

**LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE**

**Tuesday, August 9, 2016
8:00 a.m.**

Information Items

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

Update on priority projects: -See attached report.

General Business

1. 5th Street Right-of-Way vacation Rachel Frischeisen
2. Downtown Waterline Replacement & Streetscapes-Update Maggie Cossman
3. Roll Call

Pc: Bonnie Svrcek, City Manager
Margaret Schmitt, Interim Deputy City Manager
Council Members
Gaynelle Hart, Director of Public Works
News & Advance

Next Meeting: September 13, 2016

Lynchburg Capital Projects Greater Than \$1 Million(General Fund)

August 9, 2016

Projects of Interest	Status	Start Date	Notes
Timberlake / Logan's Lane Intersection	Design	December 2016	Proceeding with Design
Midtown Connector	Construction	August 2016	Punchlist work
Greenview Drive Phase 2	Construction	July 2017	Construction Underway
Kemper Street Bridge / Interchange	Construction	September 2016	* Seeding and Railing Work
One Way Pairs @ 501/221	Preliminary	September 2016	Smart Scale Application Submittal
Main Street Bridge	Design	August 2017	Design Underway
Memorial - Park - Lakeside Intersection	Construction	October 2017	Construction Underway
Odd Fellows Road - P3	Construction	August 2018	Construction Underway
Juvenile Services Group Home	Construction	August 2016	* Finished
Downtown Watermain Replacement & Streetscape	Construction	September 2017	* Construction Underway - Update in Meeting
Liberty Mountain Drive - Phase 1	Construction	October 2016	Construction Underway
Liberty Mountain Drive - Phase 2	Construction	April 2017	Construction Underway
City Stadium Renovations - Football / Soccer	Construction	October 2016	* Construction Underway - 6-8 Weeks Behind Due to Wet Weather
City Stadium Field & Parking Improvements - Baseball	Design	August 2016	* Design Underway - Construction to be complete by Baseball Season
Community Market Parking Deck	Design	October 2016	* Replacement of Elevated Surface with Fill - Construction Beginning January 2017 and Ending May 2017
Heritage High School	Construction	July 2016	* Certificate of Occupancy Issued and Teachers are in Building

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: August 9, 2016		AGENDA ITEM #:	
CONSENT: ACTION: X	REGULAR: X INFORMATION:	WORK SESSION:	CLOSED SESSION: (Confidential)
ITEM TITLE: Vacate a portion of 5th Street			
Strategic Pillar(s) Impacted:			
<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Citizen Engagement & Social Capital	<input type="checkbox"/> Economic Development	<input type="checkbox"/> Healthy & Active Living
<input type="checkbox"/> Infrastructure	<input checked="" type="checkbox"/> Land Use	<input type="checkbox"/> Lifelong Learning	<input type="checkbox"/> Natural Resources
<input type="checkbox"/> Neighborhoods	<input type="checkbox"/> Safe Community	<input type="checkbox"/> Social Equity	<input type="checkbox"/> Transportation
			<input type="checkbox"/> Administrative

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

SUMMARY: Jet Holdings LLC, the owner of 801 5th Street, is petitioning to vacate a small portion of right-of-way located along the frontage of the property at 801 5th Street. The petitioner is requesting the right-of-way vacation to increase the outdoor seating capacity of the restaurant and to build a perimeter fence. The total area of the proposed vacation is six thousandths (0.006) of an acre and includes a portion of lawn located adjacent to the curb, behind the sidewalk. The right-of-way vacation would not impact vehicle or pedestrian access along 5th Street.

PRIOR ACTION(S):

May 31, 2016: The Technical Review Committee [TRC] reviewed the petition. The TRC comments have been incorporated into the proposed ordinance.

August 9, 2016: Physical Development Committee.

FISCAL IMPACT: N/A

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

ATTACHMENT(S):

- Ordinance
- Application
- Right-of-way vacation plat

REVIEWED BY: bms

UNCODIFIED ORDINANCE:

AN ORDINANCE VACATING A PORTION OF RIGHT-OF-WAY ALONG 5TH STREET.

