LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE
Tuesday, April 8, 2014
9:00 a.m.

Information Items

Recent/Pending Contract Awards: –

Project/Phase	Contractor/Consultant	Budgeted Amount	Contract Amount
Wingate Tank #2	**Anderson Construction**	**$733,000**	**$713,220**

Update on priority projects – see attached report**.**

General Business

1. Vacate a portion of right-of-way in front of 2134 and 2138 Langhorne Road. — Kevin Henry

2. Change in Status of Main Street Bridge — Lee Newland

3. Urban Project Request for Odd Fellows Road P3 Projects — Lee Newland

4. City Reimbursements to Developers — Lee Newland

5. Daniel's Hill Community Garden Update — Bonnie Svrcek

6. Discussion of May 13th Meeting Time due to Police Week Ceremony and Breakfast

7. Roll Call

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

Next Meeting: May 13, 2014

Lynchburg Capital Projects (General Fund)

April 8, 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 - Addressing VDOT Comments
Wards Road Pedestrian X-ing 2B		Construction	May 2014		Trail Phase 2B - Preparing to Start Construction
Midtown Connector		Construction	May 2015		Under Construction - Fort / Park Avenue Open - Working on Langhorne & Kemper
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	August 2014		Bids were over Budget. Working on Re-Design Hope to ReBid in Late August
Lower Bluffwalk Phase 2		Construction	October 2014		Underway
Memorial - Park - Lakeside Intersection		R/W	April 2013		Utility Relocations Underway - Project Discussion Underway with Engineer to ReBid
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	May 2014		Proposal Being Considered By VDOT - Hope to Advertise by May -
Lakeside Drive Improvements @ L.C.		Design	September 2014		Design Underway - VDOT Performing SERP.
Harvard Road Improvements at Tunnel		Construction	June 2014		Adding Turn Lanes and Utilities
Fifth Street Phase 2 Utilities w/ Streetscapes		Construction	November 2013		Closeout in Progress.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **April 8, 2014 (PDC)** AGENDA ITEM NO.:

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: INFORMATION:

ITEM TITLE: **Vacate a portion of right-of-way in front of 2134 and 2138 Langhorne Road.**

RECOMMENDATION: Vacate the right-of-way.

SUMMARY: Beacon Credit Union, Inc. and Mr. Morris E. McCrary, III are petitioning to vacate a portion of right-of-way in front of 2134 and 2138 Langhorne Road. The area is approximately two hundred twenty-four thousandths (.224) of an acre and runs three hundred sixty seven and twenty six hundredths (367.26) feet along the frontage of Langhorne Road and Tate Springs Road. This section of right-of-way includes a grassed area and a driveway entrance which serves 2134 Langhorne Road.

The petitioner is requesting the vacation in order to accommodate a new sign, stormwater, and parking at 2134 Langhorne Road for a future bank (Beacon Credit Union). The adjacent property owner of 2138 Langhorne Road (Mr. McCrary) is also in agreement with the right-of-way vacation in order to provide more land for future growth of the office use on his property.

There is no planned expansion of this intersection and staff feels there would be minimal impact from the vacation of this portion of the right-of-way.

PRIOR ACTION(S):
March 17, 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
- Map
- Copy of Survey

REVIEWED BY:

AN ORDINANCE VACATING A PORTION OF RIGHT OF WAY IN FRONT OF 2134 AND 2138 LANGHORNE ROAD.

WHEREAS, Beacon Credit Union, Inc. and Mr. Morris E. McCrary, III are petitioning to vacate a portion of right of way located in front of the properties 2134 and 2138 Langhorne Road, which is described as follows; and,

WHEREAS, City Council finds that no public inconvenience will result from vacating the portion of 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:

Beginning at a point, which point is located on the northerly right of way line of Tate Springs Road, and which point is located thirty- six and thirty-five hundredths (36.35) feet in an easterly direction from the southwestern corner of the property of Beacon Credit Union, Inc.;

Thence, with said line of Tate Springs Road, North 88 degrees 23 Minutes 31 Seconds East for a distance of one hundred sixty-three and sixty-five hundredths (163.65) feet to an iron pin found, which iron pins is a common corner between said Beacon and the property of Morris E. McCrary, III;

Thence, further along said line of Tate Springs Road with the line of said McCrary, North 88 degrees 23 Minutes 31 Seconds East for a distance of one hundred (100) feet to a punch hole found in concrete;

