

AGENDA



CITY OF HOPEWELL

Hopewell, Virginia 23860

AGENDA

PHONE: 541-2249
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e-mail: info@hopewellva.gov
www.hopewellva.gov
rarrington@hopewellva.gov

CITY COUNCIL

Jackie M. Shornak, Mayor, Ward #7
Jasmine E. Gore, Vice Mayor, Ward #4
Christina J. Luman-Bailey, Councilor, Ward #1
Arlene Holloway, Councilor, Ward #2
Anthony J. Zevgolis, Councilor, Ward #3
Janice Denton, Councilor, Ward #5
Brenda S. Pelham, Councilor, Ward #6

John M. Altman, Jr., City Manager
Stefan M. Calos, City Attorney
Ronnie L. Arrington, City Clerk

Date: July 10, 2018

MUNICIPAL BUILDING

Closed Meeting: 6:30 p.m.

Work Session: 7:00 p.m.

Regular Meeting: 7:30 p.m.

OPEN MEETING

6:30 p.m. Call to order, roll call, and welcome to visitors

MOTION: To go into closed meeting for (1) discussion, consideration, and interview of specific appointees of city council (city attorney, BZA); (2) consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of city council (water renewal, public works, police, zoning); and (3) consultation with legal counsel employed or retained by city council related thereto and regarding specific legal matters (EDA) requiring the provision of legal advice by such counsel, in accordance with Virginia Code § 2.2-3711 (A) (1), (7), and (8), respectively.

Roll Call

CLOSED MEETING

RECONVENE OPEN MEETING

CERTIFICATION PURSUANT TO VIRGINIA CODE § 2.2-3712 (D): *Were only public business matters (1) lawfully exempted from open-meeting requirements and (2) identified in the closed-meeting motion discussed in closed meeting?*

Roll Call

MOTION: To amend the order of the agenda to enable city council to vote on appointees prior to regular business, and to adopt the agenda as so amended.

Roll Call

MOTION: To appoint _____ to _____.

Roll Call

WORK SESSION

6:30 p.m. **WS-1 Hopewell Redevelopment and Housing Authority Request to amend the Hopewell Zoning Map to rezone property located at Cedar, Cypress and Westover Streets in the Highland Park subdivision from Residential, High Density (R-3) and Highway Commercial (B-3) to Residential Apartment (R-4)**

REGULAR MEETING

7:30 p.m. Call to order, roll call, and welcome to visitors

Prayer by Chaplain Belinda Todd of John Randolph Pastoral Care, followed by the Pledge of Allegiance to the Flag of the United States of America led by Councilor Denton.

Consent Agenda

All matters listed under the Consent Agenda are considered routine by Council and will be approved or received by one motion in the form listed. Items may be removed from the Consent Agenda for discussion under the regular agenda at the request of any Councilor.

C-1 Minutes:

C-2 Pending List:

C-3 Routine Approval of Work Sessions:

C-4 Personnel Change Report & Financial Report: Both attached

C-5 Ordinances on Second & Final Reading:

C-6 Routine Grant Approval:

C-7 Public Hearing Announcement: August 14, 2018 – Alley vacation off of Bluefield Street; Street vacation portion of Western Street

C-8 Information for Council Review: Minutes: BZA – August 15, 2017, October 19, 2017; December 11, 2017;

C-9 Resolutions/Proclamations/Presentations: City of Refuge presentation; Technology and Efficiency Review presentation

C-10 Additional Announcements:

Public Hearings

CITY CLERK: *All persons addressing Council shall approach the microphone, give name and, if they reside in Hopewell, their ward number, and limit comments to **five minutes**. No person shall be permitted to address Council a second time until all others have been heard, and no one may speak more than twice on any subject in any one meeting. All remarks shall be addressed to Council as a body, any questions must be asked through the mayor only, and there shall be no discussion without permission of the mayor. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in Council Chambers may be*

barred by the mayor from further audience before Council, and removed, subject to appeal to a majority of Council. (See Rules 405 and 406)

PH-1 Consider citizen comments regarding a Conditional Use Permit to building a single family home at 2308 Lee Street

ISSUE: The Hopewell Zoning Ordinance requires that a non-conforming lot located in the R-2 Zoning District obtain a Conditional Use Permit to construct a single family home.

