

**LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE
Tuesday, December 11, 2012
9:00 a.m.**

Information Items

Recent/Pending Contract Awards

Project/Phase	Contractor/Consultant	Budgeted Amount	Contract Amount
Fort Avenue and Edgewood Avenue Traffic Signalization	J. B. Moore Electrical Contractor, Inc.	\$145,000.00	\$125,050.50
Brush and Tree Reduction Project	Santee Modular Homes, Inc.	\$350,000.00	\$340,000.00

Update on priority projects – see attached.

General Business

1. Liberty University (LU) Vehicular Tunnels at Harvard Street and Wards Road Lee Newland
2. Right-of-Way Vacation – Between Whitehall Road and Lakeside Drive Tom Martin
3. Contract Change Order – Northwest Expressway Drainage Improvements Lee Newland
4. Roll Call

pc: Kimball Payne, City Manager
Bonnie Svrcek, Deputy City Manager
Council Members
Dave Owen, Director of Public Works
News & Advance
File

Next Meeting: January 8, 2013 – Happy New Year!

Lynchburg Capital Projects (General Fund)

December 11, 2012

Projects of Interest	Status		Notes
Rivermont Ave. Bridge	Construction	July 2012	Substantially Complete; Railing being installed.
Wards Road Pedestrian X-ing 2B	Construction	May 2013	Trail phase 2B Acquiring Easements
Midtown Connector	Construction	March 2015	Under Construction
Greenview Drive Phase 2	R/W	August 2014	Project schedule is dependent on available funds from VDOT. R/W Authorization granted by FHWA. Considering Revenue Sharing Funds
Kemper Street Bridge / Interchange	Design	March 2013	Waiting on VDOT Concurrence Bid: February 2013.
Lower Bluffwalk Phase 1 (lower bluffwalk, 12th St. & Jefferson St. south)	Construction	December 2012	Scheduled for completion in late Fall.
Lower Bluffwalk Phase 2	Bid	October 2012	Evaluating Bids
Memorial - Park - Lakeside Intersection	R/W	April 2013	Working on acquiring R/W .
Multiple Bridge Maintenance Work	Construction	September 2013	Underway
Expressway Drainage	Construction	February 2013	Construction underway
Fifth Street Phase 2 Utilities w/ streetscapes	Construction	June 2013	Project progressing with waterline moving northward. Concrete and storm sewer work also ongoing.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **December 11, 2012 PDC**

AGENDA ITEM NO.:

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Liberty University (LU) Vehicular Tunnels at Harvard Street and Wards Road**

RECOMMENDATION: Hear a request to partner with Liberty University to upgrade and improve the intersection of Harvard Street and Wards Road to accommodate the proposed vehicular tunnels.

SUMMARY: Liberty University has contacted the City regarding their plans to install vehicular tunnels from their campus intersecting Wards Road at the Harvard Street intersection. Liberty University plans to have the tunnels complete and open to traffic by the summer of 2013. To accomplish this change, modifications will be necessary to the traffic signal and widening of the approaches at the intersection. Discussions in the past have been that LU would pay for half of the work and the City would pay the other half, but nothing has been finalized. Due to the aggressive schedule of this work, necessitated by LU's agreement with Norfolk Southern Railroad, and the long delay in the fabrication of traffic signal poles, the design and award of this project would have to begin and the poles ordered by the first of February. The City does not believe it could accommodate this schedule due to procurement requirements that the City would have to follow as well as the availability of resources to perform the work. As such, it has been suggested that LU and the City enter into an agreement similar to the agreement concerning the pedestrian bridge where the City would reimburse LU for the work apportioned to the City. If the Physical Development Committee wants to pursue this option, an agreement could be prepared and would go to City Council in January for their consideration.

Representatives from Liberty University will be in attendance at the December 11, 2012 meeting to discuss their plans.