Thence, further along said line of Tate Springs Road with the line of said McCrary, along a curve to the left having a radius of one thousand five hundred ninety-two and twenty-eight hundredths (1,592.28) feet and an arc length of twenty-five (25) feet, being subtended by a chord of North 87 Degrees 56 Minutes 31 Seconds East for a distance of twenty-five (25) feet to a point;

Thence, leaving said line of Tate Springs Road along a new right of way line, South 28 Degrees 48 Minutes 03 Seconds East for a distance of eight and two hundredths (8.02) feet to a point;

Thence, further along said new right of way line, along a curve to the left having a radius of ninety-nine and twenty-three hundredths (99.23) feet and an arc length of fifty-six and fifty-six hundredths (56.56) feet, being subtended by a chord of South 44 Degrees 52 Minutes 13 Seconds West for a distance of fifty-five and eight tenths (55.80) feet to a point;

Thence, further along said new right of way line, along a curve to the right having a radius of fifty (50) feet and an arc length of seventy-six and forty-eight hundredths (76.48) feet, being subtended by a chord of South 72 Degrees 21 Minutes 47 Seconds West for a distance of sixty-nine and twenty-four hundredths (69.24) feet to a point;

Thence, further along said new right of way line, North 63 Degrees 48 Minutes 54 Seconds West for a distance of forty-six and eighty-four hundredths (46.84) feet to a point;

Thence, further along said new right of way line, along a curve to the left having a radius of three hundred eighty-three and thirty-eight hundredths (383.38) feet and an arc length of one hundred fifty-one and three hundredths (151.03) feet, being subtended by a chord of North 75 Degrees 06 Minutes 03 Seconds West for a distance of one hundred fifty and six hundredths (150.06) feet to the point of beginning;

Together with and subject to covenants, easements, and restrictions of record.

Said property contains two hundred twenty-four (0.224) acres more or less;

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

APPLICATION FOR THE VACATION OF A PORTION OF TATE SPRINGS ROAD LOCATED BETWEEN

Langhorne Road and Langhorne Square

The undersigned applicant, Beacon Credit Union, Inc., 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 parcel described as follows:

ALL THAT CERTAIN PARCEL OF LAND, BEING A PORTION OF THE RIGHT-OF-WAY OF TATE SPRINGS ROAD BETWEEN LANGHORNE ROAD AND LANGHORNE SQUARE IN THE CITY OF LYNCHBURG, VIRGINIA AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, WHICH POINT IS LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID LANGHORNE ROAD AT ITS INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF TATE SPRINGS ROAD, AND WHICH POINT IS LOATED 36.35 FEET IN AN EASTERLY DIRECTION FROM THE SOUTHWESTERN CORNER OF THE PROPERTY OF BEACON CREDIT UNION, INC.;

THENCE, WITH SAID LINE OF TATE SPRINGS ROAD, NORTH 88 DEGREES 23 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 163.65 FEET TO AN IRON PIN FOUND, WHICH IRON PIN IS A COMMON CORNER BETWEEN SAID BEACON AND THE PROPERTY OF MORRIS E. McCRARY, III;

THENCE, FUTHER ALONG SAID LINE OF TATE SPRINGS ROAD WITH THE LINE OF SAID McCRARY, NORTH 88 DEGREES 23 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 100.00 FEET TO A PUNCH HOLE FOUND IN CONCRETE;

THENCE, FUTHER ALONG SAID LINE OF TATE SPRINGS ROAD WITH THE LINE OF SAID McCRARY, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1592.28 FEET AND AN ARC LENGTH OF 25.00 FEET, BEING SUBTENDED BY A CHORD OF NORTH 87 DEGREES 56 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 25.00 FEET TO A POINT;

THENCE, LEAVING SAID LINE OF TATE SPRINGS ROAD ALONG A NEW RIGHT-OF-WAY LINE, SOUTH 28 DEGREES 48 MINUTES 03 SECONDS EAST FOR A DISTANCE OF 8.02 FEET TO A POINT;

THENCE, FURTHER ALONG SAID NEW RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 99.23 FEET AND AN ARC LENGTH OF 56.56 FEET, BEING SUBTENDED BY A CHORD OF SOUTH 44 DEGREES 52 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 55.80 FEET TO A POINT;

THENCE, FURTHER ALONG SAID NEW RIGHT-OF-WAY LINE, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND AN ARC LENGTH OF 76.48 FEET, BEING SUBTENDED BY A CHORD OF SOUTH 72 DEGREES 21 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 69.24 FEET TO A POINT;

THENCE, FURTHER ALONG SAID NEW RIGHT-OF-WAY LINE, NORTH 63 DEGREES 48 MINUTES 54 SECONDS WEST FOR A DISTANCE OF 46.84 FEET TO A POINT;

THENCE, FURTHER ALONG SAID NEW RIGHT-OF-WAY LINE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 383.38 FEET AND AN ARC LENGTH OF 151.03 FEET, BEING SUBTENDED BY A CHORD OF NORTH 75 DEGREES 06 MINUTES 03 SECONDS WEST FOR A DISTANCE OF 150.06 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD.