RECOMMENDATION: Staff recommends that Council **resolve to approve the Conditional Use Permit with the conditions set forth by the Planning Commission.**

MOTION: _____

Roll Call

PH-2 Consider citizen comments regarding an amendment to the Hopewell Zoning Map to rezone property located at 905 W Broadway from Limited Commercial (B-2) to Residential, Low Density (R-1)

ISSUE: The City has received a request from Kathy Felton Diradour to rezone property identified as Sub-Parcel # 031-1355, also identified as 905 West Broadway from B-2, Limited Business District to R-3, Residential, High Density District.

RECOMMENDATION: Staff recommends that Council consider citizen comments and note the Planning Commission’s recommendations regarding this matter.

MOTION: _____

Roll Call

PH-3 Hopewell Redevelopment and Housing Authority request to amend the Hopewell Zoning Map to rezone property located at Cedar, Cypress and Westover Streets in the Highland Park subdivision from Residential, High Density (R-3) and Highway Commercial (B-3) to Residential Apartment (R-4)

ISSUE: The City has received a request from the Hopewell Redevelopment and Housing Authority (HRHA) to rezone property identified as Sub-Parcel #'s 042-0095, 042-0195, and 042-0252, from R-3, Residential, Medium Density District and B-3, Corridor Development District to R-4, Residential. The properties are located off of Winston Churchill Drive between Westover Avenue and Highland Avenue.

RECOMMENDATION: Staff recommends that Council **resolve to approve HRHA’s request to amend the Hopewell Zoning Map to rezone property located at Cedar,**

Cypress and Westover Streets in Highland Park subdivision from R-3 and B-3, to R-4.

MOTION: _____

Roll Call

Communications from Citizens

CITY CLERK: *A Communications from Citizens period, limited in total time to 30 minutes, is part of the Order of Business at each regular Council meeting. All persons addressing Council shall approach the microphone, give name and, if they reside in Hopewell, their ward number, and limit comments to **three minutes**. No one is permitted to speak on any item scheduled for consideration on the regular agenda of the meeting. All remarks shall be addressed to Council as a body, any questions must be asked through the mayor only, and there shall be no discussion without permission of the mayor. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in Council Chambers, may be barred by the mayor from further audience before Council, and removed, subject to appeal to a majority of Council. (See Rules 405 and 406.)*

Unfinished Business

UB-1 General Registrar Request for Appropriation

ISSUE: The General Registrar has hired an Assistant Registrar at a salary higher than was budgeted for that position. Pursuant to Virginia Code §24.2-112, City Council sets the rate of pay for the assistant registrar, so the Registrar's Office is seeking an appropriation of \$9,758.44.

RECOMMENDATIONS: Staff recommends that Council **adhere to Virginia Code §24.2-112 and set whatever rate of pay it deems appropriate for the assistant registrar, and to make such appropriation as is required to meet the set rate.**

MOTION: _____

Roll Call

Regular Business

Reports of City Manager:

R-1 National League of Cities Service Line Warranty Program Presentation by Ashley Shiwarski, Senior Manager of Utility Service Partners, Inc.

ISSUE: The National League of Cities (NLC) provides utility service line warranty program to member communities, such as Hopewell.

RECOMMENDATION: Staff recommends that Council **resolve to approve Hopewell’s inclusion in the NLC utility service line warranty program, and to authorize the City Manager to sign all necessary documents.**

MOTION: _____

Roll Call

R-2 SMART SCALE Funding - VDOT

ISSUE: Standard Project Administration Agreement to use **VDOT Smart Scale** program funds to construct curb & gutter, new street cross sections, sidewalks, retaining walls, pavement structure and/or various road section drainage improvements.

