

**LYNCHBURG CITY COUNCIL
PHYSICAL DEVELOPMENT COMMITTEE
Tuesday, June 10, 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>
Memorial Ave & Wadsworth St. Traffic Signal Project	J. B. Moore Electrical Contractor, Inc.	\$230,000.00	\$190,467.20

Update on priority projects – see attached report.

General Business

1. Vacate a portion of unopened right-of-way known as New Kevin Henry Street located between 2019 and 2101 Elm Street
2. Vacate a portion of unopened right-of-way known as Kevin Henry Craighill Street between 1210 and 1300 Norvell Street
3. Vacate right-of-way known as Boxwood Place in between Kevin Henry 2627 and 2701 Old Forest Road and 2730 Confederate Avenue
4. Roll Call

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

Next Meeting: July 8, 2014

Lynchburg Capital Projects (General Fund)

June 10, 2014

Projects of Interest	Status		Notes
Timberlake / Logan's Lane Intersection	Design	November 2014	Preliminary Design - Interchange Modification Report Submitted to VDOT - Addressing VDOT Comments Rnd. 2
Wards Road Pedestrian X-ing 2B	Construction	September 2014	Trail Phase 2B - Notice to Proceed Given May 5, 2014 - 120 Day Project
Midtown Connector	Construction	August 2015	Under Construction - Working on Langhorne 40% complete & Kemper Underway -
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	Working on Re-Design Hope to ReBid in Late August
One Way Pairs @ 501/221	Preliminary	August 2014	Preliminary Design being Completed to Determine Available R/W for Development
Lower Bluffwalk Phase 2	Construction	October 2014	Underway
Memorial - Park - Lakeside Intersection	Utilities	November 2014	Project Underway to Install City Utilites separate from Project then ReBid
Miller Center Renovations	Construction	August 2014	Construction on Building Going Well and on Schedule.
Odd Fellows Road - P3	Advertising	May 2014	Proposal Being Considered By VDOT -
Lakeside Drive Improvements @ L.C.	Design	September 2014	Design Underway - VDOT Performing SERP.
Harvard Road Improvements at Tunnel	Construction	October 2014	Adding Turn Lanes and Utilities
Old Forest Road Sidewalk	Construction	October 2014	Starting July 6, 2014

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 10, 2014 (PDC)**

AGENDA ITEM NO.:

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION:

ITEM TITLE: Vacate a portion of unopened right-of-way known as New Street located between 2019 and 2101 Elm Street.

RECOMMENDATION: Vacate the right-of-way.

SUMMARY: Peyton Morgan, the owner of 2019 Elm Street, is petitioning to vacate a portion of unopened right-of-way known as New Street located between 2019 and 2101 Elm Street. The area is approximately sixty-nine thousandths (.069) of an acre. A twenty (20) foot deep portion of the right-of-way adjoining Elm Street will be retained by the City in order to allow for traffic to turn around since there is no cul-de-sac at the end of Elm Street. The dimensions of the proposed vacation are one hundred (100) feet long by thirty (30) feet in width. This section of right-of-way includes overgrown brush and vegetation as well as a significant slope up towards Main Street.

The petitioner is requesting the vacation in order to allow additional space for a dwelling. The adjoining owner (Thomas Milstead) at 2101 Elm Street has consented to the petition. This portion of right-of-way currently does not serve as access to any of the adjoining properties and there is no foreseeable use of the right-of-way in the future.

PRIOR ACTION(S):

May 9, 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
- Maps

REVIEWED BY:

AN ORDINANCE VACATING A PORTION OF UNOPENED RIGHT OF WAY KNOWN AS NEW STREET BETWEEN 2019 AND 2101 ELM STREET.

WHEREAS, Peyton Morgan is petitioning to vacate a portion of unopened right of way known as New Street located between the properties of 2019 and 2101 Elm Street, starting twenty (20) feet from the right of way line boundary of Elm Street and continuing for one hundred (100) feet to the rear property line of 2019 Elm 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 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 portion of right of way known as New Street located between 2019 and 2101 Elm Street, starting twenty (20) feet from the right of way line boundary of Elm Street and continuing for one hundred (100) feet to the rear property line of 2019 Elm Street.

