enclosed with this letter are (a) an inducement resolution adopted by the Authority on September 28, 2017, (b) a fiscal impact statement, (c) a report of the public hearing held by the Authority on September 28, 2017, (d) a copy of the certificate of publication of the notice of that public hearing and (e) a resolution proposed to be adopted by City Council to approve the financing in accordance with federal and state law.

We would appreciate your consideration of the proposed resolution at your October 10, 2017 meeting. The Authority plans to issue its bond on October 17, 2017 and cannot do so until City Council has approved the financing.

Thank you very much. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

WOODS ROGERS PLC

A. L. Knighton, Jr.

Alton L. Knighton, Jr.

ALKjr/jap

{2250187-1, 059861-00010-01}

P.O. Box 14125, Roanoke, Virginia 24038-4125
10 S. Jefferson Street, Suite 1400, Roanoke, Virginia 24011
P (540) 983-7600 • F (540) 983-7711

www.woodsrogers.com

Charlottesville • Danville • Lynchburg • Richmond • Roanoke

**RESOLUTION OF THE INDUSTRIAL
DEVELOPMENT AUTHORITY OF
THE COUNTY OF CAMPBELL, VIRGINIA**

WHEREAS, there have been described to the Industrial Development Authority of the County of Campbell, Virginia (the "Authority") the plans of Lynchburg College (the "Borrower") for (a) the acquisition, construction, expansion, renovation and equipping of academic, student housing, athletic, utility and other facilities (collectively, the "Project") on or near the Borrower's 214-acre campus at 1501 Lakeside Drive, located between Lakeside Drive and College Street, in the City of Lynchburg, Virginia (the "City"), which may include the renovation of the Borrower's existing dining hall and its existing ballroom and the acquisition of enterprise resource planning software, (b) the refunding of the outstanding principal balance of the \$7,571,000 Educational Facilities Revenue Bond (Lynchburg College), Series 2013BQ (the "Prior Bond") issued by the Economic Development Authority of Amherst County, Virginia, which financed the acquisition, renovation and equipping of the approximately 66,000-square-foot health sciences building located at 300 Monticello Avenue in the City and other capital projects on the Borrower's aforesaid campus (the "Prior Project"), the current outstanding balance of which is approximately \$4,900,000, (c) paying interest on the Bonds (as hereinafter defined), and (d) paying the costs of issuing the Bonds; and

WHEREAS, the Borrower has described the benefits to the City and Campbell County, Virginia (the "County") and has requested the Authority to agree to issue its revenue bonds or notes, under the Virginia Industrial Development and Revenue Bond Act (the "Act"), in such amounts as may be necessary to finance the cost of the Project and the refunding of the Prior Bond;

BE IT RESOLVED BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF CAMPBELL, VIRGINIA:

1. It is hereby found and determined that the location of the Project in the City will promote the welfare of the residents of the City, the County and the Commonwealth of Virginia, will enhance educational opportunities for such residents, will be in the public interest and will be consistent with the purposes of the Act.

2. To induce the Borrower to locate the Project in the City, the Authority hereby agrees, subject to required approvals and the compliance of the proposed issue with applicable law, to assist the Borrower in every reasonable way to finance the Project and to refund the Prior Bond and, in particular, to undertake the issuance of one or more of its revenue bonds or notes (the "Bonds") therefor in amounts now estimated not to exceed \$8,500,000 upon terms and conditions to be mutually agreed upon between the Authority and the Borrower. The proceeds from the sale of the Bonds shall be loaned by the Authority to the Borrower pursuant to an agreement or agreements which will provide for loan repayments to the Authority sufficient to pay the principal of and premium, if any, and interest on the Bonds and to pay all other expenses in connection with the Project, the Prior Project and the Prior Bond. The Bonds shall be issued in form and pursuant to terms to be set by the Authority.

3. It having been represented to the Authority that it is necessary to proceed immediately with the Project, the Authority hereby agrees that the Borrower may proceed with plans for the Project, enter into contracts for construction, renovation, expansion and equipping and take such other steps as it may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Borrower to obligate the Authority without its consent in each instance to the payment of any monies or the performance of any acts in connection with the Project. The Authority agrees that, to the extent consistent with federal tax laws, the Borrower may be reimbursed from the proceeds of the Bonds for all costs so incurred by it.

4. To the extent consistent with federal tax laws, all costs and expenses in connection with the financing of the Project and the refunding of the Prior Bond, including the fees and expenses of bond counsel and Authority counsel, shall be paid from the proceeds of the Bonds. If for any reason the Bonds are not issued, it is understood that all such expenses shall be paid by the Borrower and that the Authority shall have no responsibility therefor.

5. The Authority shall perform such other acts and adopt such further resolutions as may be required to implement its undertakings as hereinabove set forth, and if requested by the Borrower, it will make application to the Internal Revenue Service for such tax rulings as may be necessary in the opinion of bond counsel. To that end, the Chairman or Vice Chairman of the Authority is hereby authorized to execute an appropriate power of attorney naming counsel selected by the Borrower for such purposes.

6. The Authority hereby recommends that (a) the Board of Supervisors of the County (the "Board") and the City Council of the City (the "Council") approve the financing of the Project, the refunding of the Prior Bond and the issuance of the Bonds and (b) the Council concur with this resolution.

7. The officers of the Authority are hereby authorized and directed to deliver to the Board and the Council (a) a reasonably detailed summary of the comments expressed at the public hearing held with respect to the issuance of the Bonds, (b) a fiscal impact statement concerning the Project in the form specified in Section 15.2-4907 of the Code of Virginia, and (c) a copy of this resolution, which constitutes the recommendation of the Authority that the Board and the Council approve the financing of the Project, the refunding of the Prior Bond and the issuance of the Bonds.

8. This resolution shall take effect immediately upon its adoption.

FISCAL IMPACT STATEMENT

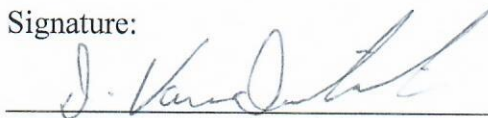
Date: September 28, 2017

Applicant: Lynchburg College

Facility: Real and personal property located on or near the Applicant's campus in the City of Lynchburg, Virginia

- | | | |
|----|--|---------------------|
| 1. | Maximum amount of financing sought | \$ <u>8,500,000</u> |
| 2. | Estimated taxable value of the facility's real property to be constructed in the municipality | \$ <u>0</u> |
| 3. | Estimated real property tax per year using present tax rates | \$ <u>0</u> |
| 4. | Estimated personal property tax per year using present tax rates | \$ <u>0</u> |
| 5. | Estimated merchants' capital tax per year using present tax rates | \$ <u>0</u> |
| 6. | a. Estimated dollar value per year of goods that will be purchased from Virginia companies within the locality: | |
| | City of Lynchburg | \$ <u>661,711</u> |
| | Campbell County | \$ <u>21,458</u> |
| | b. Estimated dollar value per year of goods that will be purchased from non-Virginia companies within the locality: | |
| | City of Lynchburg | \$ <u>19,155</u> |
| | Campbell County | \$ <u>0</u> |
| | c. Estimated dollar value per year of services that will be purchased from Virginia companies within the locality: | |
| | City of Lynchburg | \$ <u>1,242,182</u> |
| | Campbell County | \$ <u>86,108</u> |
| | d. Estimated dollar value per year of services that will be purchased from non-Virginia companies within the locality: | |
| | City of Lynchburg | \$ <u>0</u> |
| | Campbell County | \$ <u>0</u> |
| 7. | Estimated number of regular employees on year round basis | <u>490</u> * |
| 8. | Average annual salary per employee | \$ <u>57,540</u> |

Signature:



Authority Chairman

Industrial Development Authority of the County of
Campbell, Virginia

If one or more of the above questions do not apply to the facility, indicate by writing "N/A" on the appropriate line.

* Approximately 8% of these employees live in Campbell County.

The fiscal impact of the project being financed is minimal. The above reflects the Applicant's annual fiscal impact on Campbell County and the City of Lynchburg.