RECOMMENDATION: Staff recommends that Council **resolve to approve the VDOT Smart Scale program and to authorize the City Manager to sign all necessary documents.**

MOTION: _____

Roll Call

R-3 Request for emergency appropriation of \$120,000 for repair of Library Street

ISSUE: The segment of Library Street located between East Broadway and the east west/alley just north on the intersection is in need of repair. Over the past 10 years the storm sewer pipe under the road has separated at the joints, which has resulted in severe settlement of the storm basin, sidewalk and road section. The City faces closure of this public facility in our downtown if the repairs are not performed.

RECOMMENDATION: Staff recommends that Council **resolve to approve the appropriation of \$120,000 capital improvement funds to repair Liberty Street.**

MOTION: _____

Roll Call

R-4 Request to Amend Section 15-20, Fire Prevention and Protection, of the City Code

ISSUE: The existing ordinance does not reflect the appropriate appendices.

RECOMMENDATION: Staff recommends that Council **resolve to approve the proposed revisions to City Code Sec. 15-20.**

MOTION: _____

Roll Call

R-5 Panhandling in Public Right of Way

ISSUE: Individuals panhandling within the public right-of-way creates a public safety issue

RECOMMENDATION: Staff recommends that Council **resolve to approve placing signage in the right-of-way.**

MOTION: _____

Roll Call

Reports of the City Attorney: City council rules

Reports of the City Clerk:

Reports of City Council:

Committees

Individual Councilors

IC-1 Gore and Denton Approval of City Council Ward Improvement Fund Policy

Citizen/Councilor Requests

Other Council Communications

Adjournment

CLOSED MEETING

Work Session



**Hopewell Redevelopment and Housing Authority
Rezoning from R-3 (Residential, High Density) and
B-3 (Highway Commercial District) to R-4
(Residential Apartments)**

Staff Report prepared for the City Council Regular Meeting
July 10, 2018

Last Revised: July 4, 2018

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the City Council to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS, MEEETING, & WORKSESSIONS:

Planning Commission Public Hearing	March 1, 2018	Tabled for more information
Planning Commission Meeting	April 5, 2018	Approved with voluntary conditions provided by the applicant
City Council Meeting	May 8, 2018	Presentation of Request
City Council Work Session	June 12, 2018	Work Session
City Council Work Session	July 12, 2018	Work Session
City Council Public Hearing	July 12, 2018	TBD

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Proposed Zoning: R-4, Residential Apartments
 Existing Zoning: Sub-Parcel #042-0195 is zoned R-3
 Sub-Parcel #042-0095 is zoned B-3
 Sub-Parcel #042-0252 is zoned R-3
 Parcel Size: Total Acreage: Approximately 3.8 acres
 Owner: Hopewell Redevelopment & Housing Authority
 Location of Property: Located between Spruce and Cypress Street between Highland and Westover Avenue
 Election Ward: Ward 2
 Land Use Plan Recommendation: 2028 Comprehensive Plan – Medium Density Residential to

	High Density Mixed Use
Strategic Plan Goal:	N/A
Zoning of Surrounding Property:	North: R-4 & M-1
	South: B-3 & R-4
	East: R-4 & B-3
	West: M-1

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from Hopewell Redevelopment and Housing Authority (HRHA) to rezone three properties located at 1012 Winston Churchill Drive. The property is identified as Sub-Parcels 042-0195, 042-0095, and 042-0252. The legal description for Sub-Parcel 042-0195 is Lots 1 through 12, Block 5 and Lots 1 through 12, Block 7 and Lots 1 through 12, Block 10. The legal description for Sub-Parcel 042-0095 is Lots 1-4, Block 3. The legal description for Sub-Parcel 042-0252 is Vacated Ash Street and Part of Cedar Street Vacated. All parcels are located in the Highland Park Subdivision. The applicant’s proposal is to rezone the property to R-4, Residential, Apartments in order to construct a residential complex with 68 units.

IV. FUTURE LAND USE:

The 2028 Draft Comprehensive Plan Future Land Use Map designates this area as Neighborhood Commercial.