SAID PROPERTY CONTAINS 0.224 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 Chambers, City Hall, 900 Church Street, Lynchburg, Virginia, on April 22, 2014, 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 parcel.

Given under my hand this 11 day of March, 2014.

Susan L Kranz

Beacon Credit Union, Inc.
Applicant

6320 Logan Lane
Lynchburg, VA 24502-4292

Telephone Number: 1-434-237-1566, Ext 203

I, THE ADJOINING PROPERTY OWNER, AM IN AGREEMENT TO THE VACATION OF THE ABOVE DESCRIBED PROPERTY;AND, FURTHER, AM IN AGREEMENT WITH THE APPORTIONMENT OF THE VACATED PARCEL BETWEEN THE TWO AFFECTED PROPERTY OWNERS.

Morris E McCrary III

Morris E. McCrary, III
Adjoining Owner

2138 Langhorne Road
Lynchburg, VA 24501-1424

Telephone Number: 434-947-3920

P:\130135\Application for Street Vacation Beacon Credit Union 030714.doc

2134 & 2138 Langhorne Road

Right-of-Way Vacation

★ Location

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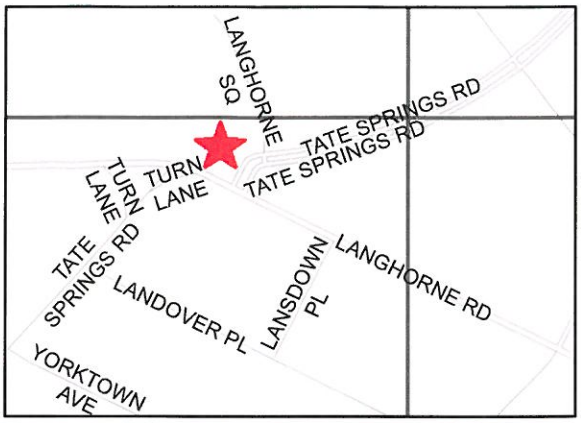
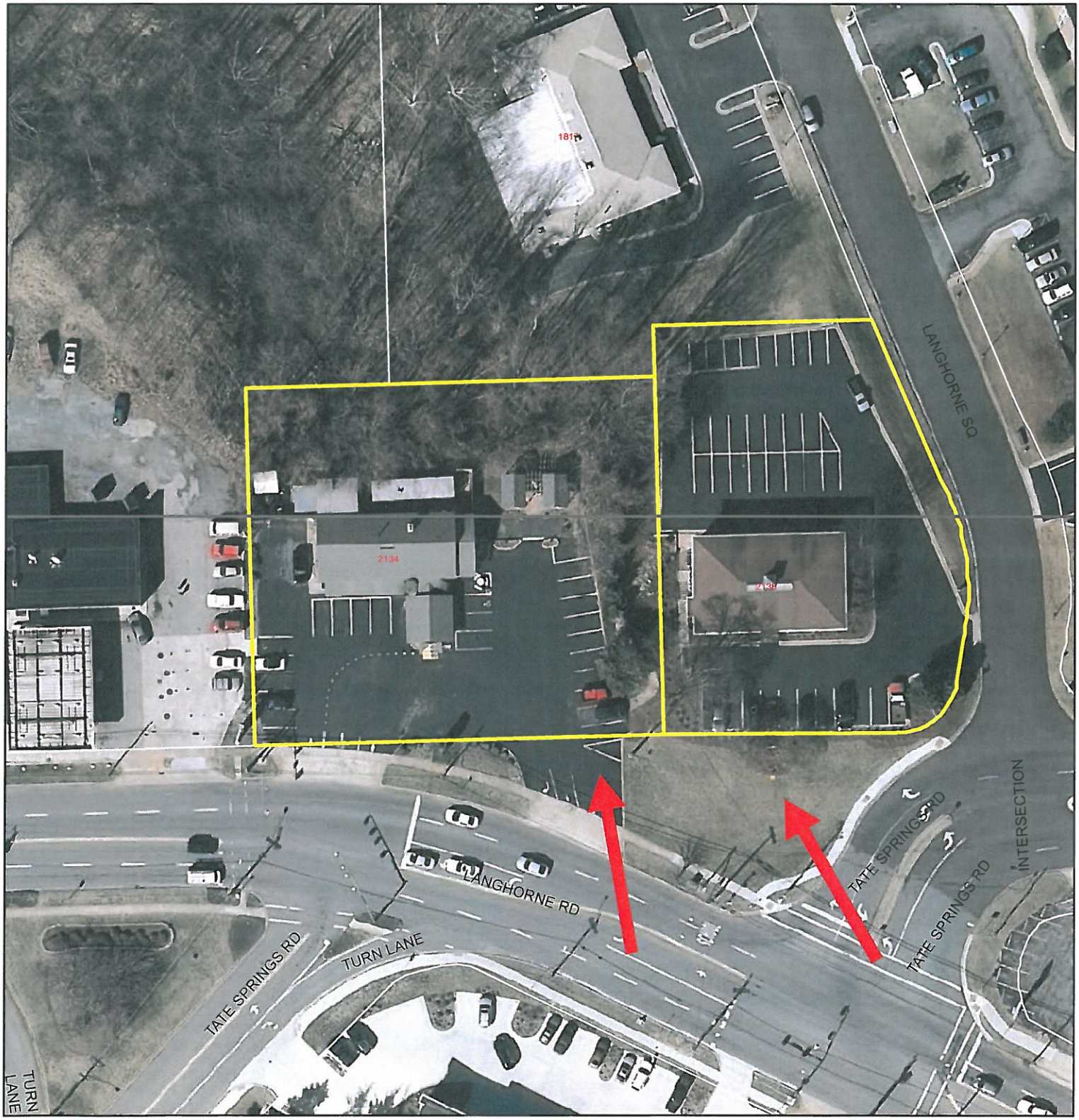
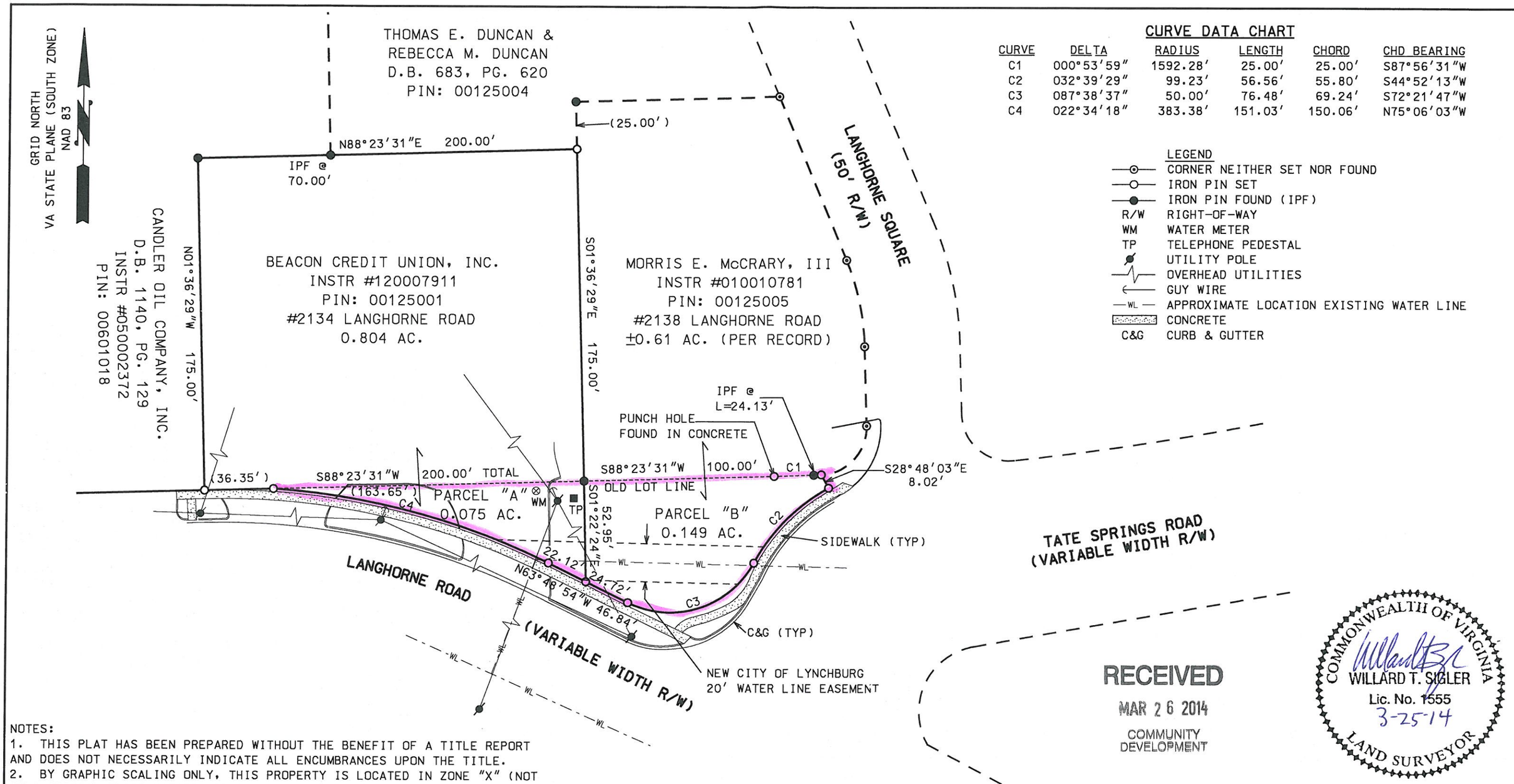
W E
S