REPORT OF PUBLIC HEARING

A public hearing was conducted by the Industrial Development Authority of the County of Campbell, Virginia (the "Authority") at a meeting held at 7:30 p.m. on September 28, 2017 on the application of Lynchburg College (the "Borrower") requesting the Authority to issue up to \$8,500,000 of its revenue bonds or notes (the "Bonds") to assist the Borrower in (a) financing the acquisition, construction, expansion, renovation and equipping of academic, student housing, athletic, utility and other facilities (collectively, the "Project") on or near the Borrower's 214-acre campus at 1501 Lakeside Drive, located between Lakeside Drive and College Street, in the City of Lynchburg, Virginia (the "City"), which may include the renovation of the Borrower's existing dining hall and its existing ballroom and the acquisition of enterprise resource planning software, (b) refunding the outstanding principal balance of the \$7,571,000 Educational Facilities Revenue Bond (Lynchburg College), Series 2013BQ issued by the Economic Development Authority of Amherst County, Virginia, which financed the acquisition, renovation and equipping of the approximately 66,000-square-foot health sciences building located at 300 Monticello Avenue in the City and other capital projects on the Borrower's aforesaid campus (the "Prior Project"), the current outstanding balance of which is approximately \$4,900,000, (c) paying interest on the Bonds, and (d) paying the costs of issuing the Bonds. Notice of the hearing was published on September 13, 2017 and September 20, 2017 in The News & Advance. Such public hearing was held in the First Floor Conference Room of the Citizen Services Building, 85 Carden Lane, Rustburg, Virginia. At such meeting, those persons interested in the issuance of the Bonds or the location and nature of the Project or the Prior Project were given the opportunity to present their views.

The public comments, if any, received at the meeting are summarized in Exhibit A attached hereto.

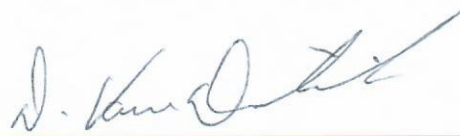
After such hearing, the Authority voted to recommend the approval of the Bonds to the Board of Supervisors of Campbell County, Virginia (the "Board") and the City Council of the City (the "Council").

Accordingly, the Authority hereby recommends to the Board and the Council that they approve the issuance of the Bonds, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended.

Dated September 28, 2017.

INDUSTRIAL DEVELOPMENT AUTHORITY
OF THE COUNTY OF CAMPBELL, VIRGINIA

By



Chairman

Exhibit A to Report of Public Hearing

The following public comments were received:

None.

The News & Advance

Advertising Affidavit

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

Account Number

3382053

Date

September 20, 2017

WOODS ROGERS PLC
P.O. BOX 14125
ROANOKE, VA 24038-4125

Date	Category	Description	Ad Size	Total Cost
09/20/2017	Legal Notices	NOTICE OF PUBLIC HEARING ON PROPOSED REVENUE B	2 x 57 L	822.00

NOTICE OF PUBLIC HEARING ON PROPOSED REVENUE BOND FINANCING BY INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF CAMPBELL, VIRGINIA

Notice is hereby given that the Industrial Development Authority of the County of Campbell, Virginia (the "Authority") will hold a public hearing on the application of Lynchburg College (the "Borrower"), 1501 Lakeside Drive, Lynchburg, Virginia 24501, requesting the Authority to issue up to \$8,500,000 of its revenue bonds or notes (the "Bonds") in one or more series, from time to time, to assist the Borrower in (a) financing the acquisition, construction, expansion, renovation and equipping of academic, student housing, athletic, utility and other facilities (collectively, the "Project") on or near the Borrower's 214-acre campus at 1501 Lakeside Drive, located between Lakeside Drive and College Street, in the City of Lynchburg, Virginia (the "City"), which may include the renovation of the Borrower's existing dining hall and its existing ballroom and the acquisition of enterprise resource planning software, (b) refunding the outstanding principal balance of the \$7,571,000 Educational Facilities Revenue Bond (Lynchburg College), Series 2013BQ (the "Prior Bond") issued by the Economic Development Authority of Amherst County, Virginia, which financed the acquisition, renovation and equipping of the approximately 66,000-square-foot health sciences building located at 300 Monticello Avenue and other capital projects on the Borrower's aforesaid campus (the "Prior Project"), the current outstanding balance of which is approximately \$4,900,000, (c) paying interest on the Bonds, and (d) paying the costs of issuing the Bonds. The Project and the Prior Project will be located entirely in the City and will be owned and operated by the Borrower.

As required by the Virginia Industrial Development and Revenue Bond Act, the incurrence of the Authority's obligations under the Bonds as requested by the Borrower will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia, the Authority, Campbell County, Virginia (the "County") or the City. Neither the Commonwealth of Virginia nor any political subdivision thereof, including the Authority, the County and the City, shall be obligated to pay the principal of and interest on the Bonds, or to pay other costs incidental thereto, except from the revenues and monies pledged therefor, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof will be pledged to the payment of the principal of or interest on the Bonds or other costs incidental thereto.

The public hearing, which may be continued or adjourned, will be held at 7:30 p.m. on September 28, 2017, before the Authority in the First Floor Conference Room of the Citizen Services Building, 85 Carden Lane, Rustburg, Virginia. All persons interested in the issuance of the Bonds or the location or nature of the Project are invited to appear at the hearing and present their views or submit written comments prior to the hearing to the Assistant Secretary / Treasurer of the Authority, 25 Rails End Lane, Rustburg, Virginia 24588. A copy of the Borrower's application may be inspected at the Authority's offices.

Industrial Development Authority of the County of Campbell, Virginia

Publisher of the News & Advance

This is to certify that the attached NOTICE OF PUBLIC HEARING was published by the News & Advance in the city of Lynchburg, in the State of Virginia, on the following dates:

09/13, 09/20/2017

The First insertion being given ... 09/13/2017

Newspaper reference: 0000603442

Given under my hand on

the 21 day of September

122

Classified Manager



Tonya D Davis
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7506750
My Commission Expires
September 30, 2019

[Handwritten signature]

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

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **September 26, 2017**

AGENDA ITEM #: **6 17**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Public Hearing to Consider the Sale of Property at 927 Church Street

KEY ELEMENTS:

☒ Economic Development ☐ Excellent Government ☐ Natural and Built Environment ☐ Safe Community ☐ Vibrant Community

RECOMMENDATION: After a public hearing, authorize the City Manager to sell 927 Church Street.

SUMMARY: The attached letter is an offer from James E. LaPrade, Sr., President and Chief Executive Officer of BMS Direct, Inc. to purchase 927 Church Street for \$150,000. The property is currently zoned B-4, Mixed Use Commercial. If following the public hearing, Council decides to sell the property, Mr. LaPrade intends to invest up to \$200,000 to renovate the buildings into commercial space on the 1st floor and possible loft space on the 2nd floor. In addition, he desires to renovate the façade of the building back to its original glory.

The property was purchased by the City in December 1988. The City initially purchased the property for additional parking; however, it was later determined that additional office space was needed and the property was never used as initially proposed. The assessed value of this property is \$138,400.

PRIOR ACTION(S): Purchase of property by the City – December 15, 1988
Advertisement of public hearing

FISCAL IMPACT: Proposed net proceeds of \$141,640

CONTACT(S): Bonnie Svrcek, City Manager, 455-3990

ATTACHMENT(S): Resolution
Offer Letter from James E. LaPrade, Sr. dated August 15, 2017
Sales Contract

REVIEWED BY: bms

RESOLUTION

A RESOLUTION TO CONVEY THE PROPERTY LOCATED AT 927 CHURCH STREET TO MR. JAMES E. LAPRADE, SR.

WHEREAS, the City of Lynchburg owns the property located at 927 Church Street (Tax Parcel #02451013) consisting of approximately .136 acre;

WHEREAS, the property was purchased by the City on December 15, 1988 for \$140,000;

WHEREAS, Mr. LaPrade is requesting to purchase the property from the City for the sum of \$150,000 and intends to invest up to \$200,000 to renovate the buildings into commercial space on the 1st floor and possible loft space on the 2nd floor and desires to renovate the façade of the building back to its original glory;

NOW, THEREFORE, BE IT RESOLVED that City Council determines that the City has no need for the property located at 927 Church Street (Tax Parcel #02451013) and finds that the City's continued ownership of the property is no longer necessary or required for the best interests of the City, and;

BE IT FURTHER RESOLVED that the Lynchburg City Council hereby vacates any public purposed in te aforementioned property and authorizes the sale of 927 Church Street to Mr. James E. LaPrade, Sr. for a purchase price of \$150,000 and authorizes the City Manager to execute a deed and any other documents that may be needed to convey said property to Mr. LaPrade.

