

**LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE
Tuesday, February 11, 2014
9:00 a.m.**

Information Items

Recent/Pending Contract Awards: –

<u>Project/Phase</u>	<u>Contractor/Consultant</u>	<u>Budgeted Amount</u>	<u>Contract Amount</u>
Taylor Street Water Quality Plan and Parking Improvements	Concrete Foundations, Inc.	\$100,000	\$152,560

Update on priority projects – see attached report.

General Business

1. Vacate an alley between 107, 119 & 121 Quinlan Street and 2424 Memphis Avenue Kevin Henry
2. Easement approval for installation of Appalachian Power (AEP) power lines on City-owned property in Campbell County Lee Newland
3. Roll Call

Pc: Kimball Payne, City Manager
Bonnie Svrcek, Deputy City Manager
Council Members
Gaynelle Hart, Director of Public Works
News & Advance
File

Next Meeting: March 11, 2014

Lynchburg Capital Projects (General Fund)

February 11, 2014

Projects of Interest	Status		Notes
Timberlake / Logan's Lane Intersection	Design	July 2014	Preliminary Design - Public Meeting Held - Interchange Modification Report Submitted to VDOT - Waiting on VDOT Response
Wards Road Pedestrian X-ing 2B	Construction	May 2014	Trail Phase 2B - Project Notice to Award - Pre-Construction being Scheduled
Midtown Connector	Construction	March 2015	Under Construction - Fort / Park Avenue Open - Working on Langhorne
Greenview Drive Phase 2	R/W	August 2014	Project to be Included in P3 RFP with VDOT - Revenue Sharing Funds Awarded
Kemper Street Bridge / Interchange	Design	March 2013	Bids Due January 17th. - Bids were over Budget. Performing Value Engineering to be able to re-bid.
Signal Improvements - Edgewood/Fort, University/Evans & Oak/Rivermont	Construction	December 2013	Complete
Lower Bluffwalk Phase 2	Construction	October 2014	Underway
Memorial - Park - Lakeside Intersection	R/W	April 2013	Utility Relocations Underway - Project Advertised - Bids Due February 26.
Miller Center Renovations	Construction	August 2014	Construction on Building Going Well and on Schedule. Parking Lot Construction has Been Slowed Due to Weather.
Odd Fellows Road - P3	Advertising	February 2014	Proposal Being Considered By VDOT - Hope to Advertise by Late February
Lakeside Drive Improvements @ L.C.	Design	September 2014	Negotiations with Consultant - VDOT Performing SERP.
Harvard Road Improvements at Tunnel	Construction	June 2014	Adding Turn Lanes and Utilities
Wards Road Bridge Repairs	Construction	October 2013	Complete
Fifth Street Phase 2 Utilities w/ Streetscapes	Construction	November 2013	Final Walk-Thru February 6.

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 11, 2014 (PDC)**

AGENDA ITEM NO.:

CONSENT: REGULAR: **X** WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: INFORMATION:

ITEM TITLE: **Vacate an alley between 107, 119 & 121 Quinlan Street and 2424 Memphis Avenue.**

RECOMMENDATION: Vacate the alley.

SUMMARY: Rivermont Evangelical Presbyterian Church & Mr. & Mrs. Allen Miller are petitioning to vacate an alley between 107, 119 & 121 Quinlan Street and 2424 Memphis Avenue. The alley is approximately two hundred two (202) feet in length and sixteen (16) feet wide.

Currently the alley is unopened, a grassed area exists between two (2) residential properties, with the furthest extent of the alley from Quinlan Street extending into a small portion of the parking lot of the Rivermont Evangelical Presbyterian Church. The petitioner submitted a subdivision plat proposing the consolidation of all the internal lot lines upon the church property, including the area of the alley.

The alley does not currently serve a function as it is unopened and all the adjoining properties have right of way access through other means. Since there is no paved open access along Quinlan Street to the alley and the other end of the alley can only be accessed through private property there is no impact of the vacation of the alley.

The adjoining property owner at 119 Quinlan Street (Ms. Mary Stone) has not consented to the proposed vacation. The adjoining owner had a representative contact staff stating that they were opposed to the vacation. They stated that they felt access to the rear of the dwelling was being cut-off. As evidenced by the photos attached, Ms. Stone currently has a driveway on the opposite side of the alley which extends around the rear of the dwelling. This particular neighbor would obtain approximately twenty-six thousandths (.026) of an acre through the alley vacation.

Although the adjoining property owner has not consented, there appears to be minimal impact with the proposed vacation.

PRIOR ACTION(S):

January 10, 2014: The Technical Review Committee [TRC] reviewed the petition. The TRC comments have been incorporated into the proposed ordinance.

FISCAL IMPACT: None

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

ATTACHMENT(S):

- Ordinance
- Application
- Certified letter sent to neighbor
- Maps
- Copy of Subdivision Plat
- Photos

REVIEWED BY:

AN ORDINANCE VACATING RIGHT OF WAY BETWEEN 107, 119 & 121 QUINLAN STREET AND 2424 MEMPHIS AVENUE.