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

Paper Street

Street/Alley/Right-of-way

LOCATED BETWEEN

2101 and 2019 Elm St, Lynchburg VA

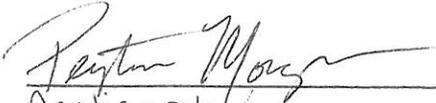
The undersigned applicant, Peyton Morgan
pursuant to the provisions of Section 51.1-364 of the Code of Virginia, 1950,
as amended, and Sections 35-71 to 35-77, both inclusive, of the Lynchburg
City Code, 1981, as amended, respectfully makes application to the
Lynchburg City Council for the vacation of that certain paper street
described as follows:

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, Virginia, on
_____, 20____, 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 paper street on Elm St.

INSPECTIONS DIV
APR 25 2014
RECEIVED

Given under my hand this _____ day of _____,

20____.


Applicant

2019 Elm St

Lynchburg VA
Address

434-845-8317

Telephone Number



Applicant

2101 Elm St

Lynchburg VA
Address

(434) 244-0308

Telephone Number

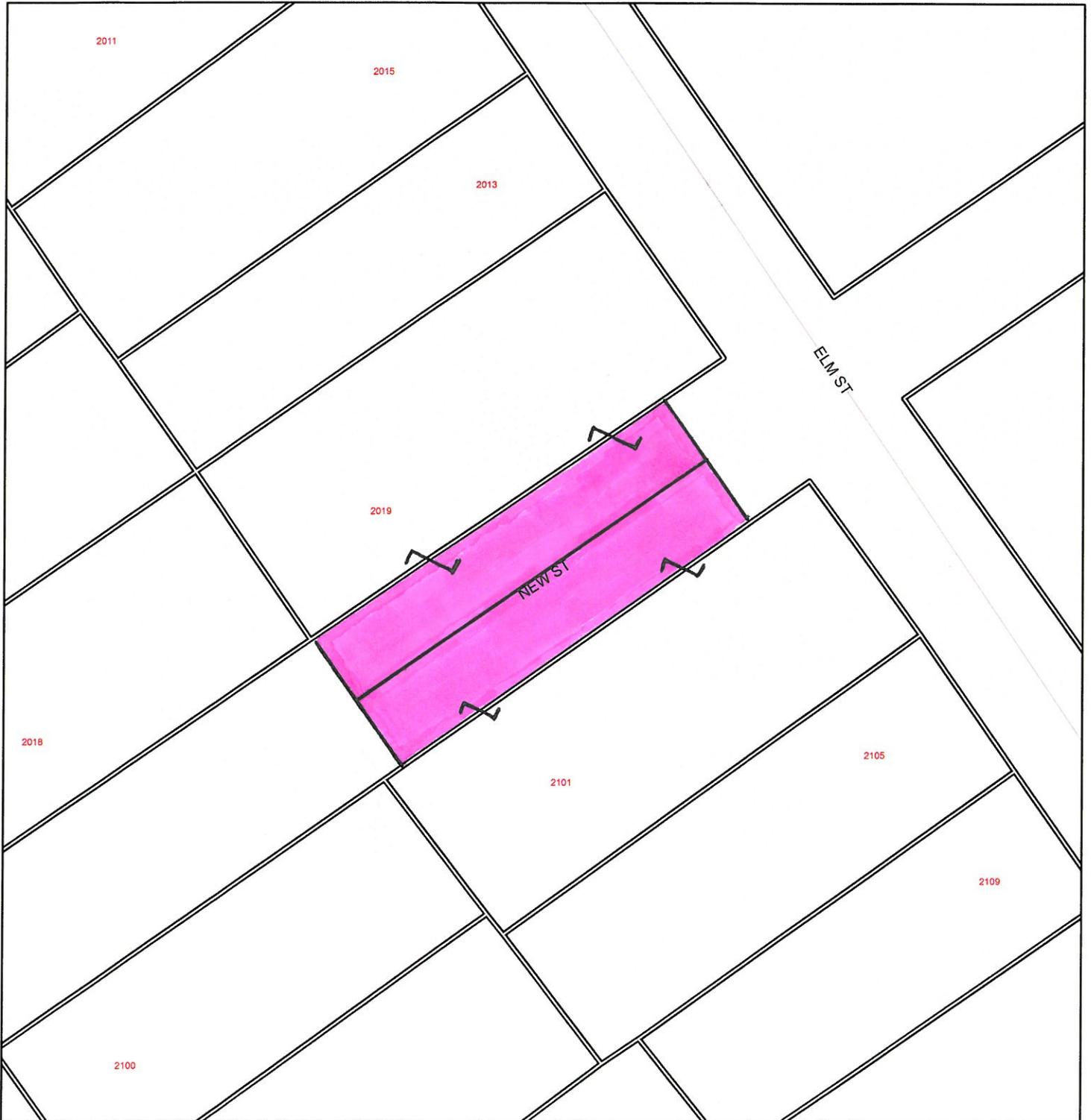
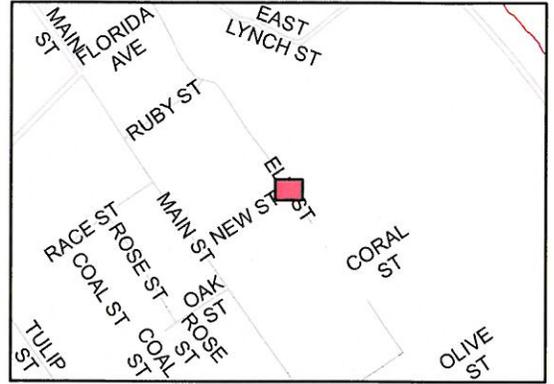
WE, THE ADJOINING PROPERTY OWNER(S), ARE IN AGREEMENT TO THE VACATION OF THE ABOVE DESCRIBED PROPERTY.