Introduced:

Adopted:

Certified:

Clerk of Council

121K



Delivering Statements with Integrity

August 15, 2017

To whom it may concern,

BMS Direct submitted an offer to purchase 927 Church Street in downtown Lynchburg, VA at a purchase price of \$150,000. My goal is to invest upwards of \$200,000 to renovate the building into existing commercial space on the 1st floor and possible loft space on the 2nd floor. I will be applying for historical tax credits and desire to renovate the facade of the building back to its original glory.

BMS Direct has been in operation since 1973 and moved within the City limits in 2005 after purchasing the facility located at 37 Millrace Drive. The facility was purchased from the economic development authority and over the past 12 years, we have been a good corporate citizen and are one of 2,896 businesses licensed in the City of Lynchburg. Over the past year, we have reinvested in our facility and have installed one of the largest solar panel displays in the state of Virginia at a cost of over \$500,000. We have recently signed a contract with Coleman-Adams to add additional office space to our existing facility and will be invested over \$400,000 in the new addition. As the owner of BMS Direct, I have also personally invested in the City of Lynchburg since purchasing the building located at 819 Main Street in 2014. I have named the project the Wills-Camp Lofts after the Wills-Camp and Co that was in operation from 1936-1983. I am creating 5 unique themed lofts on the upper floors utilizing the heritage of the Wills-Camp & Co and will have almost 2,000 square feet of commercial space on Main Street. My investment will total over \$700,000.

For your consideration,

James E. LaPrade, Sr.
President & CEO
BMS Direct, Inc.



COMMERCIAL, INDUSTRIAL, LAND
SALES CONTRACT

THIS CONTRACT of Sale made and entered into this 14th day of August, 2017, between City of Lynchburg, (hereinafter known as the Seller), and BMS DIRECT INC (hereinafter known as the Purchaser) through Coldwell Banker Commercial Read & Co. (hereinafter known as Purchaser's Agent)

WITNESETH

1. DEPOSIT & PURCHASE PRICE

In consideration of the sum of Five Thousand and 00/100 Dollars (\$5,000.00), by cash in hand, paid upon acceptance of this contract by all parties and held in escrow by Coldwell Banker Commercial Read & Co., the Purchaser agrees to buy and the Seller agrees to sell for the sum of One Hundred & Fifty Thousand 00/100 Dollars (\$150,000.00), the following property: 927 Church St., Lynchburg, VA 24504, Parcel ID: 02451013, and MLS Listing #: 306474, as identified on the attached Exhibit "A".

PURCHASE PRICE TO BE PAID AS FOLLOWS:

Earnest money deposit on this contract shall be applied toward the purchase price at the time of closing, with the remainder being paid in cash by Purchaser to Seller at settlement.

2. CONTINGENCIES : - THIS CONTRACT IS CONTINGENT UPON THE FOLLOWING:

1. This option to purchase is conditioned upon the approval of the sale of the property described herein by the Lynchburg City Council as required by section 15.2-1800 of the Code of Virginia.

3. DUTY OF CARE; INDEMNITY:

Seller agrees to aid Purchaser's inspection by delivering to Purchaser within five (5) business days after the Effective Date copies of all title policies, plans, plats of surveys, environmental reports, soils reports, engineering reports, building inspection reports, zoning notices and approvals, building permits, restrictive covenants or declarations, and other test results, studies or documents relating to the Property or the improvements thereon (collectively, the "Seller Materials") to the extent Seller or Seller's agents have possession of such reports or other items. To the extent such reports and other items are not in Seller's possession, Purchaser may obtain the same at Purchaser's sole cost and expense. The Inspection Period shall be extended by one day for each day of delay by Seller in timely delivering the Seller Materials to Purchaser.

4. PROPERTY ACCESS:

Purchaser and its representatives shall have the right to access and right of entry to the property to perform any tests and/or inspections relative to Purchaser's proposed use of the property during the contingency period. Purchaser shall, without limitation, indemnify and hold harmless Seller from any and all loss, damage or expense, including legal fees and court costs, arising out of or related to any entry upon the real estate by Purchaser or anyone authorized by or on behalf of Purchaser to enter upon the property. Purchaser further agrees to repair any damage to said property caused by test(s).

5. CLOSING:

Seller will convey the above described property by general warranty deed with the usual English Covenants of Title and settlement of the purchase shall be made at the office of the Purchaser's Attorney or other suitable location Thirty (30) days after approval by Lynchburg City Council, or as soon thereafter as title can be examined and papers prepared, provided the title is found free from objections which materially affect the marketability thereof, but allowing a reasonable time for correction of objections reported by the title examiner.

Taxes shall be prorated as of the day of settlement. Seller shall pay for the preparation of the deed and any recording tax imposed upon grantor. Purchaser shall pay all other closing cost.

6. RISK OF LOSS:

Seller covenants that any improvements located on the premises will be in substantially the same condition on the date of settlement as at the time of acceptance of this contract and further agrees to bear the risk of loss or damage to the property by reason of fire or other casualty until final settlement is made.

7. FIRPTA:

The Foreign Investment in Real Estate Tax Act (FIRPTA), IRC 1445, requires that every Purchaser of U.S. real property must, unless an exception applies, deduct and withhold from Seller's proceeds ten percent (10%) of the gross sales price. The primary exemptions which might be applicable are: (a) Seller provides Purchaser with an affidavit under penalty of perjury, that Seller is not a "foreign person" as defined in FIRPTA, or (b) Seller provides Purchaser with a "qualifying statement," as defined in FIRPTA, issued by the Internal Revenue Service. Seller and Purchaser agree to execute and deliver as appropriate, any instrument, affidavit and statement, and to perform any acts reasonably necessary to carry out the provisions of FIRPTA and regulations promulgate thereunder.

8. INSPECTION:

Except as outlined in the Contingency Paragraph 2 above, Purchaser has made an inspection of the property and is purchasing the property in as-is condition.

9. FORM 1099:

Seller and Purchaser agree to cooperate with the Settlement attorney or title company as the case may be, in connection with complying with the real estate reporting requirements of the Internal Revenue Code of 1986 as amended and the filing of a form 1099 with the Internal Revenue Service.

10. LEGAL REVIEW:

This document has been prepared for approval by your attorney. No representation or recommendation is made by Agents as to the legal sufficiency or tax consequences of this document or the transaction to which it relates.

11. ADDENDUMS:

Any addendum attached hereto and either signed or initialed by the parties shall be deemed a part hereof.

12. ASSIGNMENT:

Purchaser may assign this Agreement in whole or in part without the prior consent of Seller, and upon any such assignment by Purchaser, the assignee shall expressly assume all of Purchaser's obligations hereunder and Purchaser shall have no further obligations hereunder.

13. CONDEMNATION / EMINENT DOMAIN:

Seller agrees to give Purchaser prompt notice of any actual or threatened taking of all or any portion of the Property by condemnation or eminent domain prior to the Closing Date hereunder. In the event that prior to Closing hereunder there shall occur a taking by condemnation or eminent domain of all or any portion of the Property or a proposed conveyance to a condemning authority in lieu of condemnation, then Purchaser, at its option, may either (i) terminate this Agreement by delivery of notice thereof to Seller, and thereupon the Deposit and any accrued interest thereon shall be returned to Purchaser and the parties hereto shall have no further rights or obligations hereunder, or (ii) proceed to Closing hereunder, in which event Seller shall assign to Purchaser at Closing all interest of Seller in and to any condemnation proceeds that may be payable to Seller on account of such condemnation and thereupon Purchaser shall control all negotiations and proceedings undertaken with the condemning authority with respect to the Property. Purchaser shall receive a credit at Closing in the amount of any condemnation proceeds paid to Seller with respect to the Property prior to the Closing Date.

14. GENDER:

Words of any gender used herein shall be held to include any other gender and words in the singular number shall be held to include the plural and vice versa when the case so requires.

15. ORAL AGREEMENTS:

The parties hereto acknowledge that neither has relied upon any oral agreement by the other and no such oral agreement shall affect in any way the terms of this written agreement. This contract may be modified or amended only in writing signed by all parties hereto. This Contract of Purchase shall be construed, interpreted, and applied according to the law of the State of Virginia and shall be binding upon and shall inure to the benefit of the heirs, personal representatives, successors, and assigns of the parties.

16. ACCEPTANCE PERIOD:

In the event this offer is not accepted by Seller, SUBJECT TO TENTATIVE APPROVAL BY CITY COUNCIL (Final acceptance to be by Lynchburg City Council at a public hearing at a date to be determined), on or before October 10, 2017 at 5:00 p.m. E.S.T., this offer shall become null and void, and the deposit made herewith shall be returned to Purchaser.