CURVE DATA CHART

CURVE	DELTA	RADIUS	LENGTH	CHORD	CHD BEARING
C1	000°53'59"	1592.28'	25.00'	25.00'	S87°56'31"W
C2	032°39'29"	99.23'	56.56'	55.80'	S44°52'13"W
C3	087°38'37"	50.00'	76.48'	69.24'	S72°21'47"W
C4	022°34'18"	383.38'	151.03'	150.06'	N75°06'03"W

LEGEND

- CORNER NEITHER SET NOR FOUND
- IRON PIN SET
- IRON PIN FOUND (IPF)
- R/W RIGHT-OF-WAY
- WM WATER METER
- TP TELEPHONE PEDESTAL
- UTILITY POLE
- OVERHEAD UTILITIES
- GUY WIRE
- WL APPROXIMATE LOCATION EXISTING WATER LINE
- CONCRETE
- C&G CURB & GUTTER

RECEIVED
MAR 26 2014
COMMUNITY DEVELOPMENT

COMMONWEALTH OF VIRGINIA
WILLARD T. SIGLER
Lic. No. 1555
3-25-14
LAND SURVEYOR

NOTES:

1. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE TITLE.
2. BY GRAPHIC SCALING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" (NOT IN A SPECIAL FLOOD HAZARD AREA) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR THE CITY OF LYNCHBURG, VIRGINIA (#5100930041D) DATED JUNE 3, 2008. NO FIELD SURVEYING WAS PERFORMED TO MAKE THIS DETERMINATION.
3. 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.
4. THIS PLAT HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY DONE AS PER DATE OF THIS PLAT ONLY OF PARCELS "A" & "B" AND THE BEACON CREDIT UNION PROPERTY. THE McCRARY PROPERTY HAS BEEN PLOTTED FROM RECORDS AND IS NOT THE RESULT OF A CURRENT FIELD SURVEY.

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

PLAT SHOWING
PORTION OF RIGHT-OF-WAY OF TATES SPRINGS ROAD TO BE VACATED AND APPORTIONED TO ADJOINING OWNERS
CITY OF LYNCHBURG, VIRGINIA

SCALE: 1" = 50'	DATE: MARCH 7, 2014	COMM. NO. 130135	F.B. REF.
	REV. 3-25-14		

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LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **April 8, 2014 (PDC)** AGENDA ITEM NO.:

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Change in Status of Main Street Bridge**

RECOMMENDATION: Endorse the attached resolution to reclassify the current Main Street Bridge Revenue Sharing Project from a maintenance project to a construction project.

SUMMARY: In 2012, City Council approved an application for FY2014 Revenue Sharing Funds from VDOT for maintenance work on Main Street Bridge over the Lynchburg Expressway. A portion of those funds were approved and made available July 1, 2013. Staff has performed further evaluation on the concrete crib walls along the expressway at the bridge and has determined that their condition is poor and need to be rehabilitated. To minimize disruption to the travelling public, it is recommended that these walls be rehabilitated when the bridge is being worked on. With the additional work that is required, the project is no longer a maintenance effort and will be a construction project. Council approved an additional application for construction funds in November 2013. To be able to transfer the maintenance funds to the more in-depth construction project, the attached resolution is required.