WHEREAS, Rivermont Evangelical Presbyterian Church & Mr. & Mrs. Allen Miller are petitioning to vacate right of way located between the properties of 107, 119 & 121 Quinlan Street and 2424 Memphis Avenue, which extends two hundred two (202) feet; and

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

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 Section 35-71 through Section 36-77 of the City Code, 1981, as amended, the following described right of way be, and the same hereby is, discontinued and vacated, namely:

The right of way located between 107, 119 & 121 Quinlan Street and 2424 Memphis Avenue, which extends two hundred two (202) feet.

Said vacation is contingent upon the following: (1) that an 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 any building or structure or the use of the vacated property in any manner that could interfere with the City's right to locate, relocate, repair, replace, maintain and perpetually operate utilities is prohibited without the prior written approval of the City Manager's Office, City Utilities Division and the City Engineering Division.

BE IT FURTHER ORDAINED that the Clerk of the 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.

Adopted:

Certified:

Clerk of Council



DAY AND LOVELL
ATTORNEYS-AT-LAW

INSPECTIONS DIV

JAN 02 2014

RECEIVED

INSPECTIONS DIV

JAN 02 2014

RECEIVED

Mr. Kevin Henry
Community Development Department
City Hall
900 Church Street
Lynchburg, Va. 24504

Re: Application on behalf of Rivermont Evangelical Presbyterian Church & Allen R. Miller and Prudence T. Miller to vacate unopened alley way.

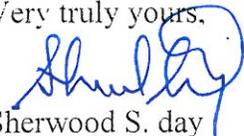
Dear Mr. Henry:

Enclosed please find an amended application filed on behalf of my clients as well as a copy of our transmittal letter to Mrs. Stone. It is my understanding that there were some erroneous tax parcel numbers in the original application and, further that the City desired that the application itself evidence some notice to the adjoining landowner, Mary G. Stone. Please note the application states that by certified mail, return receipt requested Mrs. Stone is being notified of this application.

I trust should you need anything further you will not hesitate to contact me at your earliest opportunity.

Thank you for your kind assistance in this matter.

Very truly yours,


Sherwood S. Day

SSD/sd
Enclosure

CC:

Mr. Ron Cox, Executive Pastor
Rivermont Evangelical Presbyterian Church
2424 Rivermont Avenue
Lynchburg, Va. 24503

Mr. & Mrs. Allen R. Miller
107 Quinlan Street
Lynchburg, Va. 24503

WWW.DAYANDLOVELL.COM

P.O. BOX 1168, FOREST, VA 24551 -- OFFICE: (434) 528-8877 -- FAX: (434) 846-4607

2107 GRAVES MILL ROAD -- SUITE B -- FOREST, VA 24551

**APPLICATION FOR THE VACATION OF AN UNOPENED ALLEY WAY
LOCATED BETWEEN THE MILLERS' PROPERTY, PARCEL #020-12-002
AND MARY STONE'S PROPERTY, PARCEL #020-12-003 AND ENDING IN
THE RIVERMONT EVANGELICAL PRESBYTERIAN CHURCH'S
PROPERTY, PARCEL #020-12-031 and 020-12-032.**

The undersigned applicants Rivermont Evangelical Presbyterian Church and Allen R. Miller and Prudence T. Miller, husband and wife, by counsel, pursuant to the provisions of Section 51.1-364 of the Code of Virginia, 1950, as amended, and Sections 35-71 to 35-77, both inclusive, of the Lynchburg City Code, 1981, as amended, respectfully make application to the Lynchburg City Council for the vacation of that certain alley way described as follows: the unopened alley way that extends from Quinlan Street and runs between the Miller property, parcel #020-12-002 and Mary Stone's property, parcel #020-12-005 ending at a terminus in the property of Rivermont Evangelical Presbyterian Church, parcel #020-12-031 and #020-12-032.

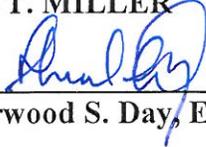
The applicants further request the Lynchburg City Council to hold a public hearing on this application at its meeting to be held in the Council Chamber, City Hall, 900 Church Street, Lynchburg, Virginia, on Tuesday, January 14, 2013, at 7:30 p.m., or as soon thereafter as the matter may be heard, and at the conclusion of which hearing to consider whether or not to vacate the above described alleyway.

The adjoining landowner, Mary G. Stone is given notice of this application by certified mail, return receipt requested, mailed on December 31, 2013.

Given under our hands this 31 day of December, 2013.

RIVERMONT EVANGELICAL PRESBYTERIAN CHURCH

**ALLEN R. MILLER
PRUDENCE T. MILLER**

By: 
Sherwood S. Day, Esq.