17. NOTICES:

All notices required shall be given in writing to the Seller by certified mail, return receipt requested to the following address:

City Manager's Office
900 Church St.
Lynchburg, VA 24504.

And to the Purchaser as follows:

BMS Direct Inc.
37 Millrace Dr.
Lynchburg, VA 24502

With copies to:

Luke Dykeman
101 Annjo Court
Forest, VA 24551

18. FAILURE OR INABILITY TO PERFORM: DEFAULTS & REMEDIES:

18.1. Seller's Default. If, on the original closing date set forth in paragraph 4 (as may be extended by mutual written agreement of the parties) ("Closing Date"), Seller shall be unable to perform or satisfy its obligations as required by this Contract, or if the Property does not then conform to the provisions hereof, or if any of Seller's warranties and representations contained herein are not accurate in all material respects as of the Closing Date, the time for performance hereunder may be extended for such period, not to exceed sixty (60) days, as shall be reasonably specified by Purchaser, and Seller shall use diligent efforts, subject to the limitation that Seller shall not be required to expend any sum, inclusive of attorney fees, in excess of \$1,500, to perform or satisfy such obligations, to make the Property conform to the provisions hereof, or to cure the material inaccuracy in such warranty or representation, as the case may be. If, at the expiration of

such extended time for performance, despite having used such diligent efforts Seller shall remain unable to so perform or satisfy its obligations, make the Property conform to the provisions hereof, or to cure the inaccuracy in such Warranty or representation, as the case may be, then Purchaser shall have the option: (a) to terminate this Contract by notice given to Seller, whereupon the Deposit, together with all interest and other sums paid by Purchaser hereunder, shall be promptly refunded by Purchaser and all obligations of the parties hereto shall cease and this Contract shall be void and without recourse to the parties hereto, excluding, however, Purchaser's obligations for study period indemnification and restoration as provided in paragraph 3 which shall survive the termination of this Contract, or (b) to accept title to the Property as provided in Section 17.2 below.

18.2. Purchaser's Election: Purchaser shall have the election, at the original or at any mutually agreed extension of the Closing Date, to accept such title to, and possession of, the Property as Seller can deliver in its then condition and to thereupon pay the Purchase Price (as otherwise determined hereunder) without any deductions, except such amount necessary to remove all mortgages, liens or encumbrances which secure the payment of money and such adjustments computed in accordance with Section 4 above, in which case Seller shall convey such title. Notwithstanding the foregoing, however, if the Property has been damaged by fire or other casualty or by eminent domain and is not fully repaired at the time of the Closing, Purchaser shall at its option, either: (a) receive and assignment of any insurance proceeds or condemnation awards recovered or recoverable by Seller arising from fire or other casualty to, or condemnation of, the Property which have not been applied by Seller to restore the Property, or (b) receive a deduction from the Purchase Price in the amount of such proceeds or award and any applicable deductible.

18.3. Purchaser's Default: If Purchaser shall fail to fulfill its agreements herein on the Closing Date or if Purchaser fails to close for any reason other than breach of any covenant to be performed or met by Seller, Seller's sole and exclusive remedy shall be to retain the Deposit as full and complete liquidated damages, both at law and in equity, whereupon the Deposit shall immediately be paid to Seller, all rights and obligations of the parties hereto shall cease, and this Contract shall be void and of no further force and effect, excluding, however, Purchaser's obligations for study period indemnification and restoration as provided in paragraph 3 which shall survive the termination of this Contract.

18.4 If Seller fails to perform in accordance with the terms of this Agreement, or if any representation or warranty made by Seller herein shall be untrue upon execution hereof or on the Closing Date, the Purchaser, in addition to all other remedies available to it at law or in equity, may rescind this Agreement and may receive back the deposit paid by Purchaser under this Agreement.

19. TIME IS OF THE ESSENCE: The obligations and undertakings of the parties hereto shall be performed within the time specified, time being of the essence, and failure to perform within such time shall constitute a default of this Agreement on the part of the party who fails to perform.

20. SURVIVABILITY:

Unless the context otherwise requires, the terms, provisions and conditions of the agreement shall survive Settlement hereunder.

21. SECTION 1031 EXCHANGE:

Purchaser acknowledges that Seller may wish to convey the subject property as part of a tax-free exchange under Section 1031 of the United States Internal Revenue Code and agrees to cooperate to facilitate such an exchange so long as Purchaser's position is not jeopardized thereby and all extra expenses incident to such an exchange are borne by Seller. This provision shall be reciprocal should Purchaser decide to utilize such a tax-free exchange.

22. ENTIRE AGREEMENT:

This Contract of Purchase constitutes the entire agreement among the parties and may not be modified or changed except by written instrument executed by all of the parties, including Agents.

23. LITIGATION:

~~Litigation. In the event that any party is required to resort to litigation to enforce its rights under this Agreement, Seller and Purchaser agree that any judgment awarded to the prevailing party may include all litigation expenses of the substantially prevailing party, including, without limitation, actual attorney's fees and court costs.~~

24. SALES COMMISSION:

The Seller agrees to pay cash to the Agents for their services, at settlement a commission on the sale price of the property which shall be equal to five percent (5%) of the sales price. Said commission to be divided equally between the seller's agent and the buyer's agent. If either party defaults in the performance of this contract, he shall pay to Agents the sales commission to which Agents would have been entitled if the contract had been performed. In the event Seller/Owner fails to pay said commission and Coldwell Banker Commercial Read & Co. takes legal action to collect said fee, Seller/Owner shall be responsible for all legal fees associated with the collection of said monies due. In addition, any unpaid balance due shall accrue a late fee at the rate of 2% per month.

25. DISCLOSURE:

Unless otherwise disclosed in writing, all parties acknowledge that the agent Coldwell Banker Commercial Read & Co. and Luke Dykeman represent the Seller. The agent's fiduciary duties of loyalty and faithfulness are owed to the Purchaser who is their principal. Agents are required by law and by their Code of Ethics to treat all parties honestly and fairly.

26. SIGNATURES:

Seller: City of Lynchburg

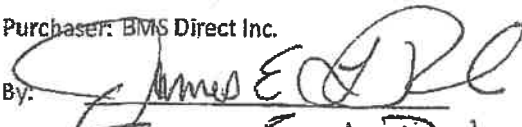
By: _____

Print: _____

Title: _____

Date: _____

Purchaser: BMS Direct Inc.

By: 

Print: JAMES E. LaPrade

Title: President + CEO

Date: 8/22/2017

Seller's Agent: Luke Dykeman

By: 

Print: Luke Dykeman

Title: Connecia Associate

Date: 8/22/17

FOR SALE

Office Building - 3,174 Sq. Ft. ±

**COLDWELL
BANKER
COMMERCIAL****READ & CO. REALTORS**

927 Church St. Lynchburg, VA 24504

Property Information

Size:
3,174 Sq. Ft. ±

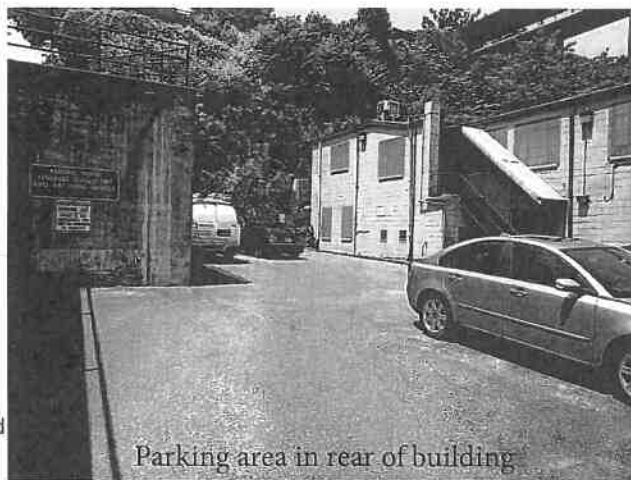
Acreage:
.136 Acres ±

Price:
\$195,000

Zoning
B-4

Features:

The building features include: Parking Lot (Approximately 8 spaces), Close proximity to City Hall, Adjacent to the Court St. Elevator, Slate Roof, Unfinished Basement, Modern Steam Heating System, Public Water/Sewer, & Slate Roof.



Parking area in rear of building

Coldwell Banker Commercial Read & Co. represent the Seller/Landlord of this property. Upon receipt of this information, Purchaser/Tenant acknowledges Coldwell Banker Commercial Read & Co.'s fiduciary responsibilities are to the Seller/Landlord.