2019 & 2101 Elm Street

Right-of-Way Vacation



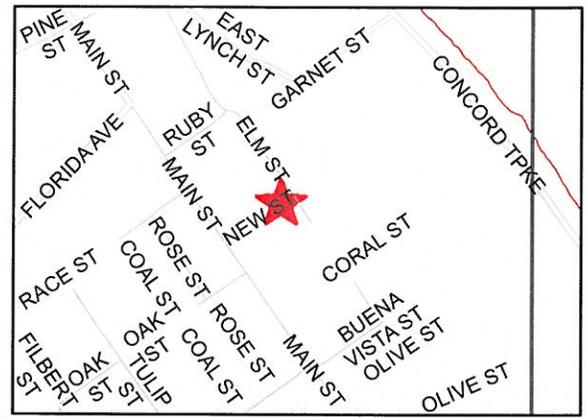
Area to be vacated



2019 & 2101 Elm Street

Right-of-Way Vacation

★ Location



LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 10, 2014 (PDC)**

AGENDA ITEM NO.:

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION:

ITEM TITLE: Vacate a portion of unopened right-of-way known as Craighill Street between 1210 and 1300 Norvell Street.

RECOMMENDATION: Vacate the right-of-way.

SUMMARY: Cari L. Smith, the owner of 1210 Norvell Street, is petitioning to vacate a portion of unopened right-of-way known as Craighill Street between 1210 and 1300 Norvell Street. The area is approximately one hundred seventy-two thousandths (.172) of an acre. The dimensions of the proposed vacation are one hundred fifty (150) feet long by fifty (50) feet. This section of right-of-way includes a grassed area.

The adjoining owner (Sherry Smith) at 1300 Norvell Street has consented to the petition. This portion of right-of-way currently does not serve as access to any of the adjoining properties and the apartment complex, LP Apartments, uses the opposite end of this block of Craighill Street for access.