DAY AND LOVELL
ATTORNEYS-AT-LAW

December 31, 2013

CERTIFIED MAIL- RRR

Mary G. Stone
PO Box 599
Lynchburg, Va. 24505

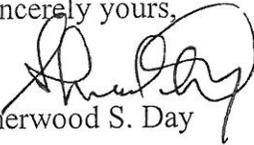
Re: Application on behalf of Rivermont Evangelical Presbyterian Church & Allen R. Miller and Prudence T. Miller to vacate unopened alley way.

Dear Mrs. Stone:

Enclosed please find a copy of the application we are filing on behalf of the captioned clients.

As you can see below I am sending a copy of this transmittal letter to the City as well as my clients.

Sincerely yours,



Sherwood S. Day

SSD/sd
Enclosure

CC:

Mr. Kevin Henry
Community Development Department
City Hall
900 Church Street
Lynchburg, Va. 24504

Mr. Ron Cox, Executive Pastor
Rivermont Evangelical Presbyterian Church
2424 Rivermont Avenue
Lynchburg, Va. 24503

Mr. & Mrs. Allen R. Miller
107 Quinlan Street
Lynchburg, Va. 24503

WWW.DAYANDLOVELL.COM

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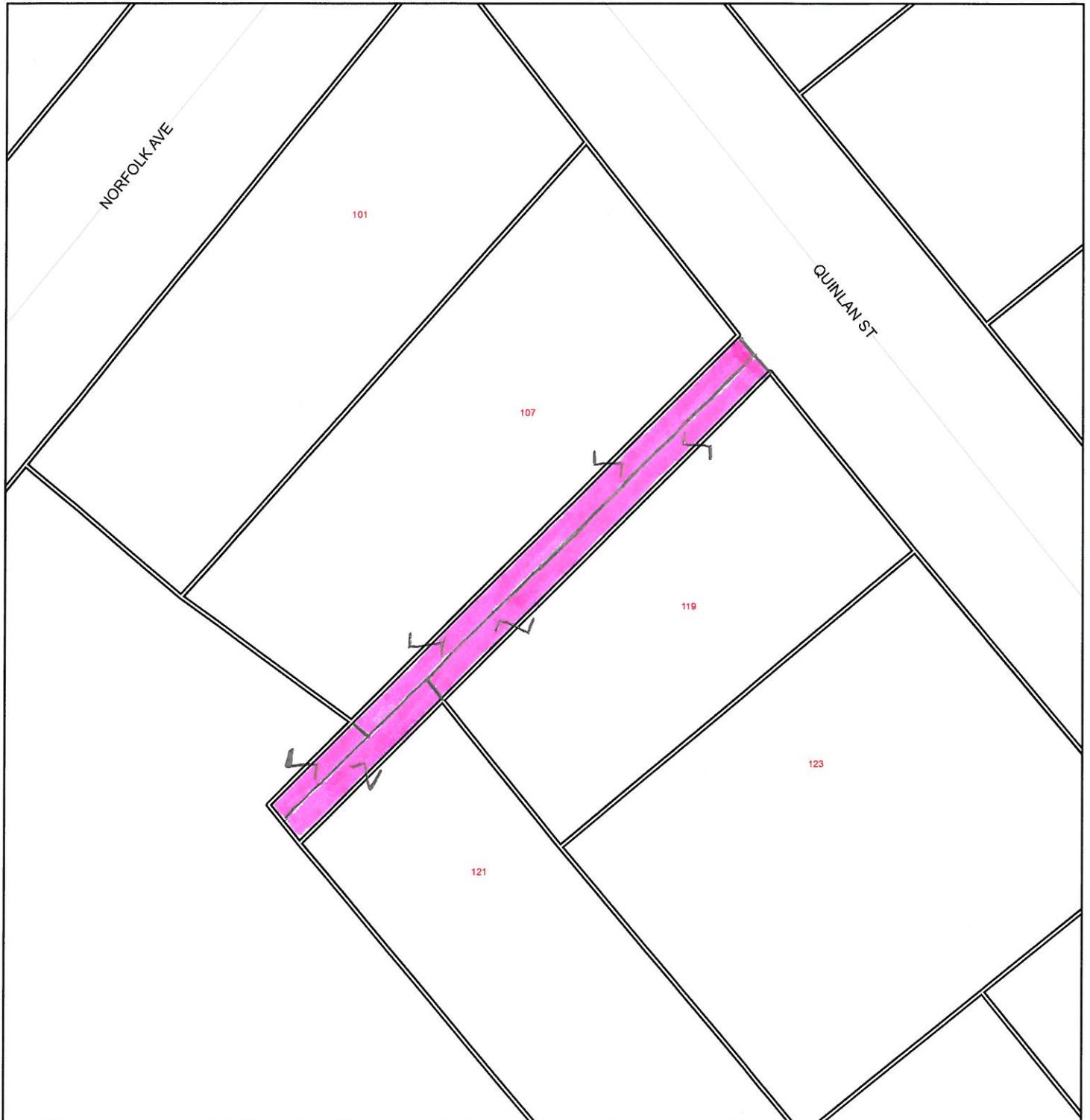
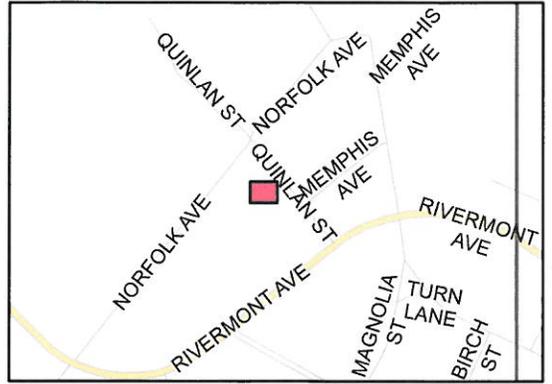
2107 GRAVES MILL ROAD - SUITE B - FOREST, VA 24551