Rick Read
434-455-3618
rread@realestatelynchburg.com

Warner Hall
Cell: 434-841-1417
Main: 434-455-2285 ext. 111
whall@realestatelynchburg.com

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Coldwell Banker Commercial
Read & Co.
101 Annjo Court, Forest, VA 24551
434-455-2285

Office

FOR SALE

Office Building - 3,174 Sq. Ft. ±



READ & CO. REALTORS



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Coldwell Banker Commercial
Read & Co.
101 Annjo Court, Forest, VA 24551
434-455-2285

LYNCHBURG CITY COUNCIL

Agenda Item Summary

REVISED

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **18**

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: FY 2018 First Quarter Adjustments

KEY ELEMENTS:

___ Economic Development X Excellent Government ___ Natural and Built Environment ___ Safe Community ___ Vibrant Community

RECOMMENDATION: Adopt a resolution amending the FY 2018 Operating and Capital Budgets and appropriating funds to reflect the FY 2018 First Quarter Adjustments as listed in Attachment A.

SUMMARY: The General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Lynchburg Expressway Appearance Fund (LEAF), Home Investment Trust, Technology, and Fleet Operating Budgets, as well as the City Capital Projects and Schools Capital Projects Fund are amended to reflect the FY 2018 First Quarter Adjustments.

PRIOR ACTION(S): FY 2018 Budget Adoption, May 23, 2017

FISCAL IMPACT: As noted in Attachment A

CONTACT(S): Donna Witt, Director of Financial Services, 455-3968

ATTACHMENT(S): Resolution; Attachment A: FY 2018 First Quarter Adjustments – Summary and Detail

REVIEWED BY: bms

RESOLUTION: BE IT RESOLVED That the FY 2018 Adopted Budget is amended and funds are appropriated to reflect the First Quarter Adjustments in the General, City/Federal/State Aid, Community Development Block Grant (CDBG), Forfeited Assets, Lynchburg Expressway Appearance Fund (LEAF), Home Investment Trust, Technology, and Fleet Operating Budgets, as well as the City Capital Projects and Schools Capital Projects Fund as follows:

	Adopted FY 2018	Recommended Adjustment	Amended FY 2018
General Fund		139,749	103,428,007
Operations	\$103,288,258	\$146,249	\$103,434,507
Non-Departmental	7,213,731	\$56,908	7,270,639
External Service Providers	8,554,323		8,554,323
Transfers To/From Other Funds	996,794	87,293	1,084,087
Transfers To Capital	3,341,658		3,341,658
Transfers To Schools Capital	0	105,770	105,770
Debt Service	17,650,162		17,650,162
Reserves	2,888,171		2,888,171
Schools - Operations	42,028,498		42,028,498
Schools - School Buses	0		0
Greater Lynchburg Transit Company	1,775,805		1,775,805
Ending Balance (Unassigned Fund Balance)	19,622,897		19,622,897
Total	\$207,360,297	389,720 \$396,220	207,750,017 \$207,756,517
City/Federal/State Aid Fund			
Operations	\$3,433,963	\$36,390	\$3,470,353
Ending Balance	0		0
Total	\$3,433,963	\$36,390	\$3,470,353
Community Development Block Grant (CDBG)			
Operations	\$776,564	\$681	\$777,245
Ending Balance	840,614		840,614
Total	\$1,617,178	\$681	\$1,617,859
Forfeited Assets Fund			
Operations	\$0	\$50,803	\$50,803
Ending Balance	65,656		65,656
Total	\$65,656	\$50,803	\$116,459
Lynchburg Expressway Appearance Fund (LEAF)			
Operations	\$26,000	\$14,000	\$40,000
Ending Balance	147,008		147,008
Total	\$173,008	\$14,000	\$187,008
HOME Investment Trust Fund			
Operations	\$317,893	(\$16,942)	\$300,951
Ending Balance	0		0
Total	\$317,893	(\$16,942)	\$300,951
Technology Fund			
Operations	\$858,732	\$265,637	\$1,124,369
Capital Outlay	870,000		870,000
Ending Balance	871,430	77,946	949,376
Total	\$2,600,162	\$343,583	\$2,943,745

Stormwater Fund

Operations	\$2,820,581		\$2,820,581
Transfer to Other Funds	\$0	\$4,215	\$4,215
Transfer to Capital Fund	\$850,000		\$850,000
Ending Balance	498,004		498,004
Total	\$4,168,585	\$4,215	\$4,172,800

Fleet Services Fund

Operations	\$6,811,692	\$376,078	\$7,187,770
Debt Service	465,235		465,235
Ending Balance	1,794,290		1,794,290
Total	\$9,071,217	\$376,078	\$9,447,295

City Capital Projects Fund

Capital Outlay	\$23,887,670	\$1,715,967	\$25,603,637
Ending Balance	0		0
Total	\$23,887,670	\$1,715,967	\$25,603,637

Schools Capital Projects Fund

Capital Outlay	\$2,080,000	\$115,370	\$2,195,370
Ending Balance	0		0
Total	\$2,080,000	\$115,370	\$2,195,370

And, BE IT RESOLVED that the funds shall be used as identified in Attachment A.

Introduced: October 10, 2017

Adopted: November 14, 2017

Certified: _____
Clerk of Council

133K

REVISED ATTACHMENT A

**FY 2018 First Quarter Adjustment
SUMMARY BY FUND**

	Expenditures	Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/ Assigned Fund Balance
GENERAL FUND	389,720 396,220	66,621	231,879	91,220 97,720
CITY/FEDERAL/STATE AID FUND	36,390	33,993	-	2,397
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND	681	(208)	-	889
FORFEITED ASSETS FUND	50,803	-	-	50,803
LYNCHBURG EXPRESSWAY APPEARANCE FUND (LEAF)	14,000	-	-	14,000
HOME INVESTMENT TRUST FUND	(16,942)	(16,942)	-	-
TECHNOLOGY FUND	343,583	77,946	-	265,637
CITY CAPITAL PROJECTS FUND	1,715,967	1,715,967	-	-
SCHOOLS CAPITAL PROJECTS FUND	115,370	115,370	-	-
STORMWATER CAPITAL PROJECTS FUND	4,215	-	-	4,215
FLEET SERVICES FUND	376,078	-	-	376,078
	\$3,029,865			\$805,239
TOTALS	\$3,036,365	\$1,992,747	\$231,879	\$811,739

FY 2018 First Quarter Adjustment Details

REVISED ATTACHMENT A

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	
GENERAL FUND					
Council/Manager Offices	549		549		Remaining funds from fundraiser in FY 2012 for United Way Campaign expenses.
Fire	5,000	5,000			Request for City Council to appropriate funds from the Fire Foundation into the Fire Department FY 2018 General Fund budget to assist in purchasing a CAD interface for the PulsePoint program.
Human Resources	50,000		50,000		Carry forward City Manager's Discretionary Funds for the Compensation Study.
Human Resources - Non-Departmental	8,137		8,137		Carry forward unspent vending machine proceeds to fund employee recognition events.
Library	2,500		2,500		Request to fund a security firewall installation and subscription for our public Wi-Fi to prevent Copyright violations that have occurred on our Comcast Wi-Fi.
Parking	10,000 16,500			10,000 16,500	To appropriate funds from the Parking Reserve for the Criminal Justice Academy rent <u>(\$10,000)</u> and enforcement <u>(\$6,500)</u> for the 12th Street parking lease.
Parks and Recreation	25,820	18,915	6,905		To appropriate funds for the unspent balance of the We Got The Beet campaign funded by the Health Department.
Police - Range	3,274			3,274	To appropriate funds from the Assigned Police Range Operations Reserve for law enforcement supplies.
Poverty Initiative	48,771	100	48,671		Request to carry forward remaining FY 2017 Poverty Initiative Funds including \$100 Honoraium received in FY 2018.
Public Works	42,606	42,606			Request to adjust the FY 2018 budget based on Virginia Department of Transportation (VDOT) lane mileage reimbursement rate changes and overweight permit fee revenues.