The Neighborhood Commercial Land Use has the following criteria:

Residential emphasis with Urban Development Area Designation; High Density Single, Attached & Multifamily Residences; Residential Units in Mixed-Use Buildings; Live-Work Dwellings

Typical Density Range:

Detached – 5-7 DU/AC

Multifamily – 20-40 DU/AC

Attached: 10-14 DU/AC

Mixed Use: Variable Mix & Density by Small Area Plan

Typical Dwelling 500-2000 SF/DU

V. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this rezoning request are found in Article XXI, *Amendments*, and include the following:

Article XXI-A, Initiation:

"Whenever public necessity, convenience, general welfare or good zoning practice require, City Council may amend, supplement, or change this ordinance [Zoning Ordinance], including the schedule of district regulations and the official zoning map. Any such amendment may be initiated by resolution of City Council, by motion of the Planning Commission, or by petition of any property owner addressed to City Council."

Article XXI-B, Action by Planning Commission

1. No zoning ordinance shall be adopted, amended, or re-enacted unless City Council has referred the proposal to the Planning Commission for its recommendation. The commission shall hold at least one (1) public hearing on such proposed amendment, after notice as required by Section 15.1-431 of the Code of Virginia (1950), as amended. Following the hearing, the Planning Commission shall prepare and by motion adopt its recommendations, which may include changes in the original proposal resulting from the hearing, and shall transmit such recommendations, together with any explanatory matter, to the City Council.

2. In recommending the adoption of any amendment to this ordinance, the Planning Commission shall fully state its reasons for any such recommendations, describing any change in conditions, if any, that it believes makes the amendment advisable and specifically setting forth the manner in which, in its opinion, the amendment would be in harmony with the comprehensive plan of the city and would be in furtherance of the purpose of this ordinance.

Article XXI-B, Action by City Council

Before approving the proposed amendment, the City Council shall hold at least one (1) public hearing thereon, pursuant to public notice as required by Section 15.1-431 of the Code of Virginia (1950), as amended, after which the City Council may make appropriate changes or corrections in the proposed amendment; provided, however, that no additional land may be zoned to a different classification than was contained in the public notice without an additional public notice as required by Section 15.1-431 of the Code of Virginia (1950), as amended. An affirmative vote of at least a majority of the members of the City Council shall be required to amend or re-enact a zoning ordinance.

Article VI, Residential Apartment District (R-4) – See Attached

VI. SUBJECT PROPERTY:

The subject property is located off on Winston Churchill Drive near Cavalier Square Shopping Center across the street from Carter G. Woodson Middle School. It is situated between Highland and Westover Avenue and off of Cypress Street. It is approximately 3.8 acres.

Blocks 5, 7 and 10 shown on the enclosed map are zoned R-3 and Block 3 is zoned B-3. The applicant is requesting the rezoning of all parcels to R-4. The size of the property is sufficient to build apartments as proposed. The parcels are not located within a Chesapeake Bay Protected area such as the Resource Protection Area (RPA) or Resource Management Area (RMA). Additionally, the property is located in Zone X, as identified on the most recent approved FEMA maps. This means it is in an area of minimal flood hazard. Parcels in Blocks 5 and 7 of the property are fairly flat, while the parcel in Block 10 has a grade change from 50 to 66. There are no known environmental constraints that would impede the development of the property.

VII. ZONING/STAFF ANALYSIS:

The R-4 Zoning District is a high density, multi-family district. The 2028 Comprehensive Plan Land Use Map designates this area as Neighborhood Commercial. A description of this land use is provided in Section IV of this document. While the Zoning Ordinance will be updated in the near future to accommodate the new land use designations in the 2028 Comprehensive Plan, the R-4 Zoning District is the most compatible with the Neighborhood Commercial designation. Furthermore, the applicant has voluntarily provided conditions that meet the traditional neighborhood design standards outlined in the new land use designation.

The current R-3 zoning would allow for multifamily dwellings such as apartments and townhouses but with lower density than the requested R-4 Zoning District. By right, without review by the Planning Commission or City Council, the applicant can build 40 apartment units on Sub-Parcel's 042-0252 and 042-0195 as they are both zoned R-3. City Staff would review the application for conformance to the Zoning Ordinance, however the site design and architectural style of the building(s) are not aspects that could be negotiated through the administrative process. The rezoning requests, however, allows for specific

details about the project to be discussed and agreed upon at the Planning Commission and City Council level.