PRIOR ACTION(S):
City Council, November 27, 2012
City Council, November 12, 2013

FISCAL IMPACT:
None

CONTACT(S):
Lee Newland, City Engineer, 455-3947
Gaynelle Hart, Director of Public Works, 455-4406

ATTACHMENT(S):
Resolution

REVIEWED BY:

RESOLUTION

WHEREAS, the Lynchburg City Council submitted a FY 2014 Revenue Sharing Program Application for maintenance activities to be performed on Main Street Bridge over the Lynchburg Expressway; and,

WHEREAS, the project was approved by the Commonwealth Transportation Board and set up as a project (UPC 104173); and,

WHEREAS, upon further engineering evaluation the crib retaining walls at the abutments are in such poor condition that they need to be rehabilitated as part of the bridge project to minimize disruption to the travelling public.

NOW, THEREFORE, BE IT RESOLVED That the Lynchburg City Council hereby requests that the Main Street Bridge maintenance project (UPC 104173) be reclassified by the Virginia Department of Transportation as a construction project.

BE IT FURTHER RESOLVED THAT: L. Kimball Payne, III, City Manager, is authorized to execute the City State Agreements and to execute any other documents for agreements that may be needed for this project.

Adopted: _____

Certified: _____
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **April 8, 2014 (PDC)** AGENDA ITEM NO.:

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **Urban Project Request for Odd Fellows Road P3 Projects**

RECOMMENDATION: Endorse the attached resolutions to create an urban highway project for Odd Fellows Road and to include Greenview Drive in the Virginia Department of Transportation (VDOT) P3 project.

SUMMARY In 2009 VDOT created a project to construct an interchange on US Route 460 at Odd Fellows Road (segment A). This project would tie into the existing Odd Fellows Road which is substandard and would need to be improved. The portion from the new interchange to Mayflower Drive was included in the preliminary studies and included a roundabout at Mayflower Drive (segment B1). In 2013, an unsolicited Public Private Partnership (P3) proposal was submitted to VDOT and included the section of Odd Fellows Road from Mayflower Drive to the Lynchburg Expressway (segment B2) and Greenview Drive (segment C).

Since neither segment B1 or B2 was included in the earlier description of the VDOT Odd Fellows Road project in the Six Year Plan, in order to meet Federal and State requirements, City Council needs to ask VDOT to include these additional segments in the project.

Also, since segment C, Greenview Drive, a City project, has been included in the scope of the P3 proposal Council needs to ask that Greenview Drive be included in the VDOT P3 project and transfer the awarded Revenue Sharing funds to that project. The City has been assured that if the P3 project does not proceed with segment C, the funds previously allocated for Greenview Drive would be returned to the City of Lynchburg for us to complete as a City project.

VDOT personnel will be present on Tuesday to answer any questions from Council.

PRIOR ACTION(S):
Physical Development Committee, February 26, 2013

FISCAL IMPACT:

CONTACT(S):
Lee Newland, City Engineer, 455-3947
Gaynelle Hart, Director of Public Works, 455-4406

ATTACHMENT(S):
Resolutions

REVIEWED BY:

RESOLUTION

WHEREAS, in accordance with Virginia Department of Transportation construction allocations procedures, it is necessary that a request by Council resolution be made in order that the Department program an Urban Highway project in the City of Lynchburg;

NOW, THEREFORE, BE IT RESOLVED That the Lynchburg City Council requests the Virginia Department of Transportation to establish an urban system highway project for the improvement of Odd Fellows Road from 460 to Mayflower Drive, a distance of approximately 0.7 miles as Segment B1 of UPC 105515 and Mayflower Drive to the Lynchburg Expressway, a distance of approximately 0.6 miles as Segment B2 of UPC 105515.

BE IT FURTHER RESOLVED That the Lynchburg City Council hereby agrees to work with the Virginia Department of Transportation to partner with and participate in the procurement of the project under the Public-Private Transportation Act of 1995, VA Code §56-556, as amended to fully develop and construct the the Odd Fellows Road Project (UPC 105515), including Segments A, B1, B2, and C.