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	
TRANSFERS					
Transfer to City/Federal/State Aid Fund from General Fund Operating Budget	7,529		7,529		Transfer from General Fund to City/Federal State Aid Fund to appropriate the amount collected from a percentage of Amusement Tax in the Arts and Cultural District that relates to the Arts Grant.
Transfer to City/Federal/State Aid Fund from General Fund Operating Budget	4,215		4,215		Transfer from General Fund to City/Federal State Aid Fund to appropriate funds for the Hazardous Materials Emergency Planning (HMEP) Grant award. The letter was corrected, the 20% local match needed is actual cash and not an in-kind match. Using FY 2017 funds for accounting purposes.
Transfer from City/Federal/State Aid Fund to General Fund Operating Budget	(2,397)		(2,397)		Transfer to General Fund from City/Federal State Aid Fund to appropriate the overmatch from the Rescue Squad Assistance Fund (RSAF) Grant Program to the Assigned Fire Equipment Reserve.
Transfer to Technology Fund from Information Technology General Fund Operating Budget	77,946			77,946	Transfer from General Fund to Technology Fund of non-personnel unexpended funds to the Technology Fund per June 2000 Council approved Information Technology Policy.
Transfer to Schools Capital Projects Fund from Schools - General Fund	47,370		47,370		Transfer from General Fund - Schools Operating to Schools Capital Projects Fund for the completed work on the E. C. Glass baseball field funded with school operating funds. This will record the project in the Schools Capital Projects Fund.
Transfer to Schools Capital Projects Fund from Schools - General Fund	55,400		55,400		Transfer from General Fund - Schools Operating to Schools Capital Projects Fund for the completed installation of the Laurel Playground equipment funded with Laurel operating funds. This will record the project in the Schools Capital Projects Fund.
Transfer to Schools Capital Projects Fund from Schools - General Fund	3,000		3,000		Transfer from General Fund - Schools Operating to Schools Capital Projects Fund for the completion of a chemical cleanout as part of the Heritage High School demolition funded by a grant. This will record the project in the Schools Capital Projects Fund.

GENERAL FUND

FY 2018 Additional Revenues	\$ 66,621
Amount Funded with Use of FY 2017 Unassigned Year End Fund Balance	231,879
Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance	91,220 97,720
GENERAL FUND Appropriation Total	\$ 389,720 \$ 396,220

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	
CITY/FEDERAL/STATE AID FUND					
Community Corrections and Pre-Trial Services	5,389	5,389			True-up the FY 2018 grant award from Department of Criminal Justice Services (DCJS); during the City budget process \$496,822 was appropriated, \$502,211 was awarded in July 2017.
Economic Development	(500)	(500)			True-up the Arts and Cultural District grant to reflect the actual award of FY 2018 State funding.
Economic Development	7,529	7,529			Transfer to City/Federal State Aid Fund from General Fund to appropriate the amount collected from a percentage of Amusement Tax in the Arts and Cultural District that relates to the Arts Grant.
Emergency Services	8,430	8,430			Transfer to City/Federal State Aid Fund from General and Stormwater Fund to appropriate funds for the Hazardous Materials Emergency Planning (HMEP) Grant award. The letter was corrected, the 20% local match needed is actual cash and not an in-kind match. Using FY 2017 funds for accounting purposes.
Fire	3,282	3,282			True-up the Fire Program Grant (4-for-Life) funding, during the FY 2017 budget process \$53,000 was appropriated, \$56,282 was received in June 2017.
Fire	5,228	5,228			True-up the Fire Program Grant funding (Fire Funding), during the FY 2017 budget process \$240,000 was appropriated, \$245,228 was received in June 2017.
Fire	2,635	2,635			True-up the Fire Program Grant funding (Fire Funding), during the FY 2018 budget process \$250,000 was appropriated, \$252,635 was received in June 2017.
Fire	2,397			2,397	Transfer from City/Federal State Aid Fund to General Fund to appropriate the overmatch from the Rescue Squad Assistance Fund (RSAF) Grant Program to the Assigned Fire Equipment Reserve.
Public Works	2,000	2,000			To appropriate grant funds received from the Virginia Municipal League (VML) for safety supplies, award date August 25, 2017.
CITY/FEDERAL/STATE AID FUND Total			\$ 36,390		

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUND					
Community Development	(208)	(208)			True-up the FY 2018 grant award; during the City budget process \$662,772 was appropriated, \$662,564 was awarded in June 2017.
Community Development	889			889	To appropriate budget for the US Bank Custodial Fees for the Bluffwalk bank account. This amount was not included in the 2018 budgeted amount.

CDBG FUND Total	\$	681
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FORFEITED ASSETS FUND

Commonwealth's Attorney Office	37,283			37,283	To appropriate Asset Forfeiture revenues received.
Police Department	13,520			13,520	To appropriate Asset Forfeiture revenues received.

FORFEITED ASSETS FUND Total	\$	50,803
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LYNCBURG EXPRESSWAY APPEARANCE FUND (LEAF)

Public Works	14,000			14,000	Appropriate additional funding based on historical spending.
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LYNCBURG EXPRESSWAY APPEARANCE FUND (LEAF)	\$	14,000
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HOME INVESTMENT TRUST FUND

Community Development	(16,942)	(16,942)			True-up the FY 2018 grant award; during the City budget process \$317,893 was appropriated, \$300,951 was awarded in June 2017.
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HOME INVESTMENT TRUST FUND Total	\$	(16,942)
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Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	
TECHNOLOGY FUND					
Information Technology	3,600			3,600	To fund the cost of replacing obsolete Voice over Internet Protocol phone sets required to complete an upgrade. This was an unanticipated equipment upgrade.
Information Technology	12,104			12,104	To provide contingency funding for building maintenance and furnishings needs.
Information Technology	65,510			65,510	Year 2 of a multi-year project for building modifications to the Young Place facility
Information Technology	25,000			25,000	Continued design & implementation of various modules within our Service Desk software platform
Information Technology	8,666			8,666	Adding an additional image capture of curb and gutter to the Planimetrics to enhance the impervious surface capture and improve stormwater management capabilities.
Information Technology	27,757			27,757	Ongoing enhancements to the New World Logos system. Funds are to be used for custom reports and custom work on various modules.
Information Technology	50,000			50,000	A planned major upgrade to the application platform, Trak-it to version 9 that did not start in FY17 as anticipated. Trak-it is the business application that primarily serves the Community Planning Department.
Information Technology	73,000			73,000	Upgrades to the Outlook client for Office 365 users
Information Technology	77,946	77,946			Transfer to Technology Fund from General Fund for non-personnel unexpended General Fund balance.

FY 2018 Additional Revenues	\$ 77,946
Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance	265,637
TECHNOLOGY FUND Total	\$ 343,583

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	
CITY CAPITAL PROJECTS FUND					
Public Works - Engineering	1,730,000	1,730,000			To appropriate Appropriate funds to equal the Fiscal Year 2018 Virginia Department of Transportation (VDOT) Revenue Share awarded amount for the Liberty University Intramural Field Road, Phase III project. No City Funds are requested; amount of the local match is a Liberty University contribution. CIP sheet for this project was different from the VDOT application.
Public Works - Engineering	(14,033)	(14,033)			Rescind unused Highway Safety Improvement Program (HSIP) funds (90/10 split) in the Wards Road Pedestrian Fencing project. Recently determined VDOT shows no funds on this project.
FY 2018 Additional Revenues		\$ 1,715,967			
CITY CAPITAL PROJECTS FUND Total		\$ 1,715,967			

SCHOOLS CAPITAL PROJECTS FUND

Transfer to Schools Capital Projects Fund from Schools - General Fund	47,370	47,370			<i>Transfer to Schools Capital Projects Fund from General Fund - Schools Operating</i> for the completed work on the E. C. Glass baseball field funded with school operating funds. This will record the project in the Schools Capital Projects Fund.
Transfer to Schools Capital Projects Fund from Schools - General Fund	55,400	55,400			<i>Transfer to Schools Capital Projects Fund from General Fund - Schools Operating</i> for the completed installation of the Laurel Playground equipment funded with Laurel operating funds. This will record the project in the Schools Capital Projects Fund.
Transfer to Schools Capital Projects Fund from Schools - General Fund	3,000	3,000			<i>Transfer to Schools Capital Projects Fund from General Fund - Schools Operating</i> for the completion of a chemical cleanout as part of the Heritage High School demolition funded by a grant. This will record the project in the Schools Capital Projects Fund.
Schools	9,600	9,600			To appropriate funds received from the Rooftop Lease agreement for a cell tower on top of Dunbar Middle School.
FY 2018 Additional Revenues		\$ 115,370			
SCHOOLS CAPITAL PROJECTS FUND Total		\$ 115,370			