WHEREAS, Jet Holdings LLC, is petitioning to vacate a portion of right-of-way along 5th Street; 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 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:

BEGINNING AT A POINT LOCATED ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF 5TH STREET, WHICH POINT IS LOCATED 46.24 FEET NORTHEAST OF THE COMMON CORNER OF THE PROPERTIES OF JET HOLDINGS, LLC AND PEAK CAPITAL GROUP, LLC,

THENCE NORTH 34 DEGREES 33 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 9.25 FEET TO A POINT; THENCE NORTH 55 DEGREES 26 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 41.00 FEET TO A POINT; THENCE SOUTH 34 DEGREES 33 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 0.97 FEET TO A POINT; THENCE SOUTH 37 DEGREES 01 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 15.87 FEET TO A POINT; THENCE SOUTH 46 DEGREES 48 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 18.23 FEET TO A POINT; THENCE NORTH 51 DEGREES 39 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 7.93 FEET TO THE POINT OF THE BEGINNING; SAID PROPERTY CONTAINS 0.006 ACRES MORE OR LESS.

BE IT FURTHER ORDAINED that the City of Lynchburg relinquishes any interest it may have in the vacated right of way to Jet Holdings LLC, 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.

Adopted:

Certified: _____
Clerk of Council

RECEIVED

JUN 21 2016

COMMUNITY DEVELOPMENT

APPLICATION FOR THE VACATION OF

A portion of 5th Street

LOCATED

At the northwesterly intersection of 5th Street and Federal Street

The undersigned applicant, Jet Holdings, LLC, 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 5th Street described as follows:

BEGINNING AT A POINT LOCATED ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF 5TH STREET, WHICH POINT IS LOCATED 46.24 FEET NORTHEAST OF THE COMMON CORNER OF THE PROPERTIES OF JET HOLDINGS, LLC AND PEAK CAPITAL GROUP, LLC,

THENCE NORTH 34 DEGREES 33 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 9.25 FEET TO A POINT;

THENCE NORTH 55 DEGREES 26 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 41.00 FEET TO A POINT;

THENCE SOUTH 34 DEGREES 33 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 0.97 FEET TO A POINT;

THENCE SOUTH 37 DEGREES 01 MINUTES 45 SECONDS WEST FOR A DISTANCE OF 15.87 FEET TO A POINT;

THENCE SOUTH 46 DEGREES 48 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 18.23 FEET TO A POINT;

THENCE SOUTH 51 DEGREES 39 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 7.93 FEET TO THE POINT OF BEGINNING;

SAID PROPERTY CONTAINS 0.006 ACRES 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 August 9, 2016, 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 Lucado Place and unnamed right-of-way.

Given under my hand this 14 day of June, 2016.