PRIOR ACTION(S):

May 23, 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
- Maps

REVIEWED BY:

AN ORDINANCE VACATING A PORTION OF UNOPENED RIGHT OF WAY KNOWN AS CRAIGHILL STREET IN BETWEEN 1210 AND 1300 NORVELL STREET.

WHEREAS, Cari L. Smith, is petitioning to vacate a portion of unopened right of way known as Craighill Street located between the properties of 1210 and 1300 Norvell Street, which extends one hundred fifty (150) 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 portion of unopened right of way known as Craighill Street located between 1210 and 1300 Norvell Street, which extends one hundred fifty (150) 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

APPLICATION FOR THE VACATION OF A

Right of Way

Street/Alley/Right-of-way

LOCATED BETWEEN

1210 Norvell Street and 1300 Norvell Street

The undersigned applicants, Cari L. Smith (1210 Norvell Street) and Sherry Smith (1300 Norvell Street) 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 makes application to the Lynchburg City Council for the vacation of that certain right of way described as follows:

The area is approximately 0.18 acres. You would be entitled to half of that if it were to be vacated. Since it would only be .09 acres added to each lot the assessment of the property will not be affected. It looks like the area that would be vacated would be about 50 ft. wide and 160 ft. long. Again, each property would obtain half of that.

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, Virginia, on May 15, 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 right of way.

Given under my hand this 17th day of April,

2014.

Cari Smith

Amber S. Haskew - Bar of Attorney for
Applicant Sherry E. Smith

1210 Norvell Street Lynchburg, VA 24502

1300 Norvell Street Lynchburg VA 24502
Address

434-401-0726 - Amber Haskew

434-327-6803 - Cari Smith

Telephone Number

WE, THE ADJOINING PROPERTY OWNER(S), ARE IN AGREEMENT
TO THE VACATION OF THE ABOVE DESCRIBED PROPERTY.

POWER OF ATTORNEY

BE IT KNOWN, that I, Sherry Ellen Smith, the undersigned Grantor, resident of 2311 Rivermont Avenue, Lynchburg, VA 24503 has made and appointed, and by these presents does make and appoint Amber Smith Haskew a resident of 2311 Rivermont Avenue, Lynchburg, VA 24503 true and lawful attorney-in-fact (agent) for her and in her name, place and stead, giving and granting to said attorney-in-fact, general, full and unlimited power and authority to do and perform each and every act and thing which may be necessary, or convenient, in connection with any of the foregoing, as fully, to all intents and purposes, as could be done if Grantor might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that said attorney-in-fact shall lawfully do or cause to be done by virtue hereof.

This attorney-in-fact is effective immediately and will expire on October 1, 2014.

Dated this October 1, 2013, I hereby agree to accept the appointment as attorney-in-fact, pursuant to the foregoing Power of Attorney.

Amber S Haskew
Appointee's Signature

IN WITNESS WHEREOF, I have hereunto set my hand and seal this October 1, 2013.

Sherry Smith
Grantor's Signature

Sherry Smith
Print or type name

Amber Haskew
@gmail.com

Signed, sealed and delivered in the presence of:

Witness 1 [Signature] Witness 2 [Signature]

State of Virginia County of Bedford

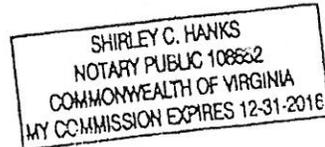
The foregoing instrument was acknowledged by me, a Notary Public, this October 1, 2013 by: Sherry Ellen Smith who is personally known by me or who has/have produced: SID DL 00275575 as identification and who did not take an oath.

Witness my hand and official seal.