Adopted: _____

Certified: _____
Clerk of Council

RESOLUTION

WHEREAS, the City established a construction project for Greenview Drive Phase 2 (VDOT UPC 87145) to widen Greenview Drive from 2 lanes to 4 lanes; and

WHEREAS, the City has performed preliminary engineering for the improvements for this project; and

WHEREAS, the City has received and is a party to a State Revenue Sharing Grant for the partial acquisition of Right of Way for this project; and

WHEREAS, the City wishes to add the Greenview Drive project, as Segment “C,” to the Odd Fellows Road Interchange at US Route 29/460 and Roadway Improvements Project/Odd Fellows Road Extension Project (VDOT UPC 105515) which VDOT is procuring under the Public-Private Transportation Act of 1995, VA Code § 56-556, as amended;

NOW, THEREFORE, BE IT RESOLVED That the Lynchburg City Council requests that the Odd Fellows Road Extension Project (UPC 105515) be designated as a Revenue Sharing Project and that the Greenview Drive Revenue Sharing Project (UPC 87145) be incorporated into UPC 105515 as Segment “C”; and

BE IT FURTHER RESOLVED That the Council hereby reallocates all Revenue Sharing Funds, totaling $1,700,000, from the Greenview Drive Revenue Sharing Project (UPC 87145) to the Odd Fellows Road Project (UPC 105515) upon approval of a P3 agreement for the Odd Fellows Road project that includes Greenview Drive as Segment “C.”.

Adopted: _____

Certified: _____
Clerk of Council

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **April 8, 2014 (PDC)** AGENDA ITEM NO.:

CONSENT: REGULAR: **X** WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: **X** INFORMATION:

ITEM TITLE: **City Reimbursements to Developers**

RECOMMENDATION:

Discussion of City Code and Policies concerning reimbursements to Developers for public infrastructure installed with developments.

SUMMARY:

There are two main areas of reimbursements, residential and commercial, which can be general fund items like curb & gutter and sidewalks, or water and sewer fund items for water and sewer extensions and service connections. The residential reimbursements can sometimes be for individual homeowners or for subdivision developers.

Public Works/Engineering takes the lead in reimbursements which is a carryover from when Utilities was a part of Public Works. Decisions are made for reimbursements from City Code, Chapters 24, 34 & 39, the City of Lynchburg, Manual of Specifications and Standard Details, and the Engineering Policies/Practices for the Extension of Public Improvements. The latter was created after Council Action on January 13, 1976 and revised on August 17, 2001.

Currently, the City reimburses for:

- 50% of cost for Curb and Gutter installed on City residential streets. Can be from individual homeowner or developer of new subdivision. No reimbursement for commercial.
- 50% of cost of sidewalks installed on any City street to promote complete and sustainable streets.
- 100% of cost of sewer or water mains to get to boundary of new subdivision at rate of 100' per new lot and if economically feasible.
- 100% of sewer and water service connections within a new subdivision.
- 50% of sewer and water mains for commercial properties if feasible.

PRIOR ACTION(S):

None

FISCAL IMPACT:

CONTACT(S):
Lee Newland – City Engineer – 455-3947
Gaynelle Hart – Public Works Director - 455-4469

Jim Talian – Water Resources Engineer – 455-3953
Greg Poff – Assistant Water Resources Director - 455-4249

ATTACHMENT(S):
City Contributions to New Infrastructure

REVIEWED BY:

City Contributions to New Infrastructure

Roadway Improvements

Curbs, gutters and sidewalks: Curbs and gutters are required in accordance with regulations established by the City of Lynchburg, Manual of Specifications and Standard Details. Except where pedestrian traffic is explicitly prohibited, sidewalks are required (i) on at least one (1) side of all streets, (ii) on both sides of streets with a post-development traffic count of greater than six thousand (6,000) vehicles per day. The cost of said curbs, gutters and sidewalks shall be borne fifty (50) percent by the city and fifty (50) percent by the subdivider. Reimbursements shall be in accordance with regulations established by the City of Lynchburg, Manual of Specifications and Standard Details, per the year of origination of the subdivision. 24.1-30.(a)(2)k

3.0 PROCEDURES – ENGINEERING – DESIGN AND CONSTRUCTION

3.1 REIMBURSEMENT TO DEVELOPER PROCEDURE

A. Purpose

The City provides incentives to developers to offset additional costs associated with developing inside the City. The Engineering Division determines the amount of reimbursement owed to a developer upon completion of the project in accordance with City Code and other applicable policies and agreements.

B. General Requirements

Reimbursement Process

1. Following submittal of proposed development plans (road, water, and sewer (RWS) plans) by the Owner for review and approval by City staff, the City Engineering Division will notify the developer, by letter of the City's incentive program.