107, 119 & 121 Quinlan Street and 2424 Memphis Avenue

Right-of-Way Vacation



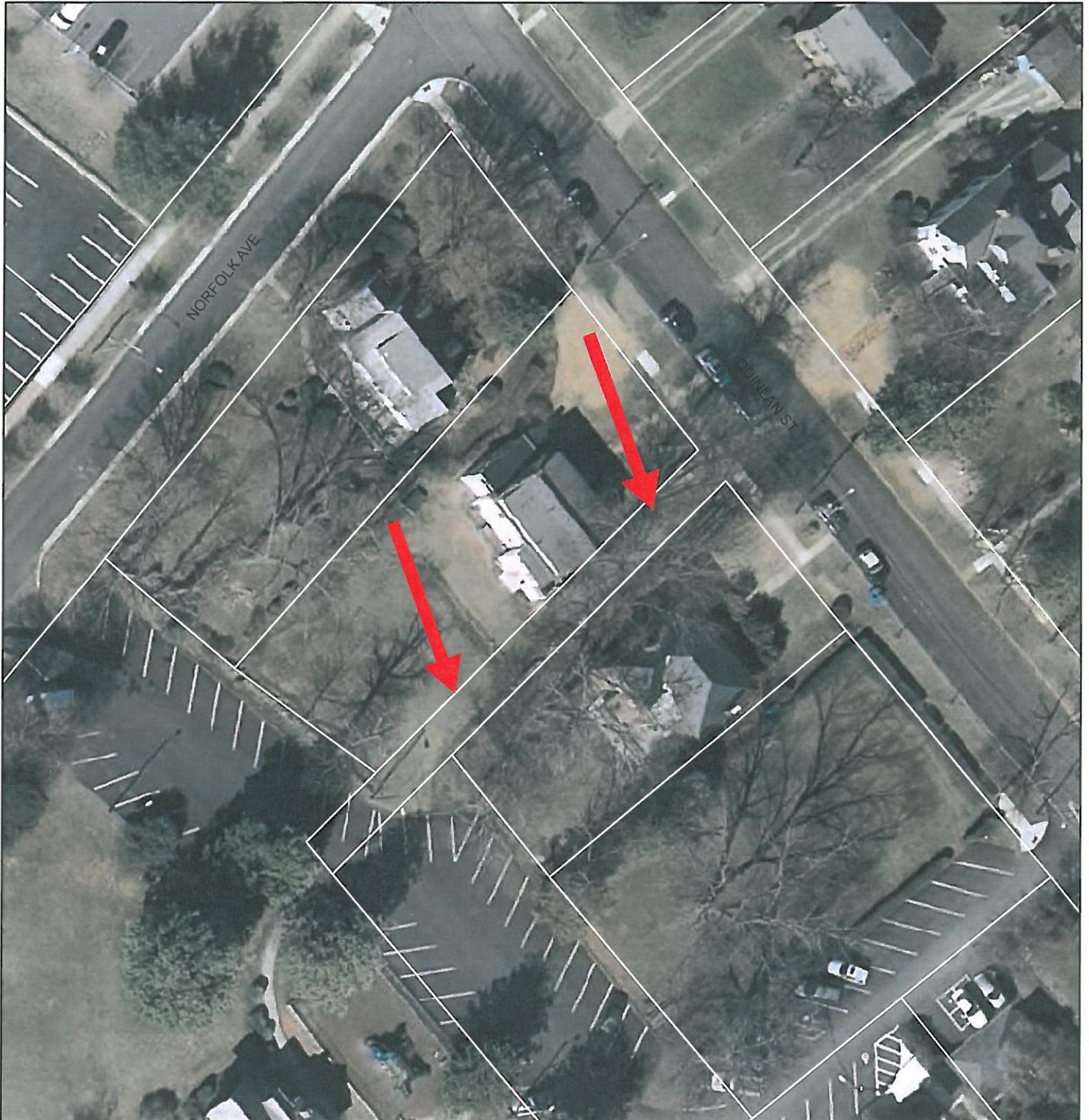
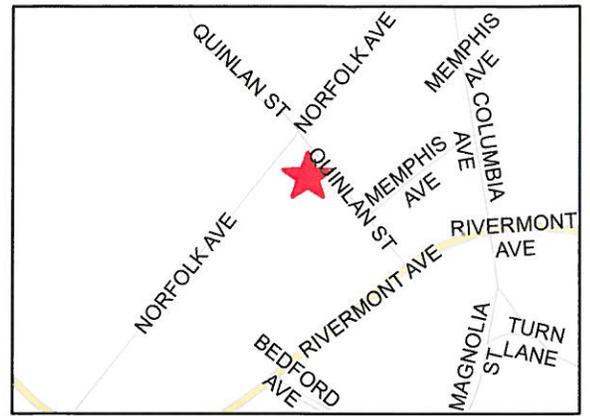
Area to be vacated