Erich LeBeau / Erich LeBeau
Applicant

5115 Cottontown Rd. Forest VA 24551
Address

434-316-2484
Phone Number

WE, THE ADJOINING PROPERTY OWNER(S) ARE IN AGREEMENT TO THE VACATION OF THE ABOVE DESCRIBED PROPERTY: N/A

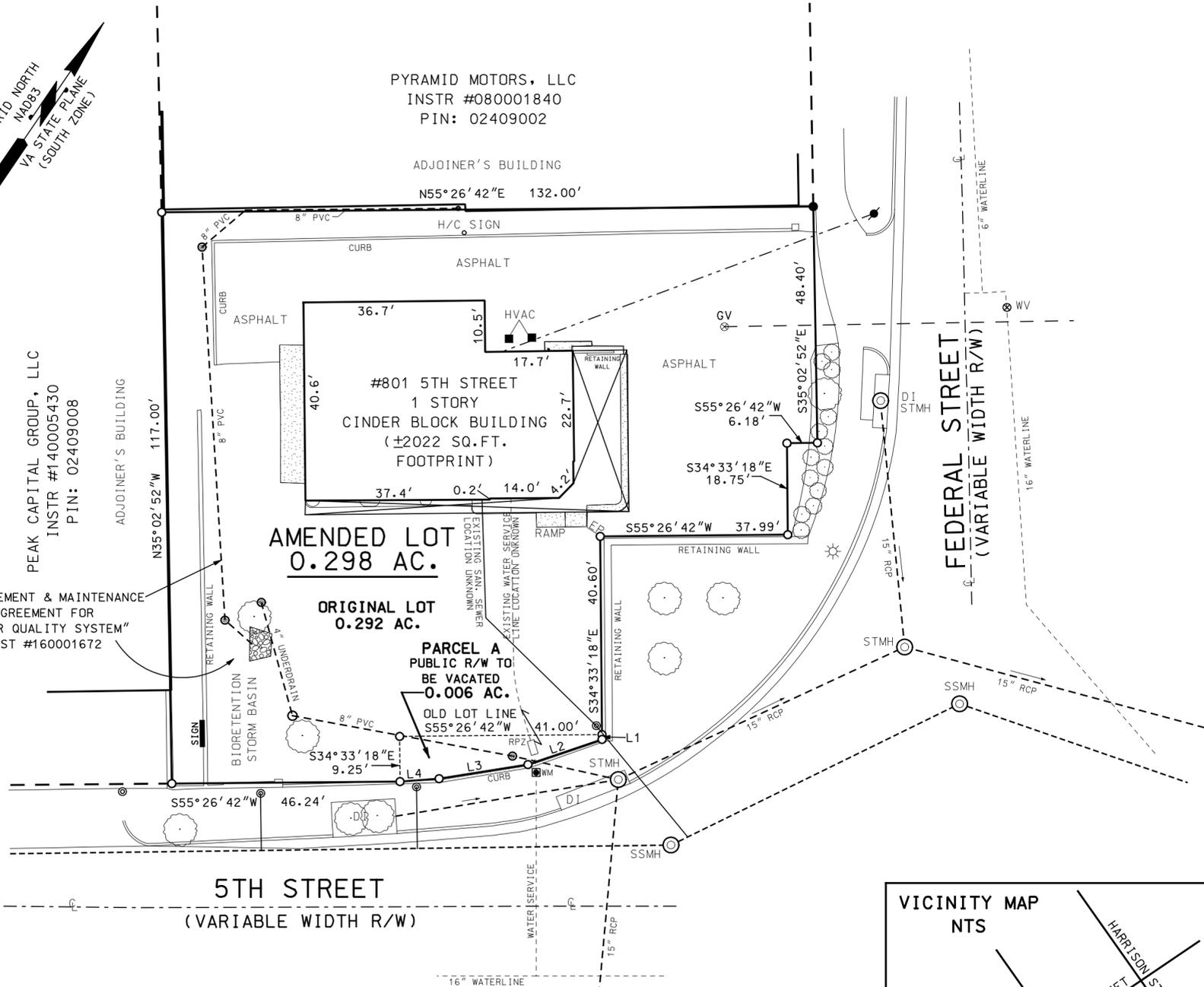


PYRAMID MOTORS, LLC
 INSTR #080001840
 PIN: 02409002

ADJOINER'S BUILDING
 N55°26'42"E 132.00'