[Signature] (SEAL)

Notary Public State of Virginia

My Commission Expires: Dec. 31 2016

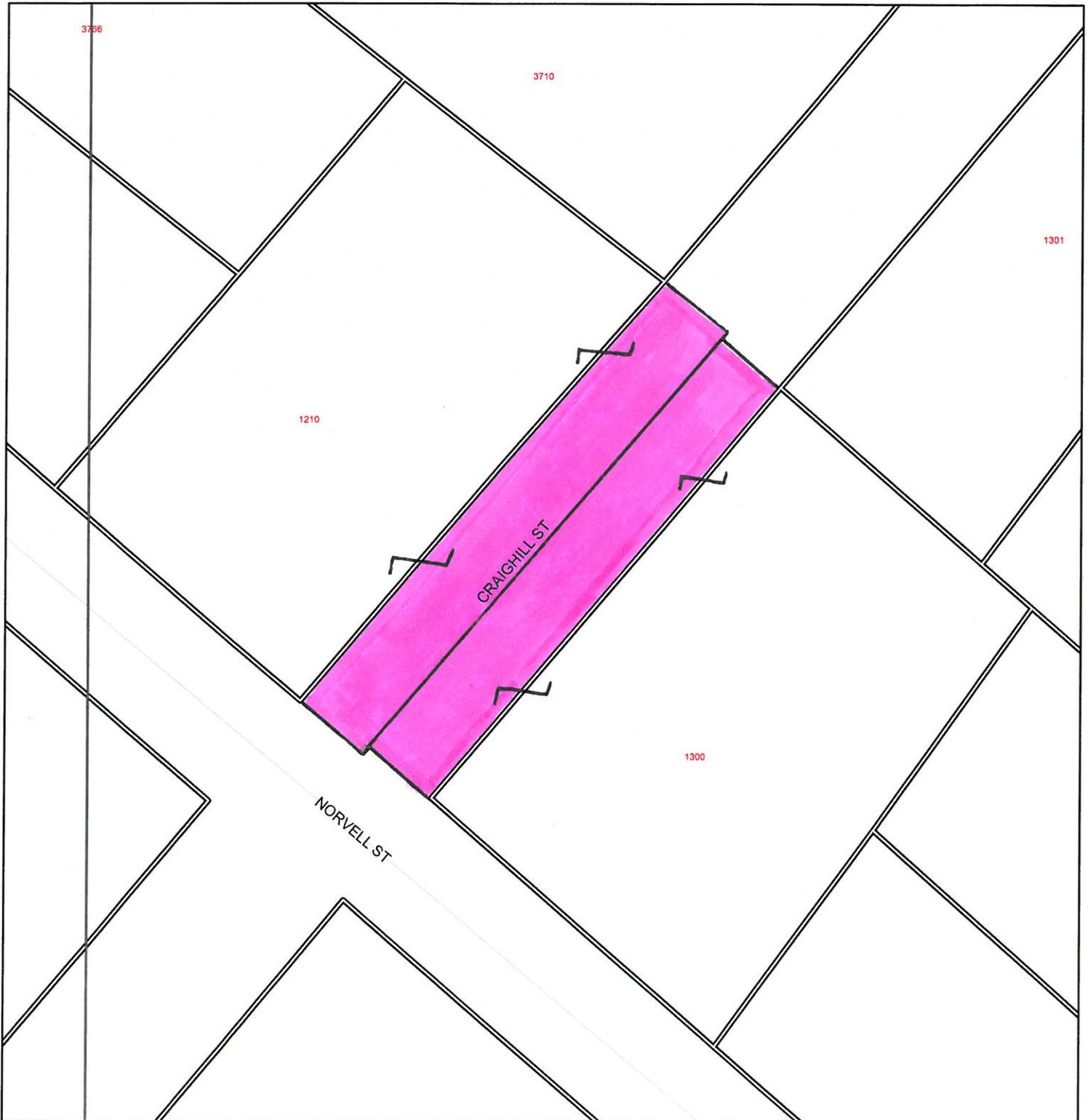
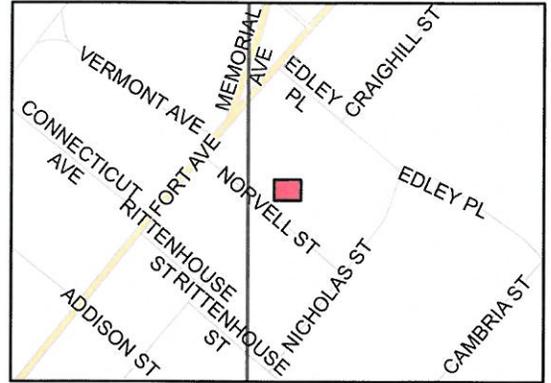