107, 119 & 121 Quinlan Street and 2424 Memphis Avenue

Right-of-Way Vacation

★ Location



**PRELIMINARY
FOR CITY REVIEW ONLY
JANUARY 6, 2014**



THIS SHEET IS FOR SHOWING OVERALL EXISTING PARCELS
SEE SHEET 3 OF 3 FOR NEW SUBDIVISION LINES

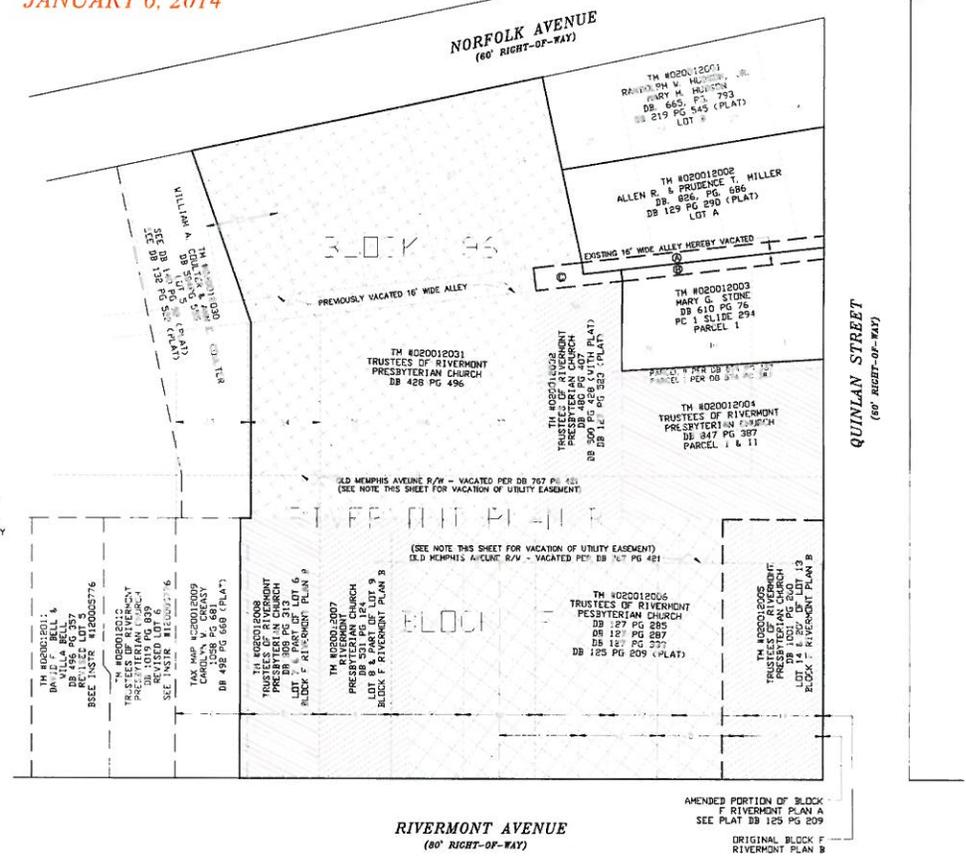
ALL INTERIOR PARCEL LINES ARE HEREBY VACATED

- ① PART OF EXISTING ALLEY TO BECOME PART OF TH #020012002
D.031 ACRES
- ② PART OF EXISTING ALLEY TO BECOME PART OF TH #020012003
D.026 ACRES
- ③ PART OF EXISTING ALLEY TO BECOME PART OF TH #020012006
D.017 ACRES

MEMPHIS AVENUE WAS VACATED BY ORDINANCE RECORDED IN DB 767 PG 421.
SAID ORDINANCE READS:
"NOW, THEREFORE BE IT OBTAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG THAT IN
ORDINANCE WITH THE PROVISIONS OF SECTIONS 15.1-364 OF THE CODE OF VIRGINIA, 1950,
AS AMENDED, AND SECTION 35-71 THROUGH SECTION 35-77 OF THE CODE OF LYNCHBURG,
1981, AS AMENDED, THE ABOVE-DESCRIBED PROPERTY BE, AND THE SAME HEREBY IS,
DISCONTINUED AND VACATED, PROVIDED, HOWEVER, THAT AN EASEMENT TO REPAIR, REPLACE,
MAINTAIN AND PERPETUALLY OPERATE ALL UTILITIES CURRENTLY LOCATED THEREIN IS HEREBY
RESERVED UNTO THE CITY OF LYNCHBURG."