Multifamily dwellings within the R-3 district must have a minimum lot area of seven thousand five hundred (7,500) for the first two (2) units plus four thousand (4,000) for each additional unit. If the rezoning was approved, the R-4 Zoning District allows two thousand (2,000) square feet for each one (1) bedroom dwelling unit, two thousand four hundred (2,400) square feet for each two (2) bedroom dwelling unit, and two thousand eight hundred (2,800) for each three (3) bedroom dwelling unit.

The applicant is proposing 68 apartment units but has not yet determined the mix of bedroom units in the complex.

Reason for the Rezoning Request

It has been a priority of the HRHA Board for some time to move the residents of the 120 unit Davisville/Bland Court to a more environmentally safe location. This development would be the first phase of relocation for residents. The exodus of residents from environmentally unsafe areas is also a policy adopted by the City in the 2028 Comprehensive Plan. Page 10 of Chapter 9, reads, “The following housing polices and strategies should be used as a guide when making future land use decisions about the housing in the City” #5 Continue to phase out housing that is adjacent to environmental undesirable locations, in non-residential zoning districts (i.e. residential housing located in a business or industrial district), and that are considered non-conforming residential units (i.e. mobile homes).”

A location for the second phase of relocation has not been finalized. However, the Authority is considering the following three options:

1. Construct apartments and locate remaining 52 units at 600 East Broadway or 350 East Poythress Street;
2. Obtain nine (9) additional project-based units at Freedman Point and 43-51 tenant based housing choice vouchers that allow residents to move anywhere in the City;
3. Issue fifty-two (52) to sixty (60) tenant based housing choice vouchers to move anywhere in the City.

While the relocation of the remaining persons that are not a part of Phase I is important, its resolution is separate from the rezoning request. This application must focus on the land use issue; whether or not a higher density development at the requested location is in keeping with the Comprehensive Plan and appropriate for the neighborhood. Since the property can currently accommodate construction of 40 units, City Council must decide if rezoning to a higher density is appropriate in context of the community and future land use designation.

The 2028 Comprehensive Plan identifies this area as high density residential/commercial mixed use area using Traditional Neighborhood Design (TND). Staff has discussed this with the applicant who has pledged to follow the TND development concept. In regards to building design, the applicant has given thought to a single building with multiple floors and first floor covered parking.

Project Financing

This project will be financed using Low Income Housing Tax Credit (LIHTC) which is administered through the Virginia Housing Development Authority. The LIHTC allows for the financing of affordable housing for persons at 40, 50 and 60 percent of the Area Median Income as assessed in the Richmond Metropolitan Statistical Area. For a family of 4 the income would be as follows:

40% of Area Median Income: \$30,960
50% of Area Median Income: \$38,700
60% of Area Median Income: \$46,440

Based on Richmond Metropolitan Statistical Area Median Income: \$78,700.00
Effective Date: 4/14/2017
*30%: Extremely Low-Income | 50%: Very Low-Income | 80%: Low-Income

Based on the financial eligibility requirements above, current residents of Davisville/Bland Court would be eligible to live in the proposed development. Additionally, those outside of Davisville/Bland Court *could* be allowed to reside in the proposed development, similar to the Summit Apartments, located off of Winston Churchill Drive, in the former Langston Park community, where 30 units were set-aside for previous Langston Park residents, and 26 were market rate. HRHA plans to utilize all units in the proposed development to transition residents from Davisville.

There are two financing options when applying for LIHTC; the 4% or 9% credit. The latter is more competitive and has a definitive grant cycle each year. The 4% credit can be applied for throughout the year. Both require high quality development in regards to material usage. The applicant must provide a product with at least 60% brick exterior and the remaining hardy plank. The units must also be energy efficient.

VIII. STAFF RECOMMENDATION:

The staff recommends approval of the rezoning from R-3 and B-3 to R-4 for the following reasons:

1. A portion of the property is already zoned for residential purposes. The proposed zoning, will increase the density, which is in keeping with the 2028 Comprehensive Plan land use designation.