PRIOR ACTION(S):

None

FISCAL IMPACT:

Funds for the work apportioned to the City would come from Traffic Signal Replacement and Miscellaneous General Street Capital Funds.

CONTACT(S):

Lee Newland, City Engineer - 455-3947
Dave Owen, Director of Public Works – 455-4469

ATTACHMENT(S):

None

REVIEWED BY:

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **December 11, 2012 PDC**

AGENDA ITEM NO.:

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Right-of-Way Vacation – Between Lakeside Drive & Whitehall Road**

RECOMMENDATION: Forward to full Council through the public hearing process for consideration of vacating excess right-of-way and creating a separate parcel of approximately four hundred eleven thousandths (0.411) of an acre.

SUMMARY: The City Manager's Office and the Office of Economic Development are petitioning to vacate excess right-of-way and to create a separate parcel of approximately four hundred eleven thousandths (0.411) of an acre between Lakeside Drive and Whitehall Road. The right-of-way was originally acquired by the Virginia Department of Transportation (VDOT) prior to the 1976 annexation for the construction of a grade separated interchange. In 2006, the City performed a study to evaluate options for the area and adopted a concept for an at-grade improvement, which would not require the subject property for construction. The right-of-way was transferred to the City from VDOT in 2009.

If the parcel is created, it would be marketed for sale. Section 35.1-10 of the *Zoning Ordinance* provides that that where territory is not specifically included in a district it shall automatically be classified as an R-1, Low Density, Single-Family Residential District. Since the property is in a commercial area, Council is requested to initiate proceedings to designate the property as "Regional Commercial" on the *Future Land Use Map* and to amend the zoning to B-5, General Business District.

PRIOR ACTION(S):

December 11, 2012: Physical Development Committee (PDC)

FISCAL IMPACT: None

CONTACT(S):

Marjette Upshur, Director of Economic Development – 455-4492
Kimball Payne, City Manager – 455-3990

ATTACHMENT(S):

- Ordinance
- Plat

REVIEWED BY:

ORDINANCE

AN ORDINANCE TO VACATE FOUR HUNDRED ELEVEN THOUSANDTHS (0.411) OF AN ACRE OF EXCESS RIGHT-OF-WAY.

WHEREAS, the City owns four hundred eleven thousandths (0.411) of an acre of unused, excess right-of-way that is located between Lakeside Drive and Whitehall Road in the City of Lynchburg, Virginia; and

WHEREAS, the Virginia Department of Transportation originally acquired the property in question for the construction of a grade separated interchange and the property consists of the remnants of various parcels of property that were not used by the Virginia Department of Transportation and which the Virginia Department of Transportation subsequently conveyed to the City; and

WHEREAS, the Council of the City of Lynchburg here finds that the City is not currently using the four hundred eleven thousandths (0.411) of an acre of excess right-of-way and has no plans to use such right-of-way in the future; the City's continued ownership of the four hundred eleven thousandths (0.411) of an acre of excess right-of-way is no longer necessary or required for the best interest of the City; and that Council finds that no public inconvenience will result from vacating the four hundred eleven thousandths (0.411) of an acre of excess right-of-way;

NO, 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, that the following described right-of-way be, and the same hereby is, discontinued and vacated, namely:

BEGINNING AT VIRGINIA DEPARTMENT OF HIGHWAYS CONCRETE MONUMENT FOUND, SAID MONUMENT BEING ON A NEW SOUTHERLY RIGHT OF WAY LINE FOR WHITEHALL ROAD, THENCE ALONG SAID NEW LINE SOUTH 71 DEGREES 08 MINUTES 22 SECONDS EAST 228.47 FEET TO A 1/2 INCH REBAR SET; THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 146 DEGREES 48 MINUTES 54 SECONDS, A RADIUS OF 10.00 FEET, A LENGTH OF 25.62 FEET, A CHORD OF 19.17 FEET AND A CHORD BEARING OF SOUTH 02 DEGREES 16 MINUTES 05 SECONDS WEST TO A 1/2 INCH REBAR SET ON A NEW NORTHERLY RIGHT OF WAY LINE FOR LAKESIDE DRIVE; THENCE ALONG SAID NEW LINE SOUTH 75 DEGREES 40 MINUTES 32 SECONDS WEST 221.31 FEET TO A 1/2 INCH REBAR SET; THENCE LEAVING NEW NORTHERLY RIGHT OF WAY LINE OF LAKESIDE DRIVE AND ALONG A NEW LINE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 04 DEGREES 40 MINUTES 46 SECONDS, A RADIUS OF 1537.28 FEET, A LENGTH OF 125.55 FEET, A CHORD OF 125.52 FEET AND A CHORD BEARING OF NORTH 00 DEGREES 08 MINUTES 34 SECONDS WEST TO A 1/2 INCH REBAR SET; THENCE CONTINUING ALONG A NEW LINE NORTH 01 DEGREES 48 MINUTES 30 SECONDS WEST 22.70 FEET TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 0.411 ACRES.

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.

BE IT FURTHER ORDAINED that in so vacating the excess right-of-way, the City hereby creates a separate parcel that will be marketed for sale, that the Clerk of Council is hereby authorized and directed to deliver a dully 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.

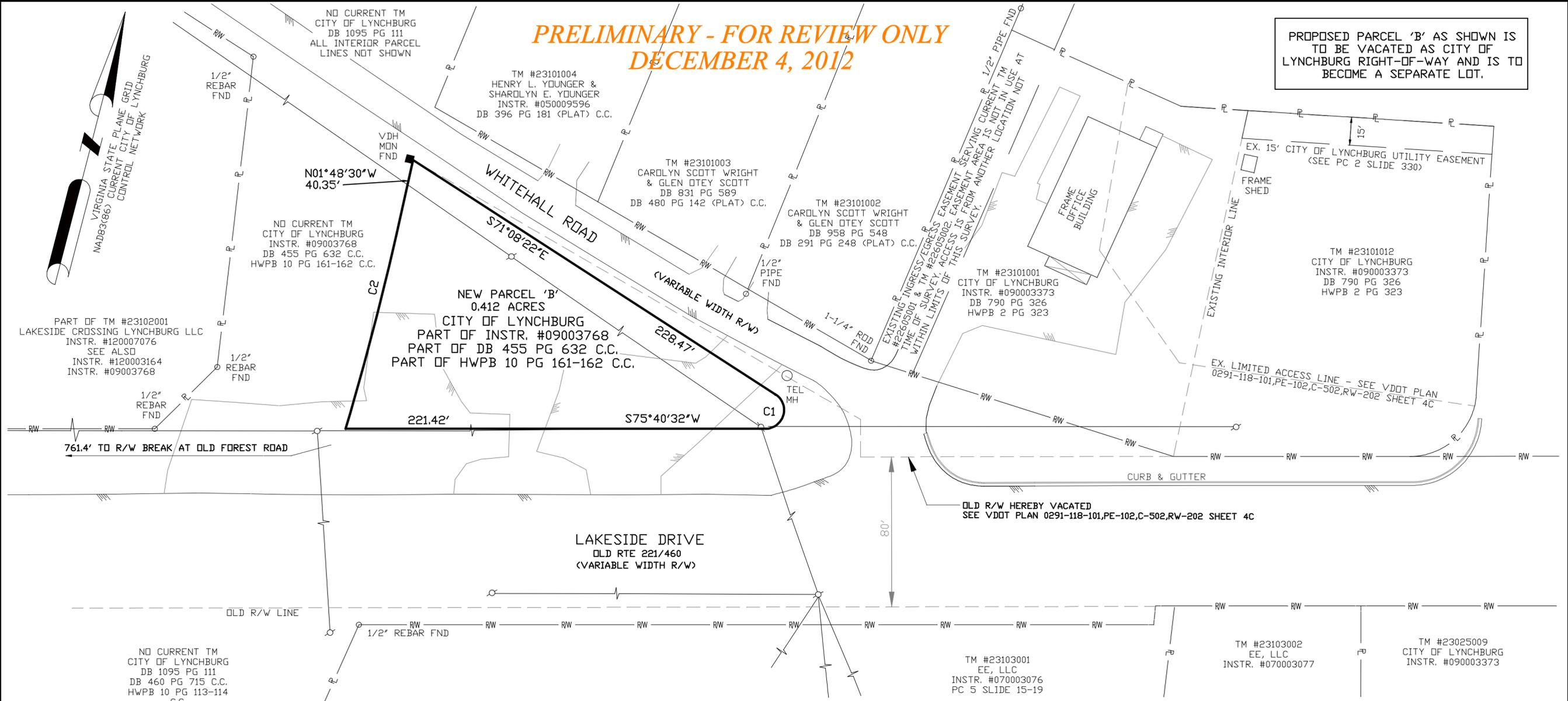
Adopted:

Certified:

Clerk of Council

**PRELIMINARY - FOR REVIEW ONLY
DECEMBER 4, 2012**

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



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

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

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

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

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

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

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

THERE ARE NO NEW UTILITIES PLANNED AT TIME OF SURVEY.

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

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

CITY MANAGER, LYNCHBURG, VIRGINIA

DATE

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

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

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

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

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

SUBDIVISION PLAT APPROVED:

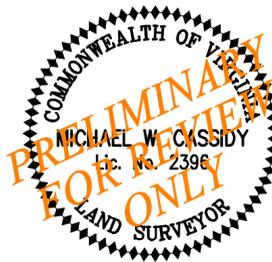
CITY ENGINEER, LYNCHBURG, VA

CITY PLANNER, LYNCHBURG, VA

DATE

DATE

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



PIEDMONT SURVEYORS
3831 OLD FOREST ROAD - SUITE 6
LYNCHBURG, VA 24501
434-426-9510
WWW.PIEDMONTSURVEYORS.COM

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

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

LYNCHBURG CITY COUNCIL

Agenda Item Summary

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CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Contract Change Order – Northwest Expressway Drainage Improvements

RECOMMENDATION: Adopt a resolution to approve a change order up to the amount of \$344,404.34 to continue the improvements along the Northwest Expressway to finish the project.

SUMMARY: The drainage improvement project along the Northwest Expressway (PFC Desmond T. Doss Memorial Expressway) was part of a Revenue Sharing grant that the city received from the Virginia Department of Transportation (VDOT). The total amount of the grant is \$700,000.00 based on an estimated cost of \$660,000.00. The City bid the work out and the project was awarded to Concrete Foundations Inc. The contract is a unit price contract and staff prepared the contract as a minimal plan contract in which quantities were estimated from aerial photography. (No survey measurements were taken.) The original contract amount was \$378,550.00. Due to additional rock, poor soil conditions and actual material quantities, several items are running over in the contract. To be able to complete the project, using all VDOT Revenue Sharing funds, a change order must be executed. Staff also wants to pave the shoulders with any remaining Revenue Sharing funds to prepare the expressway for overlay in the summer.

These drainage improvements will help stabilize the roadway surface, improve the management of stormwater along this corridor and prevent erosion of the shoulder.

PRIOR ACTION(S):

None

FISCAL IMPACT:

Funds for the change order are available from remaining VDOT Revenue Sharing funds on several projects.

CONTACT(S):

Lee Newland, City Engineer - 455-3947
Dave Owen, Director of Public Works – 455-4469

ATTACHMENT(S):

Resolution

REVIEWED BY:

RESOLUTION:

BE IT RESOLVED THAT a change order up to the amount of \$ 344,404.34 is approved to complete the Northwest Expressway Drainage Project as a VDOT Revenue Sharing Project.

Introduced:

Adopted:

Certified: _____
Clerk of Council