1210 and 1300 Norvell Street

Right-of-Way Vacation



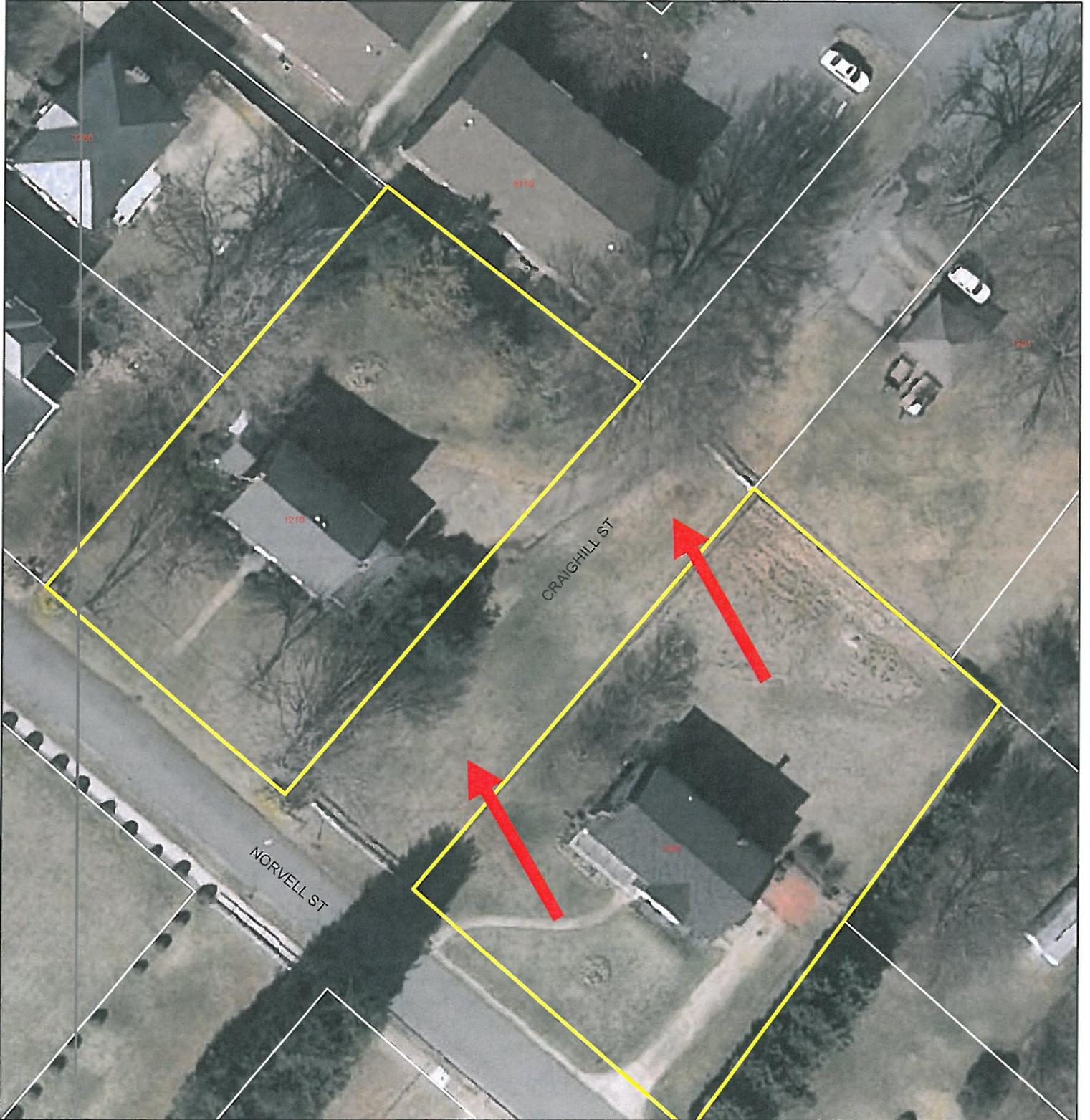
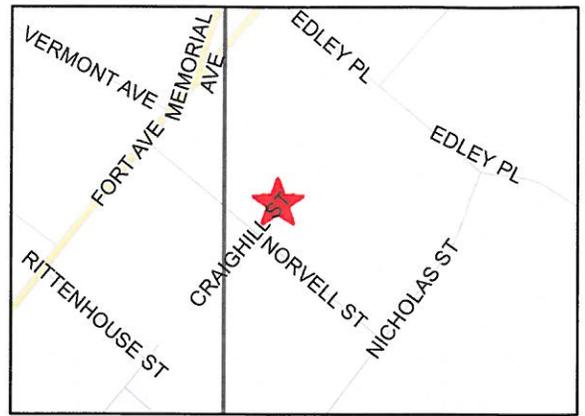
Area to be vacated