2. The rezoning will provide better quality housing for current tenants of Davisville/ Bland Court (a strategy and policy in the 2028 Comprehensive Plan);
3. The location removes residents of that community out of an environmentally harmful area (a strategy and land use policy in the 2028 Comprehensive Plan);
4. The development is decentralizing poverty by not moving all residents of Davisville/Bland Court to the same location. The development will contain no more than 68 units. The centralization of poverty is a housing policy listed in the Housing chapter of the most recent Comprehensive Plan. (Chapter 9, page 10);
5. The applicant has provided voluntary conditions that address concerns of Staff and the Planning Commission regarding: site design, connectivity, and exterior building materials. A letter from the applicant listing the conditions is provided with this report.

IX. PLANNING COMMISSION RESOLUTION:

At their April 5, 2018 meeting the Hopewell Planning Commission in accordance with Article XXI-B, of the Hopewell Zoning Ordinance, *approved the rezoning of Sub-Parcels #042-0195, 042-0095, and 042-0252, with conditions as outlined by HRHA in their letter dated March 27, 2018, and amendment of the Official Hopewell Zoning Map, from R-3, Residential, High Density and B-3, Highway Commercial District to R-4, Residential Apartments.*

X. CITY COUNCIL RESOLUTION:

The Hopewell City Council in accordance with Article XXI-B, of the Hopewell Zoning Ordinance, *approves, approves with conditions, denies, tables,* the request submitted by the Hopewell Redevelopment and Housing Authority to rezone Sub-Parcels #042-0195, 042-0095, and 042-0252, and to amend the Official Hopewell Zoning Map from R-3, Residential, High Density and B-3, Highway Commercial District to R-4, Residential Apartments.



The City
of
Hopewell, Virginia

City of Hopewell, VA
Permits / Inspec... - 20180008|RZNG - 2018
006396-0001 Tevya Gr... 01/10/2018 03:01PM
0 -
REZONING - REVIEW
Payment Amount: 300.00
Transaction Amount: 300.00
CHECK: 041203

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

APPLICATION FOR REZONING

APPLICATION FEE: \$300

APPLICANT: Hopewell Redevelopment & Housing Authority
ADDRESS: 350 East Poythress Street
Hopewell, VA 23860

PHONE #: 804 458 5160 FAX #: _____

INTEREST IN PROPERTY: ^{Purchase Contract} OWNER OR AGENT

IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: AWK & Najma Durrani
ADDRESS: 1012 Winston Churchill Dr
Hopewell, VA 23860

PHONE #: _____ FAX #: _____

PROPERTY ADDRESS / LOCATION: _____

LEGAL DESCRIPTION: See Attached

PARCEL #: 042-0195 / 042-0095 ACREAGE: ~~3.0~~ ^(m) Approx 3.8 AC

PRESENT ZONING DISTRICT: R3 / B3

REQUESTED ZONING DISTRICT: R4
PRESENT USE OF PROPERTY: vacant land

IT IS PROPOSED THAT THE FOLLOWING BUILDINGS WILL BE CONSTRUCTED:
Apartment buildings and a community building
for resident use

NEED AND JUSTIFICATION FOR THE CHANGE IN CLASSIFICATION:
The change is needed to facilitate anticipated development.
The change is aligned with the neighborhood character and
uses.

20180008

ANTICIPATED EFFECT OF THE PROPOSED CHANGE (IF ANY) ON PUBLIC SERVICES AND FACILITIES:

This change will have a very limited effect on public services and facilities as it only brings an additional 15-20 households beyond what is already allowed to an area that is able to absorb it well.

APPROPRIATENESS OF THE PROPERTY FOR THE PROPOSED CHANGES, AS IT RELATES TO THE INTENT OF THE ZONING DISTRICT DESIRED:

The property is most appropriate for this change.

WAY IN WHICH THE PROPOSED CHANGE WILL FURTHER THE PURPOSES OF THE ZONING ORDINANCE AND GENERAL WELFARE OF THE COMMUNITY:

This change is aligned with the general spirit of the zoning ordinance. This change will be a great benefit to the community.

