

**LYNCHBURG CITY COUNCIL  
PHYSICAL DEVELOPMENT COMMITTEE  
MEETING HIGHLIGHTS  
Tuesday, March 8, 2016  
9:00 a.m.**

**Members:** Council Member Turner Perrow, Chair, Council Member Ceasar Johnson, Council Member Joan Foster

**Staff Present:** Kimball Payne, Bonnie Svrcek, Lee Newland, Gaynelle Hart, Kent White, Donna Witt, Rachel Frischeisen, Maggie Cossman, Anna Bentson, Angie Shepard

**Others Present:** Patrick Proffitt, Joe Archambeault

**Contract Awards:** no contract awards for this month.

**Update on Priority Projects:**

Mr. Newland updated PDC on 3 projects:

--Timberlake/Logans Lane Intersection is on the PDC agenda to discuss today.

--One Way Pairs at 501/221 is on the PDC agenda to discuss today. There has been a little movement on this one with the HB2 submittal.

--Memorial- Park- Lakeside Intersection- getting ready to kick off the project. There will be a *Pardon our Dust* meeting on March 14<sup>th</sup> at the library and hope to get a Notice to proceed on April 4<sup>th</sup>.

The rest of the projects are moving along and underway. Council Member Foster questioned what August 2014 meant in the packet information. Mr. Newland responded this was when they were working with the preliminary design and it was put on hold. We are waiting on House Bill 2, which is the funding from VDOT and haven't gotten the go ahead on that yet.

**General Business:**

1. ***Jackson Street Alley Vacation*** — *Ms. Frischeisen presented that Centra Health, Inc., as contract purchaser on behalf of the current owner, Peak Capital Group, LLC is petitioning to vacate an unnamed alley located between 504 and 508 Jackson Street. The alley extends into 808 5<sup>th</sup> Street. The petitioner is requesting the alley vacation to accommodate the construction of a medical facility in this block. The alley contains a portion of a parking lot. The total area of the proposed vacation is approximately five hundredths (0.05) of an acre.*

Ms. Frischeisen explained this is an alley south of the Fifth Street roundabout, and a parking lot extends across the alley in to several other adjoining parcels. It does not serve as an access to parcels. The alley is aligned with the curb cut and is not accessible from Jackson Street. The petitioner is Centra, who is petitioning for vacation as contract purchaser on behalf of current owner, for the purpose of building a medical facility. Ms. Frischeisen introduced her guests Patrick Proffitt with Hurt and Proffitt and Joe Archambeault with Centra. Mr. Archambeault addressed the committee. He noted that part of Centra's due diligence plan is to build a medical facility to create more community access to improve access to care in the downtown area. Concept plans are being developed now and they are working with City planners. They need to resolve the alley easement in order to close on the property. The proposed medical center would be a 20,000 square foot facility with patient care pods, pharmacy and imaging/lab services to support patient care.

Council Member Foster questioned as to where this site was located. Mr. Newland responded it is the Adams Motor lot. She questioned if this medical facility would work with Johnson Health Center. Mr. Achambeault explained they would work in collaboration with Johnson's Health Center to ensure gaps in service were closed, but not to duplicate services. Council Member Johnson noted former practices held by Dr. Johnson and Dr. Wimbush and the first African American pharmacy in the 5<sup>th</sup> Street corridor and it being a significant area for Centra to bring in the service to improve the quality of life. He feels there is an added incentive with this in having an on-site pharmacy. PDC expressed their enthusiasm about bringing this project to the 5th Street area.

Council Member Perrow made the recommendation to move the item forward to Council with PDC's recommendation.

- 2. Real Estate Property Policy Update** —Volk, LLC has requested a waiver of the weed bills, penalty, and interest for 2006 Tulip Street. The current owner has \$1,361.52 in delinquent property taxes and \$2,668.19 in weed bills, penalty and interest for a total of \$4,029.71. The property is assessed at \$24,800.

Donna Witt, Director of Finance for the City, noted she would like to come back to PDC in April with some considerations on how the current policy. She summarized the current request. Volk, LLC has requested a waiver of the taxes, weed bills, penalty and interest for the property at 2006 Tulip Street. Ms. Witt explained to Volk that she could not waive the taxes, but would find out about the weed bill and penalties. Walter Erwin, City Attorney, showed Ms. Witt the Municipal Property Liens Waive Policy when she approached him about this request. The policy doesn't exactly apply, but is close. In June 2001, City Council adopted a Municipal Property Liens Waiver Policy that states "the City will consider on a case-to-case basis petitions for the waiver of that amount of municipal liens that exceed, the fair market value of real property proposed for purchase by a third party." Even though the assessed value is more than the taxes and fees owed, staff was advised to follow the policy guidelines. The property at 2006 Tulip Street is condemned because it has no water or electricity, but the exterior is compliant. Community Development provided her some information and photos of the property. Volk, LLC wants to buy it for \$6,500. There is \$2,668.19 in the weed bills and penalties they would like to have waived (a total of \$4,029.71 in taxes, weed bills and penalties owed by the current owner). Volk, LLC wants to purchase the property with the intent to renovate it and provide the home at cost to a first time home buyer and his family. This family would then have it and pay the taxes on it.

Council Member Perrow stated there is a lien on the owner, not the purchaser. Ms. Witt emphasized that Volk, LLC wants to get this property in to the hands of someone who will fix it up, take care of it and pay the taxes on the property. If not, the property may end up in auction and the city will have to pay for the legal work and could end up more in the hole. There was some discussion about the the property taxes being collectable for twenty years. Ms. Witt expressed that the current owner will circumvent this and the city still will not be able to get money from them. Getting the property in to the hands of a new owner, it will be fixed up, maintained and taxes paid. Council Member Johnson noted that what he is hearing is this request would get a viable first time homebuyer in the home. He worries about the blight and sees this as an opportunity to bring it in and get it on the books at a quicker rate than leaving it in the hands of the current owner. He is in support of it and feels it is a viable option. Ms. Witt stated that if the property went to auction, the city would probably get less for it. Council Member Foster expressed for clarification purposes that the \$2,668.19 in weed bills and penalties would be the only portion waived, and that the tax portion would not. Ms. Witt confirmed.