THIS SUBDIVISION HEREBY VACATES ABOVE DESCRIBED EASEMENT.

SUBDIVISION PLAT APPROVED	
CITY ENGINEER, LYNCHBURG, VIRGINIA	DATE
CITY PLANNER, LYNCHBURG, VIRGINIA	DATE



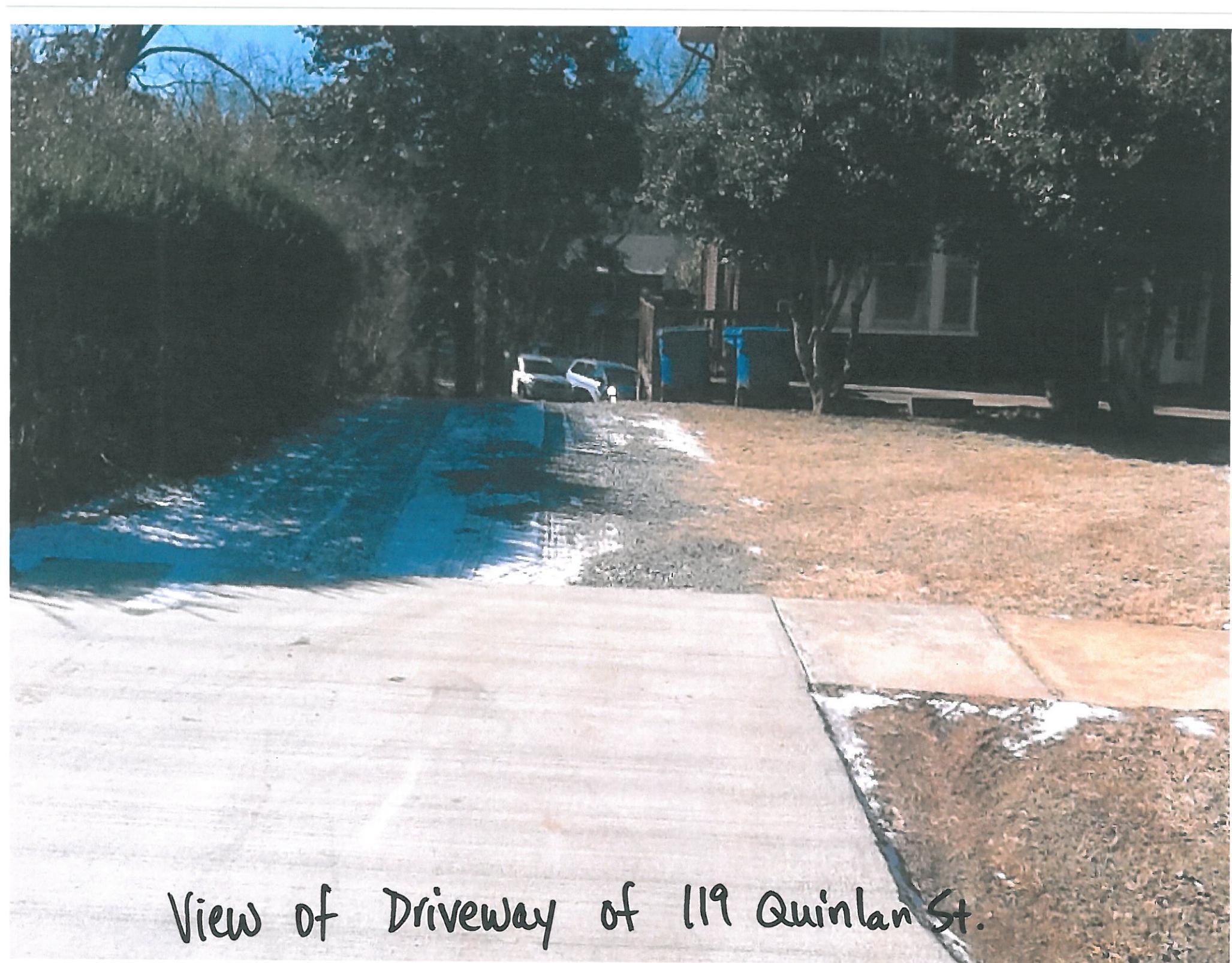
PIEDMONT SURVEYORS
3631 OLD FOREST ROAD - SUITE 6
LYNCHBURG, VA 24501
434-426-9510
WWW.PIEDMONTSURVEYORS.COM