COMMENTS FROM APPLICANT / OWNER:

*** ATTACH A COPY OF A SURVEY BY A LICENSED SURVEYOR OF THE PROPERTY

A PROFFER STATEMENT IS ATTACHED Y N

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.


APPLICANT SIGNATURE

12/27/2018
DATE

OFFICIAL USE ONLY

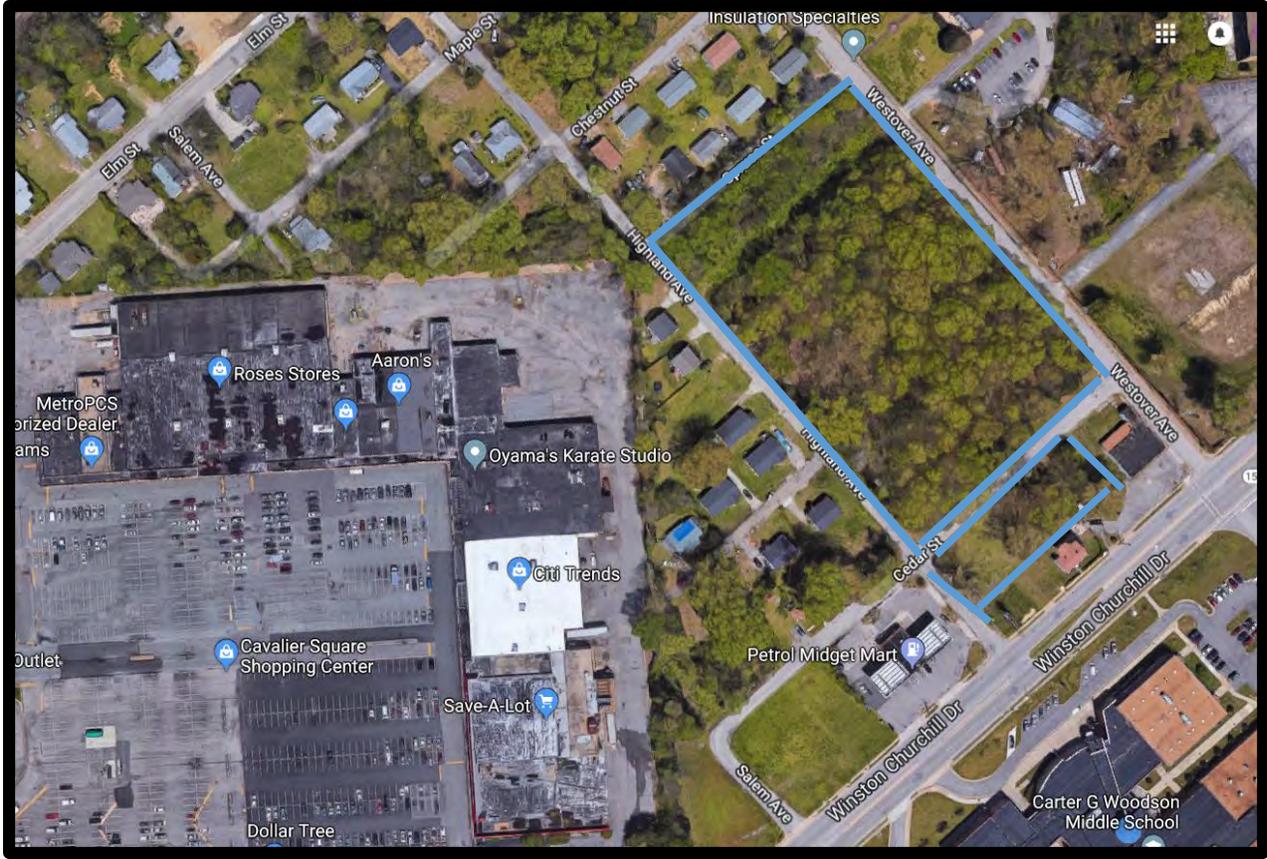
DATE RECEIVED: 1/10/18 DATE OF FINAL ACTION: _____