1210 and 1300 Norvell Street

Right-of-Way Vacation

 Location



LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **June 10, 2014 (PDC)**

AGENDA ITEM NO.:

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

CLOSED SESSION:
(Confidential)

ACTION: INFORMATION:

ITEM TITLE: Vacate right-of-way known as Boxwood Place in between 2627 and 2701 Old Forest Road and 2730 Confederate Avenue.

RECOMMENDATION: Vacate the right-of-way.

SUMMARY: CDDI Development Group LLC is petitioning to vacate an unopened right-of-way known as Boxwood Place. Boxwood Place is located between 2627 and 2701 Old Forest Road and 2730 Confederate Avenue. The right-of-way is a vegetated area consisting of four hundred two thousandths (.402) acres and extending three hundred fifty (350) feet from Old Forest Road to Confederate Avenue. The right-of-way is fifty (50) feet in width. The adjoining property owner (Clagar Partners) at 2701 Old Forest Road and 2730 Confederate Avenue has consented to the vacation request.

The petitioner is requesting the vacation in conjunction with a rezoning petition for the property located at 2627 Old Forest Road. If approved the vacated right-of-way would facilitate the construction of an entrance drive and parking to support a proposed banquet / event center. The right-of-way does not serve as access to any property and has no foreseeable public use.

PRIOR ACTION(S):

May 23, 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
- Maps

REVIEWED BY:

AN ORDINANCE VACATING RIGHT OF WAY KNOWN AS BOXWOOD PLACE IN BETWEEN 2627 AND 2701 OLD FOREST ROAD AND 2730 CONFEDERATE AVENUE.

WHEREAS, CDDI Development Group LLC, is petitioning to vacate right of way known as Boxwood Place located between the properties of 2627 and 2701 Old Forest Road and 2730 Confederate Avenue, which extends three hundred fifty (350) 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 known as Boxwood Place located between 2627 and 2701 Old Forest Road and 2730 Confederate Avenue, which extends three hundred fifty (350) 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

APPLICATION FOR THE VACATION OF A

Street
(Street/Alley)

LOCATED BETWEEN

2627& 2701 Old Forest Rd & 2730 Confederate Av

The undersigned applicant, The CDDI Development Group 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 street described as follows:

Boxwood Place as nominated on the Map of Subdivision of "Barksdale Place" Lynchburg, Virginia prepared by Thomas C Brooks Sr dated October 24, 2001, which is recorded in the Lynchburg Circuit Court .

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 June 10, 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 R/W.

Given under my hand this 28th day of April , 2014.

The CDDI Development Group LLC
Applicant

2627 Old Forest Road, Lynchburg, 24501
Address

434-384-2630
Telephone Number

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

Adjoining Property Owner
2730 Confederate Ave
and 2701 Old Forest Rd
Clagan Partners
Hay Turner 4-28-2014

2627 and 2701 Old Forest Road & 2730 Confederate Avenue

Right-of-Way Vacation



Area to be vacated