Department/Division	Amount	Source of Funding			Purpose
		Additional Revenues	Use of Unassigned Fund Balance	Transfer or Use of Committed/Assigned Fund Balance	
STORMWATER FUND					
Transfer to City/Federal/State Aid Fund from Stormwater Fund Budget	4,215			4,215	Transfer from Stormwater Fund to City/Federal State Aid Fund to appropriate funds for the Hazardous Materials Emergency Planning (HMEP) Grant award. The letter was corrected, the 20% local match needed is actual cash and not an in-kind match. Using FY 2017 funds for accounting purposes.
Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance				4,215	
STORMWATER FUND Total				\$	4,215
FLEET SERVICES FUND					
Fleet Services	236,078			236,078	To purchase a replacement for the 2016 Freightliner Street Sweeper (EMIS 3455) that caught on fire.
Fleet Services	90,000			90,000	To purchase Fleet Management Information System software to interact with Automatic Vehicle Locator software.
Public Works	50,000			50,000	Request to purchase an Automatic Vehicle Locator system with savings from the Fleet Fund. Cost includes the initial equipment purchase as well as a monthly software fee for approximately 40 vehicles. By implementing this pilot program Public Works expects to increase efficiency and customer service.
Amount Funded with a Transfer of Use of Committed or Assigned Fund Balance				376,078	
FLEET SERVICES FUND Total				\$	376,078

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **19**

CONSENT:
ACTION: **X**

REGULAR: **X**
INFORMATION:

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Proposed Virginia Department of Transportation (VDOT) Grant Funding for FY 2019 & FY 2020

KEY ELEMENTS:

☒ Economic Development ☐ Excellent Government ☒ Natural and Built Environment ☒ Safe Community ☐ Vibrant Community

RECOMMENDATION: Council approval of a resolution of support for the following revenue sharing, highway safety improvement and transportation alternatives projects as well as request a resolution of support from the Central Virginia Metropolitan Planning Organization.

SUMMARY: Staff compiled these projects from the Capital Improvement Plan as well as adopted corridor studies.

PRIOR ACTION(S): Physical Development Committee September 26, 2017
Inclusion in FY 2018-FY 2022 Capital Improvements Plan

FISCAL IMPACT: Requires matching funds of 50% for Revenue Sharing, and 20% for HSIP and TAP.
Requires funding for VDOT review and administrative charges.

CONTACT(S): Don DeBerry, City Transportation Engineer – 455-3935
Andrew Reeder, Parks & Recreation Manager – 455-5876
Lee Newland, City Engineer – 455-3947
David Owen, Parks & Recreation Project Manager – 455-5879
Gaynelle Hart, Director Public Works – 455-4406
Jenny Jones, Director Parks and Recreation – 455-5868

ATTACHMENT(S): Resolution; Grant application listing

REVIEWED BY: bms

A RESOLUTION BY THE COUNCIL OF THE CITY OF LYNCHBURG, VIRGINIA,
ENDORISING THE REVENUE SHARING, TRANSPORTATION ALTERNATIVES AND
HIGHWAY SAFETY IMPROVEMENT PROGRAM APPLICATIONS

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution of support be received from the local jurisdiction requesting the Virginia Department of Transportation (VDOT) establish and fund projects in the City of Lynchburg.

NOW, THEREFORE, BE IT RESOLVED, that the City of Lynchburg does support and requests the Commonwealth Transportation Board to establish and fund, for any successful program application and all stages of construction, the projects as listed in the agenda item titled "*Proposed Transportation Grant Funding for FY 2019 & 2020*" for any of the programs including Revenue Sharing, Transportation Alternatives or the Highway Safety Improvement Programs.

BE IT FURTHER RESOLVED THAT: The City of Lynchburg hereby agrees to provide its share of the total cost for preliminary engineering, right-of-way and construction of these projects in accordance with the project financial documents.

BE IT FURTHER RESOLVED THAT: The City of Lynchburg hereby agrees to enter into project administration agreements with VDOT and provide the necessary oversight to ensure the projects are developed in accordance with all applicable federal, state and local requirements for design, right-of-way acquisition, and construction of the projects.

BE IT FURTHER RESOLVED THAT: The City of Lynchburg will be responsible for maintenance and operating costs of the facilities as constructed unless other arrangements have been made with VDOT.

BE IT FURTHER RESOLVED THAT: If the City of Lynchburg subsequently elects to cancel any of the projects, the City of Lynchburg hereby agrees to reimburse VDOT for the total amount of costs expended by VDOT through the date VDOT is notified of such cancellation. The City of Lynchburg also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration or VDOT.

BE IT FURTHER RESOLVED THAT: The Council of the City of Lynchburg hereby grants authority for the City Manager to apply for funds and execute project administration agreements, as well as other documents necessary for approved projects.

Adopted:

Certified: _____
Clerk of Council

Grant application listing

Revenue Share - VDOT portion only	FY 2019	FY 2020
Downtown Streetscape (<i>Court Street from 5th to 9th St. plus 6th St. and 7th St. from Court St. to Church St. for a total of 6 blocks, or Commerce Street from 5th to 9th St. and 7th and 8th St. from Main St. to Commerce St. for a total of 6 blocks, to be determined by public meeting prior to 10/31/17</i>)	\$1,250,000	
John Capron Road Extension	1,750,000	500,000
Link Road Bridge		750,000
Fifth Street Phase IV - Taylor Street to Railroad Bridge		2,000,000
501/221 One-Way Pair (Design/Right of way)	2,000,000	
Florida Avenue Sidewalk (Environmental/Design/Right of way)		1,750,000
TOTAL	\$5,000,000	\$5,000,000
Total CITY Match needed (50/50 match)	\$5,000,000	\$5,000,000
Total Appropriation - Grant and City combined	\$10,000,000	\$10,000,000
Transportation Alternatives Program (TAP) - application request only	FY 2019	FY 2020
Bikeway Bridge to Linkhorne Renovations (Parks & Recreation project)	300,000	
Atlanta Avenue Trail Design/Right of way		350,000
TOTAL	\$300,000	\$350,000
Total CITY Match needed (80/20 match)	\$75,000	\$87,500
Total Appropriation - Grant and City combined	\$375,000	\$437,500
Highway Safety Improvement Program (HSIP) - application request only	FY 2019	
Graves Mill Road Adaptive Signals - Systemic	\$400,000	
Nationwide Drive Roundabout & Ped improvements - Bike Ped	1,500,000	
Pedestrian Improvements - Old Forest Road - Bike/Ped	800,000	
Kemper Street - Bike/Ped (approved for HSIP funding in FY 2020)	300,000	
TOTAL	\$3,000,000	
Total CITY Match needed (80/20 match)	\$750,000	
Total Appropriation - Grant and City combined	\$3,750,000	

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **October 10, 2017**

AGENDA ITEM #: **20**

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

ACTION: **X**

INFORMATION:

(Confidential)

ITEM TITLE: Amending the City's ordinance regulating assemblies and demonstrations

KEY ELEMENTS:

___Economic Development ___Excellent Government ___Natural and Built Environment XSafe Community ___Vibrant Community

RECOMMENDATION: Adopt the attached ordinance amending Sections 25-375.1, 25-375.2, 25-375.4, 25-375.8, and 25-375.10 of the City Code to restrict weapons at assemblies and demonstrations.

SUMMARY: As a result of the violence that occurred during the August 12 demonstrations in Charlottesville, localities are reviewing and amending their ordinances regulating assemblies and demonstrations to prohibit the participants in such activities from possessing items such as bats, clubs, chemical irritant sprays, shields, torches, etc. in order to reduce the possibility of violence at assemblies and demonstrations. While citizens have a constitutional right to engage in peaceful assemblies and demonstrations, the prohibition of weapons does not violate the participants' constitutional rights. The proposed amendments to the City Code do not prohibit the possession of firearms at assemblies and demonstrations because in 2002 the General Assembly adopted legislation (Section 15.2-915 of the State Code) which prohibits localities from adopting ordinances, regulations, etc. prohibiting the possession of firearms in public buildings and public places.

PRIOR ACTION(S): The City ordinance regulating assemblies and demonstrations was last amended on January 14, 2003.

FISCAL IMPACT: None

CONTACT(S): Walter Erwin, City Attorney's Office, 455-3973

ATTACHMENT(S): An ordinance amending Sections 25-375.1, 25-375.2, 25-375.4, 25-375.8, and 25-375.10 of the City Code.

REVIEWED BY:

AN ORDINANCE TO AMEND AND REENACT SECTIONS 25-375.1, 25-375.2, 25-375.4, 25-375.8, AND 25-375.10 OF THE CODE OF THE CITY OF LYNCHBURG, 1981, THE AMENDED SECTION RELATING TO THE REGULATION OF ASSEMBLIES, DEMONSTRATIONS AND PARADES WITHIN THE CITY.