PDC's consensus is to forward this item to Council with full recommendation. Ms. Witt stated she would like to bring the policy back to PDC in April to update the policy.

3. **Logans Lane Update-** *Per Council's request, an alternative configuration for the Timberlake- Logans Lane-Route 501 off-ramp has been developed. The alternative configuration includes a roundabout at the off-ramp terminus with a connection to the credit union and adjacent residential area. The Schewel's parcel ties to Logans Lane between the roundabout and Timberlake Road. Permission is required from Schewels to relocate their entrance as shown on the concept. This concept is only viable because the City has approved the purchase of the 7001 Timberlake Road parcel making it available for road construction. This concept has not yet been reviewed by VDOT. Per the project design engineer, a VDOT access management waiver would be required to allow the ramp terminus, which is the roundabout, to be located 500' from the intersection of Logans Lane and Timberlake Road instead of the 1320' required by VDOT standards. The current distance between the off-ramp/Timberlake and Wards Ferry/Timberlake intersection is 290'. The revised concept is an improvement over current conditions. Estimated construction cost is \$3.1M.*

Mr. Newland introduced Maggie Cossman, the new Transportation Engineer for the city. Ms. Cossman explained this project went to Council with recommendation from Council to do an alternative configuration. This new design puts the roundabout closer to 501. Previously there were challenges with putting the ramp on top of the fill area, grade change and the cost of that option was very expensive. With the purchase of property at 7001 Timberlake, it gave some extra room to look at other options. Ms. Cossman explained they took the original roundabout concept and moved closer to Timberlake. Ms. Cossman showed visuals to PDC and explained the new design.

Council Member Johnson inquired about the cost of this configuration versus the previous design. Ms. Cossman noted a cost of \$3 million compared to \$6 million. Council Member Perrow expressed some concern over use of a roundabout and the additional asphalt use. Council Member Foster noted she liked this better with the traffic flow and is cheaper. Ms. Cossman noted they are going to go back and do a complete analysis and make sure the roundabout is the right configuration. Council Member Perrow questioned if the roundabout can be shrunk. Ms. Cossman explained this is in compliance with AASHTO (American Association of State Highway and Transportation Officials) standards and would allow for a semi to get through. He expressed that he is just looking for ways to reduce the asphalt used and is in agreement that this is a great improvement on the last design, and he is just looking at lessening the environmental footprint. Mr. Newland stated that VDOT does not like the possibility of anyone turning the wrong way on the ramp and a roundabout remedies this. It was suggested the alternative be presented to PDC first, then brought back to City Council. Discussion was had among PDC as to the process that would be best for this for proceeding. Ms. Cossman explained they would do the study, present to VDOT for confirmation, and then proceed. Mr. Payne suggested to present to VDOT and make sure it works for them, and then bring back to Council.

PDC agrees with this configuration to be presented to VDOT and then taken to Council.

4. **Right of Way Vacation- Lakeside Drive & Old Forest Road-** *The right of way and parcels were originally acquired by 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 instead of the interchange concept. Some of the reasons were available funding and the likelihood of constructing an interchange in the urban environment of the retail establishments in the area. In 2007, the City of Lynchburg joined the Urban Construction Initiative (UCI) of the Commonwealth of Virginia and took control of the VDOT construction program*

*for the City. The City, as part of the UCI, requested to have any right of way or parcels within the City limits owned by VDOT transferred to the City in 2009. In 2012, Council voted to take the first parcel (Fresh Market Site) through this process and this will clear up the remaining land.*

Mr. Newland stated this is the property around the Fresh Market site. In 2012 City Council voted to take land, clear it up and make it more developable sites. Parcels A, B, C, D, E are part of the right of way that can be developed once the one way pairs go in. They would like to start preparing these lots to be sold, vacate the right or way, combining lots and have them zoned appropriately. Council Member Perrow noted that he has no financial ties or interests of any kind to this but his brother owns some of the properties in this area and he wanted to disclose this. Mr. Payne indicated he wanted to bring this to City Council, asking to vacate, then rezone to B5. Council Member Perrow questioned about the storm water usage for the land. Mr. Newland recommended something different and not to use good, developable land for this and to do storm water elsewhere. Mr. Payne stated they want to make the property available for development for developers. The goal is to create lots, properly zoned and then put on the market. They would want a development plan in place by the developer before selling. A list of restrictions and issues would be created before marketing the property for development.

Mr. Newland would like to take this to full Council with a plan of vacating the right of way and interior property lines and then rezone to B5. Discussion was had about the process and proceeding to a public hearing first and then later proceeding with the vacation.

PDC recommends proceeding with a public hearing at City Council.

**Roll Call:**

Council Member Perrow mentioned an embankment on the backside of Diamond Hill and questioned if planting fruit trees, a sort of community orchard, would be possible. Discussion was had among PDC as to the responsibility of caring for the trees, if other areas could be looked at, what the city could provide and having community involvement. Ms. Hart noted this has been discussed to put in the parks and to talk to Jenny Jones in Parks and Recreation. Council Member suggested exploring the possibilities of use of public space in reducing food insecurities. Council Member Johnson noted this may be a collaborative effort since Ms. Jones is already considering the idea.

Ms. Svrcek noted the need for projection capabilities in the City Manager's conference room and they will look in to this.

**Next meeting:** April 12, 2016