PEAK CAPITAL GROUP, LLC
 INSTR #140005430
 PIN: 02409008

SEE EASEMENT & MAINTENANCE
 AGREEMENT FOR
 "WATER QUALITY SYSTEM"
 INST #160001672



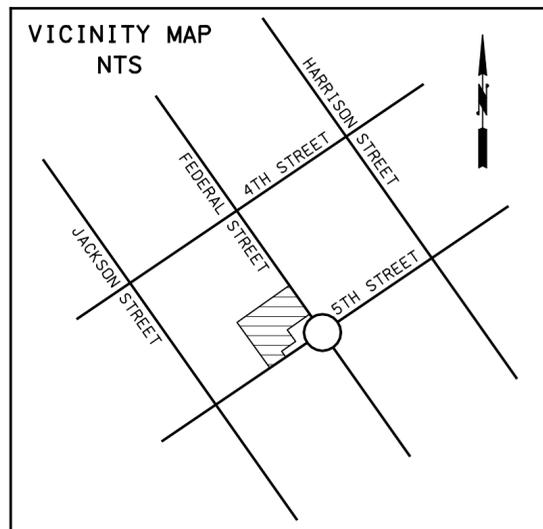
AMENDED LOT
 0.298 AC.

ORIGINAL LOT
 0.292 AC.

PARCEL A
 PUBLIC R/W TO
 BE VACATED
 0.006 AC.

FEDERAL STREET
 (VARIABLE WIDTH R/W)

5TH STREET
 (VARIABLE WIDTH R/W)



SOURCE OF TITLE:
 THE LAND SHOWN HEREON IS THAT PROPERTY CONVEYED TO JET HOLDINGS, LLC (ORIGINAL LOT) BY DEED RECORDED AS INSTRUMENT #160001673 AND UNTO THE CITY OF LYNCHBURG (PARCEL A) BY DEED RECORDED AS INSTRUMENT #09000244 IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF LYNCHBURG, VIRGINIA.

OWNERS CONSENT AND DEDICATION:
 THIS SUBDIVISION OF LAND APPEARING ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER. THE OWNER CERTIFIES THAT HE IS THE FEE SIMPLE OWNER OF SAID LAND.

WITNESS THE FOLLOWING SIGNATURES THIS ___ DAY OF _____, 20__.

JET HOLDINGS, LLC

BY _____, ITS _____

COUNTY/CITY OF: _____
 STATE OF: _____, TO WIT:

I, _____, A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES AS SUCH ARE SIGNED TO THE FOREGOING WRITING, BEARING DATE ON THE ___ DAY OF _____, 20__, HAVE ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AND STATE AFORESAID.

GIVEN UNDER MY HAND THE ___ DAY OF _____, 20__.

MY COMMISSION EXPIRES _____

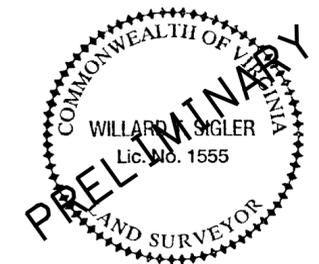
NOTARY PUBLIC

- NOTES:**
1. THIS PROPERTY IS CURRENTLY SERVED BY BOTH PUBLIC WATER AND PUBLIC SANITARY SEWER.
 2. BY GRAPHIC SCALING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" (NOT IN A DESIGNATED FLOOD HAZARD AREA) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR THE CITY OF LYNCHBURG, VIRGINIA (#5100930042D) DATED JUNE 3, 2008. NO FIELD SURVEYING WAS PERFORMED TO MAKE THIS DETERMINATION.
 3. TOTAL ACREAGE RECONFIGURED - 0.298 ACRES
 4. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE TITLE.
 5. CURRENT ZONING: B-4 (URBAN COMMERCIAL DISTRICT), SUBJECT TO THE FIFTH STREET REVITALIZATION CORRIDOR OVERLAY DISTRICT
 6. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT.
 7. THIS PLAT DOES NOT PURPORT TO ADDRESS THE EXISTENCE, DETECTION OR DELINEATION OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR ANY ENVIRONMENTAL PROBLEMS LOCATED WITHIN THE PERIMETER OF THE PROPERTY SHOWN.
 8. SUBJECT PROPERTY IS PIN: 02409007
 9. THE EXACT LOCATION OF UNDERGROUND UTILITIES HAS NOT BEEN DETERMINED AT THIS TIME.
 10. PARCEL A, BEING PART OF THE RIGHT-OF-WAY OF 5TH STREET, IS TO BE VACATED AND MADE AN INTEGRAL PART OF THE ADJOINING PROPERTY OF JET HOLDINGS, LLC.