2. The City Engineering Division will estimate reimbursements quantities based on final approved plans and will add the appropriate City costs (Engineering/Inspection/Testing) and present the petition to City Council's Physical Development Committee (PDC) for the approval and authorization of the necessary funds.

3. Upon completion of the development and acceptance of the petitioned items, the developer shall submit a formal written "Request for Reimbursement" for the accepted items to the City Engineer. The "Request" will include an itemized list or table of each petitioned item, its proposed quantity, and its actual, installed quantity. The Developer must also submit Affidavit of Release of Liens.

4. The City Engineering Division and City Construction Coordinator will review the "Request" for accuracy. If approved, the "Request" will be processed for payment in accordance with the City Ordinances. No payment will be issued until adequate as-built drawings are received.

Items of Reimbursement:

Curb and Gutter at 50% of the construction cost (up to the City current Annual Services Contract price)
Concrete Sidewalk at 50% of the construction cost (up to the City current Annual Services Contract price)
Water Service Connections at 100% of the construction cost (up to the City current Annual Services Contract price)
Sewer Service Connections at 100% of the construction cost (up to the City current Annual Services Contract price)
Sewer Line to the Boundary of the Subdivision
Water Line to the Boundary of the Subdivision

From: Manual of Specifications & Standard Details / Appendix C

Water & Sewer

Existing homes that want new service: If at least 50% of the potential new customers want to become customers, city will construct an extension and charge only connection and availability fees. If greater

than 50% of property owners want to participate, discounts are applied to availability charges. If less than 50%, then same as vacant lots. 34-4.(c)(2)a.; 39-27.(c)(2)a.

New residential subdivisions of five or more lots: City will pay for 100 feet of new line per new single family lot, or pay for 50 feet of new line per new townhome for the line from the existing main to the property boundary. 24.1-31.
Developer pays 100% for all lines within subdivision. 24.1-31.
City pays 100% of cost of service connections. MOSSD
Then developer pays reduced availability fees. 34-4.(h); 39-27.(h)

Commercial, Industrial, Vacant Residential: City will pay for 50% of the cost of an extension. Code actually states “the cost of the project will be apportioned by council between the city and the benefitted property owners”. For at least the past 10 years this has been administered as a 50/50 apportionment. 34-4.(d)(2)l; 39-27.(d)(2)b.

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **April 8, 2014 (Physical Development Committee)** AGENDA ITEM NO.:

CONSENT: REGULAR: WORK SESSION: CLOSED SESSION: (Confidential)

ACTION: INFORMATION: **X**

ITEM TITLE: **Follow-up Report: Lynchburg Area Food Council request to have water connection fee waived at 904 Cabell Street**

RECOMMENDATION: Hear a follow-up report on the October 8, 2013 Lynchburg Area Food Council request to have a water connection fee waived at 904 Cabell Street.

SUMMARY: On October 8, 2013 the Physical Development Committee considered a request from the Lynchburg Area Food Council for a waiver for a water connection fee for a community garden located at 904 Cabell Street in the amount of $1,045..

Following discussion, the Committee directed staff to explore the possibility of using Community Development Block Grant (CDBG) funds to pay for the connection rather than approve a fee waiver.

City staff has explored this issue and the Department of Housing and Urban Development has approved the use of CDBG funds for the water connection ($1,045) as well as the cost of installing the water line to the property, the bib and backflow preventer (not to exceed $954) on the property which is owned by the non-profit, Lynchburg Grows. The total cost is estimated at less than $2,000. If costs of installation exceed this amount, Lynchburg Grows or the Food Council will be asked to pay the additional cost.

This reallocation of funds is considered a minor amendment in the Council adopted Citizen Participation Plan for CDBG and does not require public review or any additional action by the City.

Lynchburg Grows has agreed to fund the annual inspection fee and monthly utility fees. City staff is preparing an agreement between Lynchburg Grows and the City.

PRIOR ACTION(S): October 8, 2013 Physical Development Committee (action deferred; staff directed to explore other options)

FISCAL IMPACT: Administrative reallocation of up to $1,999 in CDBG funds from a remaining balance for the completed Analysis Of Impediments to Fair Housing project to the Daniels Hill Community Garden The connection fee is $1,045. Installation of the water line to the property, the bib, and the backflow preventer are not expected to exceed the remaining allocation of $954.

CONTACT(S): Bonnie Svrcek, Deputy City Manager – 455-3987

ATTACHMENT(S): None

REVIEWED BY: bms