PROJECT NO:	2013-584
DRAWING NO:	2013-584-2
DATE:	12/31/2013
SCALE:	1" = 50'
SHEET:	2 OF 3

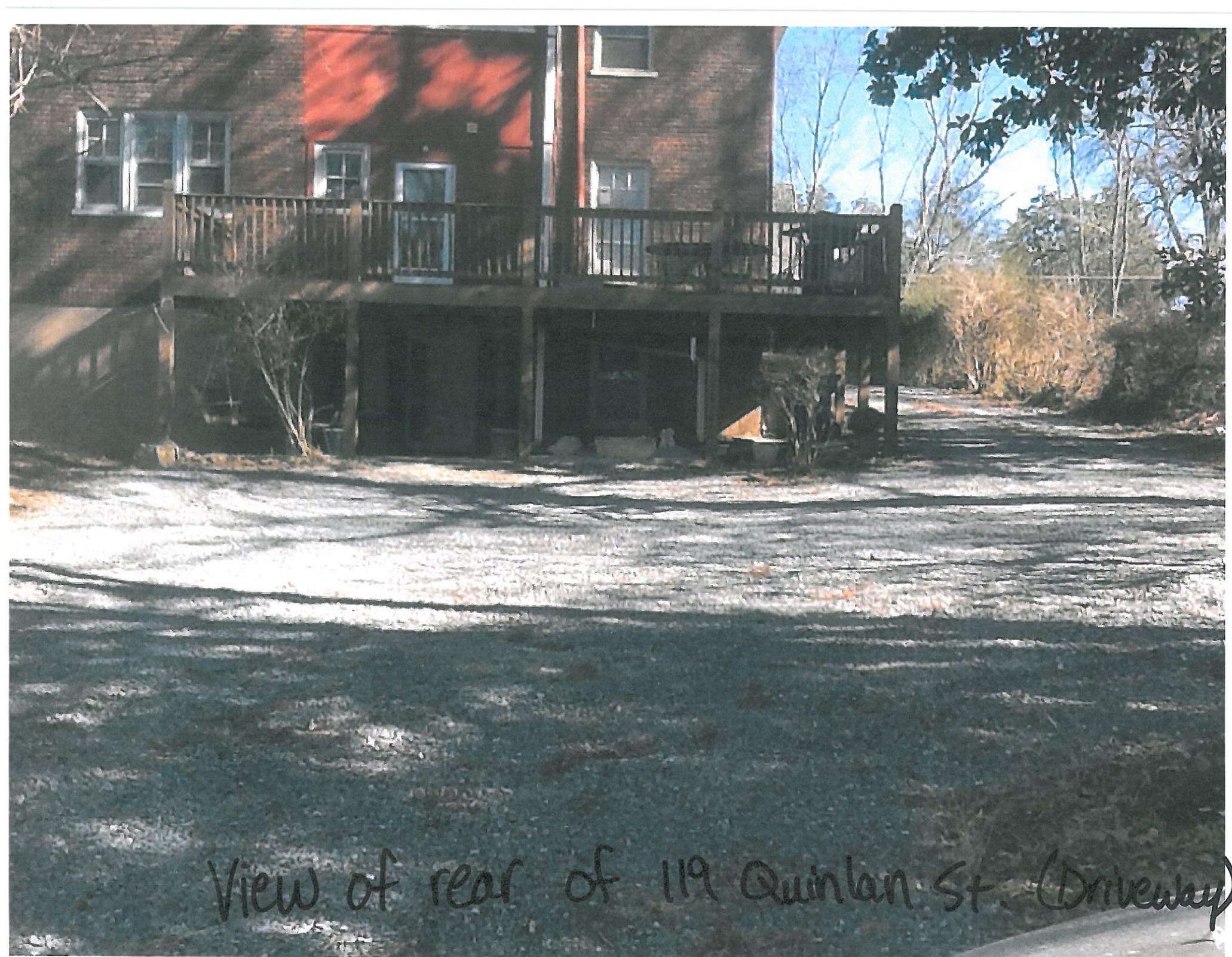
**PLAT SHOWING VACATION OF CITY OF LYNCHBURG ALLEY AND
SUBDIVISION FOR PROPERTY OF
RIVERMONT EVANGELICAL PRESBYTERIAN CHURCH,
ALLEN R. MILLER & PRUDENCE T. MILLER AND MARY G. STONE
CITY OF LYNCHBURG, VIRGINIA**



view of Alley from Quinlan St.



View of Driveway of 119 Quinlan St.



View of rear of 119 Quinlan St. (Driveway)



View of Alley from Parking Lot

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **February 11, 2014 (PDC)**

AGENDA ITEM NO.:

CONSENT: REGULAR: **X** WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: Easement approval for installation of Appalachian Power (AEP) power lines on City-owned property in Campbell County

RECOMMENDATION:

Forward to Council to hold a public hearing for consideration of granting AEP an easement to install approximately 1350 feet of power lines on city property located in Campbell County.