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

1. That Sections 25-375.1, 25-375.2, 25-375.4, 25-375.8, and 25-375.10 of the Code of the City of Lynchburg, 1981, be and the same are hereby amended and reenacted as follows:

Sec. 25-375.1. - Definitions.

The following terms shall have the meanings set out herein:

(a) "Parade" means any march, demonstration, procession or motorcade consisting of people, animals, or vehicles, or a combination thereof upon the streets, sidewalks or other public areas within the city with an intent or likely effect of attracting public attention that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic upon the streets, sidewalks, or other public property.

(b) "Picket" means anyone who participates in a public assembly, demonstration, march, parade, picket line, procession, rally, or spontaneous event on the streets, sidewalks, or other public areas of the city, either as an individual or as part of a group.

~~(bc)~~ "Public assembly" means any meeting, demonstration, picket line, rally or gathering of more than ten people for a common purpose as a result of prior planning that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic upon the streets, sidewalks, or other public property within the city or that interferes with or has a tendency to interfere with the normal use of any public property in a place open to the general public.

~~(ed)~~ "Spontaneous event" shall mean an unplanned or unannounced coming together of people, animals or vehicles in a parade or public assembly which was not contemplated beforehand by any participant therein and which is caused by or in response to unforeseen circumstances or events occasioned by news or affairs first coming into public knowledge within five days of such parade or public assembly.

Sec. 25-375.2. - Permit required.

(a) It shall be unlawful for any person to conduct or participate in a public assembly, demonstration or parade on the public streets, sidewalks, or other public property of the city in a place open to the general public for which a written permit has not been issued in accordance with the provisions of this article.

(b) The provisions of this permit shall not apply to:

- (1) Spontaneous events;
- (2) Recreational activities, including jogging or walking, that do not require closing public streets or other public streets or other public rights-of-way and that do not interfere with or have a tendency to interfere with the normal use of any public property in a place open to the general public;
- (3) Door-to-door advocacy, including canvassing, pamphleteering, religious or political proselytizing and the distribution of written materials, and similar activities that do not interfere with or have a tendency to interfere with the free passage of pedestrians and vehicles on the public rights-of-way or the normal use of any public property in a place open to the general public;

- (4) Door-to-door sales of goods or services, and similar activities that do not interfere with or have a tendency to interfere with the free passage of pedestrians and vehicles on the public rights-of-way or the normal use of any public property in a place open to the general public; provided, however, that any persons or organizations engaging in such activities shall comply with any other applicable requirements of the City Code;
- (5) Funeral processions;
- (6) Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;
- (7) The United States army, navy, air force and coast guard, the military forces of the state and the police and fire divisions of the city;
- (8) A governmental agency/agencies acting within the scope of its functions;
- (9) Park and recreation areas that are regulated by the city's division of parks and recreation. Permits for a public assembly, demonstration, or parade in parks and recreation areas shall be issued in accordance with the guidelines contained in this article and participants in such activities are subject to the restrictions of section 25-375.10(d) of this article; or
- (10) Areas at the Lynchburg Regional Airport that are regulated by the airport manager.

(c) Permits may be granted if they are requested by individuals or organizations who desire to have a permit, even though the permit is not required under this section.

Sec. 25-375.4. - Issuance or denial of permit.

- (a) The chief of police, or his designee, shall issue the permit within three days of receipt of the completed application, and in any event prior to the scheduled parade or public assembly if the proposed parade or public assembly will not endanger the public health, welfare or safety, applying the following criteria and finding that:
- (1) The time, duration, route and size of parade or assembly will not unreasonably interrupt the safe and orderly movement of vehicular or pedestrian traffic or the normal use of public property in a place open to the general public;
 - (2) The parade or assembly is not of such a nature that it will require diversion of so great a number of police and fire personnel to properly police the line of movement in the areas contiguous thereto so as to impair the normal protection of the remainder of the city;
 - (3) The applicant has, where appropriate, designated monitors sufficient to control the orderly conduct of the parade or assembly in conformity with such permit;
 - (4) The conduct of the parade or assembly will not unduly interfere with the proper fire and police protection of, or ambulance service to, the remainder of the city, or unreasonably disrupt other public services and protection normally provided to the city;
 - (5) The parade or assembly will not interfere with another parade or assembly for which a permit has been granted; and

(6) The parade or assembly proposed will not violate, and will conform with all applicable state regulations and laws governing the proposed event.

(b) For parades or public assemblies held on a regular or recurring basis at the same location, an application for an annual permit covering all such parades or assemblies during the calendar year may be filed with the chief of police, or his designee, at least five and not more than 60 days before the date and time at which the first such parade or public assembly is proposed to commence. The chief of police, or his designee, may and shall make reasonable efforts to waive the minimum five-day period after due consideration of the factors specified in subsection (c) in the previous section.

(c) If the chief of police, or his designee, denies an application, he shall promptly attempt to call and will promptly mail to the applicant a notice of his action, stating the reasons for his denial of the permit, and notifying the applicant of his right to appeal the denial pursuant to section 25-375.9 of this article.

(d) If two or more applications are submitted requesting a permit under this article for a parade or assembly to be used at the same time and place, the application first filed shall be granted if it meets the requirements of this article;

(e) If persons promoting different objectives, causes, actions, or policies desire to use a street, sidewalk, or public area for which a permit has already been issued, the chief or police, or his designee, shall allot a number of pickets promoting each objective to use such street, sidewalk or public area on an equitable basis, proportionate to the number of objectives being promoted. The chief of police, or his designee, may also physically separate groups of persons promoting different causes through the use of barricades or similar devices, or assign each group of persons designated areas in which to promote their different objectives, causes, actions, in order to promote the public safety by keeping such groups apart from one another.

(ef) Nothing in this article shall permit the chief of police, or his designee, to deny a permit based upon political, social or religious grounds or reasons or based upon the content of the views expressed. Denial of a permit on such grounds is prohibited.

Sec. 25-375.8. - Revocation of permit and authority to disperse crowds.

(a) The chief of police, or his designee, shall have the authority to revoke any permit issued pursuant to this article if any information supplied by the applicant is discovered to be false or intentionally misleading or if any term, condition, restriction or limitation of the permit has been substantially violated or if there is any continued violation of the terms, conditions, restrictions or limitations of the permit after the applicant or anyone acting in concert with him is notified of a violation of the permit by an appropriate law enforcement official.

(b) City police officers may, in the event of an assemblage of persons who attempt to intimidate pickets pursuing their lawful objective through conduct having a direct tendency to cause acts of violence by the person or person at whom such conduct is directed, or through the use of violent abusive language in a manner reasonably calculated to provoke a breach of the peace, direct the dispersal of the persons so assembled and may arrest any person who fails to absent himself or herself from the place of assemblage when so directed by the police.

Sec. 25-375.10. - Public conduct during parades, demonstrations, assemblies and spontaneous events.

(a) *Interference.* No person shall unreasonably hamper, obstruct, impede or interfere with any parade, demonstration or assembly or with any person, vehicle or animal participating or used in a parade, demonstration or assembly for which a written permit has been issued in accordance with the provisions of this article.

(b) *Driving through parades.* No driver of a vehicle shall drive between the vehicles, persons or animals comprising a parade, demonstration or assembly or funeral procession except when otherwise directed by a police officer. This shall not apply to authorized emergency vehicles.

(c) *Parking on parade, demonstration or assembly route.* The chief of police, or his designee, shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along the public streets or public rights-of-way constituting a part of the route of a parade, demonstration or assembly. The chief of police, or his designee, shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this article.

(d) No person who participates in an assembly, demonstration, march, parade, picket line, procession, rally, or spontaneous event on the streets, sidewalks, or other public areas within the city shall (i) carry bats, clubs, or similar items, (ii) wear masks as prohibited by Section 18.2-422 of the Virginia Code, (iii) carry chemical irritant sprays or caustic substances, (iv) carry shields, (v) carry torches or any other burning substances attached to a stick or rod (candles are permitted), (vi) wear a helmet (unless riding a motorcycle, bicycle, or similar device in a parade or procession), (vii) carry aerosol containers that can be used as incendiary devices, or (viii) carry any item that can be used as a projectile. It is permissible to carry written or printed placards, signs, flags, banners, etc., but such items shall not be attached to poles or rods.

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

Adopted: October 10, 2017

Certified: _____
 Clerk of Council