APPROVED:

CITY PLANNER _____

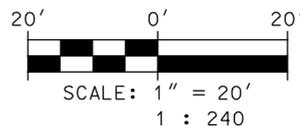
CITY ENGINEER _____



- LEGEND**
- CORNER SET AS SHOWN
 - IRON PIN FOUND
 - EP EDGE OF PAVEMENT
 - GV GAS VALVE
 - WV WATER VALVE
 - WM WATER METER
 - STMH STORM SEWER MANHOLE
 - RCP REINFORCED CONCRETE PIPE
 - DI DROP INLET
 - SSMH SANITARY SEWER MANHOLE
 - ⊕ CENTERLINE
 - BOLLARD
 - ⊙ CLEAN-OUT
 - ☼ LIGHT POLE

LINE CHART

LINE	BEARINGS	DISTANCES
L1	S34°33'18"E	0.97'
L2	S37°01'45"W	15.87'
L3	S46°48'58"W	18.23'
L4	S51°39'52"W	7.93'



BERKLEY-HOWELL & ASSOC., P.C.
 ENGINEERS - SURVEYORS - PLANNERS
 306 ENTERPRISE DRIVE, SUITE C
 FOREST, VIRGINIA 24551
 PHONE: (434)385-7548 FAX: (434)385-6178

RECONFIGURATION OF
PROPERTY AT #801 5TH STREET

CITY OF LYNCHBURG, VIRGINIA

SCALE: 1" = 20'

DATE: MAY 3, 2016

COMM. NO. 160044

F.B. REF. 15-2

REV. 7-21-16

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **August 9, 2016 PDC**

AGENDA ITEM #:

CONSENT:
ACTION:

REGULAR: **X**
INFORMATION: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ITEM TITLE: Downtown Waterline Replacement and Streetscape - Update

Strategic Pillar(s) Impacted:

<input type="checkbox"/> Arts & Culture	<input type="checkbox"/> Citizen Engagement & Social Capital	<input type="checkbox"/> Economic Development	<input type="checkbox"/> Healthy & Active Living
<input checked="" type="checkbox"/> Infrastructure	<input type="checkbox"/> Land Use	<input type="checkbox"/> Lifelong Learning	<input type="checkbox"/> Natural Resources
<input checked="" type="checkbox"/> Neighborhoods	<input type="checkbox"/> Safe Community	<input type="checkbox"/> Social Equity	<input checked="" type="checkbox"/> Transportation
			<input type="checkbox"/> Administrative

RECOMMENDATION: Informational Only.

SUMMARY: The Downtown Waterline Project is underway and staff wanted to give an update on the progress and answer any questions.

Construction Milestones - Projected

Utility Work starts Church and 7 th - Closing Intersection	August 10, 2016
Hardscape Work starts 8 th Street	August 22, 2016
Utility Work Complete on Church	December 23, 2016
Utility Work starts Main and 8 th	December 27, 2016
Virginian Opening	May 1, 2017
Utility Work Complete	July 3, 2017
Final Completion	September 1, 2017

Continue working with AEP, Columbia Gas, Comcast, and Verizon as project proceeds.
Project is discovering underground rooms within the City's right of way. This is causing delays as each one has to be assessed individually. Rooms were most likely used as coal delivery and storage.
Reviewing design plans for conversion to two-way traffic.
TIGER grant application was unsuccessful.

PRIOR ACTION(S): None

FISCAL IMPACT: \$8.9M Construction Project

CONTACT(S): Maggie Cossman, City Transportation Engineer, 455-3935
Gaynelle Hart, Director of Public Works, 455-4406
Jim Talian, Chief Engineer – Water Resources, 455-3953

ATTACHMENT(S): None

REVIEWED BY: