

// A regular meeting of the Council of the City of Lynchburg was held on the 23rd day of September, 2008, at 5:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. Vice Mayor Dodson gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Absent: 0

// City Council recognized the Lynchburg Rotary Club Open World Delegation of Russian educators who are visiting area schools and colleges.

// Copies of the minutes of the August 12 (two meetings), 2008 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Perrow, seconded by Council Member Garrett, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

// In the matter of Community Planning - Zoning, City Council Report #2 regarding a request to approve a third and final extension of the Conditional Use Permit (CUP) to Bountiful Blessings Church to allow the construction of a new sanctuary with associated parking was considered. City Planner Tom Martin provided a brief summary regarding the request, explaining that the City Manager has approved two, six-month extensions of the CUP with the petitioner's understanding that the future sanctuary addition may need to shift away from Langhorne Road to allow for a possible right-of-way acquisition in support of the Midtown revitalization efforts. In response to Council questioning, City Attorney Walter Erwin stated that the petitioner did meet the deadline as outlined in the City Code for submitting the request to the City for a 12 month extension. City Council also discussed what would be the beginning date of the third and final extension of the CUP. Council Member Gillette made a motion, seconded by Council Member Johnson, to grant the third and final extension of the CUP and that the beginning date of the third and final extension of the CUP would be the date of the adoption of the Resolution approving the extension, and Council by the following recorded vote adopted Resolution #R-08-124, as presented, granting a third and final extension of the Conditional Use Permit (CUP) to Bountiful Blessings Church to allow the construction of a new sanctuary with associated parking:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

// In the matter of Community Planning - Zoning, City Council Report #3 regarding a request to place the Conditional Use Permit (CUP) for a Planned Unit Development, Grand Oaks at Boonsboro, 2016, 2020 and 2028 Mimosa Drive, on a future City Council agenda for action was considered. City Planner Tom Martin provided a brief summary regarding the request, explaining that the petitioner, Systematic Concepts, LLC, has submitted a revised site plan proposing the construction of eight single-family detached homes and eighteen single-family attached homes. Mr. Martin also noted that the revised plan provides for a reduced environmental impact by eliminating one road and homes that were proposed on the steepest part of the

site. Several Council Members commented that a new public hearing was needed to give the citizens an opportunity to comment regarding the proposed revisions to the site plan. Council Members discussed possible dates for the public hearing and agreed on November 11. Council Member Johnson informed that he would not be at the November 11 meeting due to his attendance at the National League of Cities meeting, but stated that he would like to be present when the vote is taken on this petition. Vice Mayor Dodson stated that City Council did not have to take action on the petition the same night as the public hearing. On motion of Council Member Perrow, seconded by Council Member Helgeson, Council by the following recorded vote requested staff to schedule a new public hearing for the November 11 Council meeting regarding the petition of Systematic Concepts, LLC, for a Conditional Use Permit (CUP) for a Planned Unit Development, Grand Oaks at Boonsboro, 2016, 2020 and 2028 Mimosa Drive:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

// In the matter of Recreation - General, City Council Report #4 regarding a request to support Lynchburg Grows applying for a grant from the Virginia Land Conservation Foundation for the acquisition and permanent conservation of an urban farm was considered. Parks and Recreation Director Kay Frazier provided a brief summary regarding the request, explaining that Lynchburg Grows is requesting the funding to retire the remaining debt for their purchase of the H.R. Schenkel property and that the application requires placing a conservation easement on the property which will be held by the City. Ms. Frazier explained that a conservation easement ensures that the property will remain as open space for park or farm in perpetuity. Ms. Frazier went on to say that the Department of Parks and Recreation works in partnership with Lynchburg Grows to provide environmental and recreation programs and has a mutual interest in development of the urban farm, remediation of the Allen Morrison property and development of City Stadium Park and that conserving the Lynchburg Grows' property as open space is beneficial to the neighborhood and supports efforts to plan for future improvements to City Stadium and development of the Allen Morrison property into a City park. Lynchburg Grows Executive Director Michael Van Ness along with its President Dereck Cunningham provided information and asked for approval of the request. On motion of Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote adopted Resolution #R-08-125, as presented, to support Lynchburg Grows applying for a grant from the Virginia Land Conservation Foundation for the acquisition and permanent conservation of an urban farm, and agreeing that the City will serve as holder of a conservation easement on the urban farm to preclude any incompatible development in perpetuity:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster 7

Noes: 0

// In the matter of Community Planning - General, City Council Report #5 regarding a request to support a Highway-Rail Grade Crossing Safety Grant for the rail crossing on Forest Brook Road was considered. City Traffic Engineer Gerry Harter provided a brief summary regarding the request. Council Member Helgeson,

Chair of the Finance Committee, stated that the request was considered by the Finance Committee and made a motion to approve the request. The motion did not require a second, and Council by the following recorded vote adopted Resolution #R-08-126, as presented, to support a Highway-Rail Grade Crossing Safety Grant request for Rail Crossing Number 468343C N209.2 at Forest Brook Road:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Perrow, Foster

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Noes:

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// The meeting was adjourned at 5:39 P.M.

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Clerk of Council