SUMMARY:

AEP is requesting easement approval to install approximately 1,350 feet of underground or overhead power lines on City owned property in Campbell County. The line would be located on the back side of the airport property along the Route 460 fence line.

The proposed power line would begin at an existing overhead primary line that serves the police shooting range behind the Lynchburg Regional Airport. The line would extend across City airport property along the Route 460 fence line to the adjoining property of David Dudley. The purpose of the line is to provide power to David Dudley's property.

Mark Courtney, Airport Director, reviewed the proposed easement location and had no objections.

PRIOR ACTION(S):

FISCAL IMPACT:

CONTACT(S):

Lee Newland, City Engineer – 455-3947
Gaynelle Hart, Director of Public Works – 455-4406

ATTACHMENT(S):

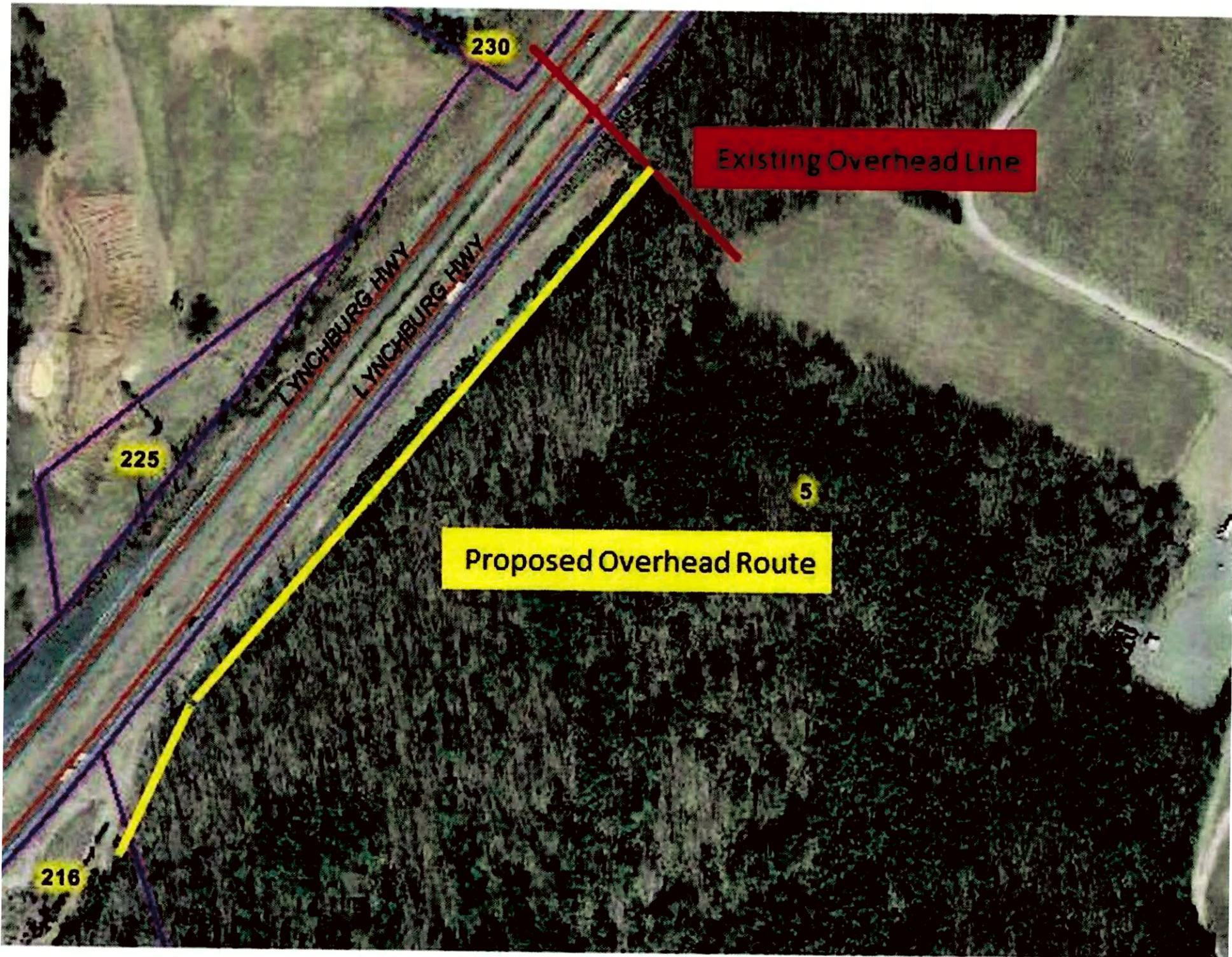
Route Map
Aerial Map

REVIEWED BY:



Easement for AEP

Print Date: 02/04/2014
Image Date: 03/10/2012
Level: Community



230

Existing Overhead Line

LYNCHBURG HWY

LYNCHBURG HWY

225

5

Proposed Overhead Route

216