ACTION TAKEN:

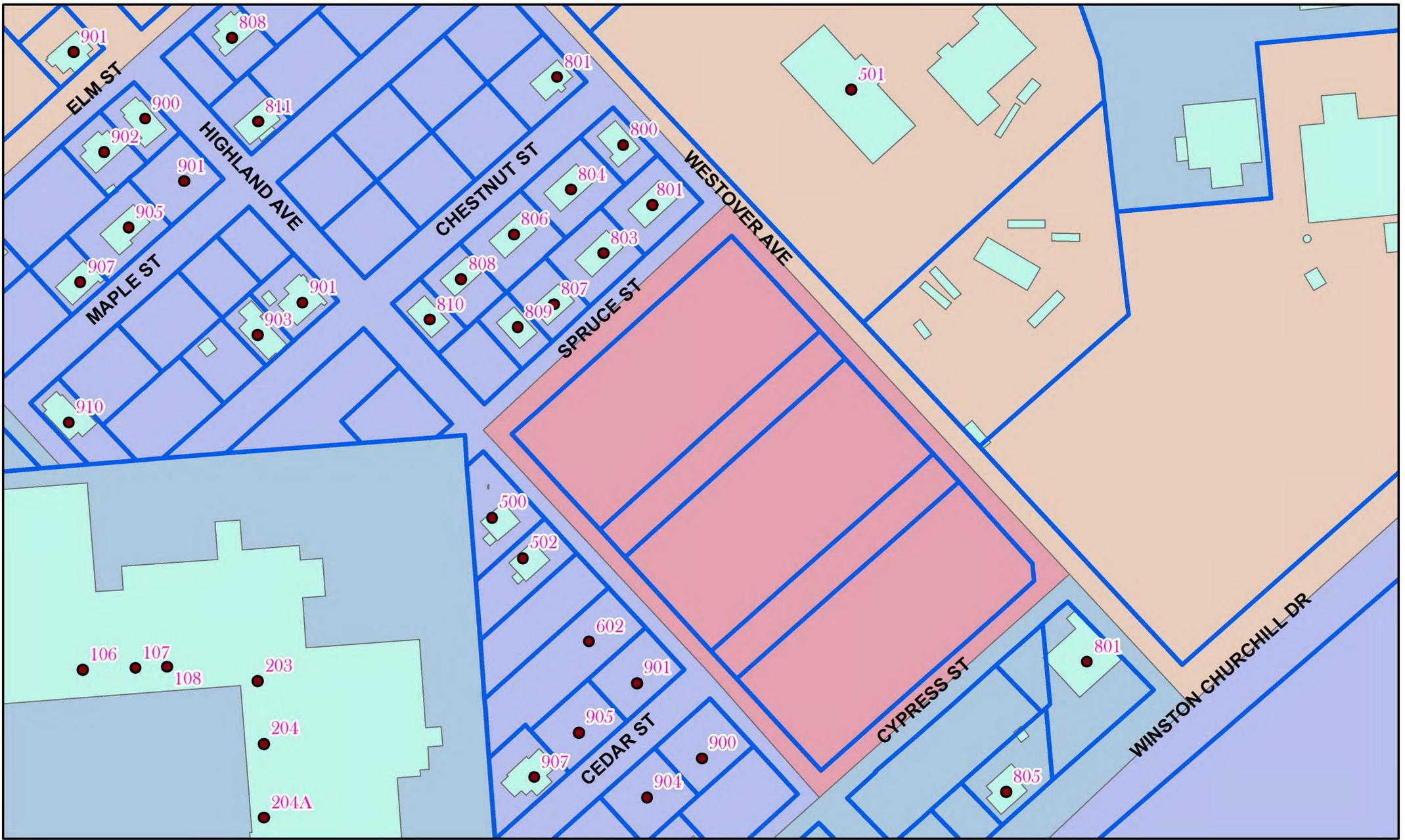
APPROVED DENIED

APPROVED WITH THE FOLLOWING CONDITIONS/ PROFFERS:

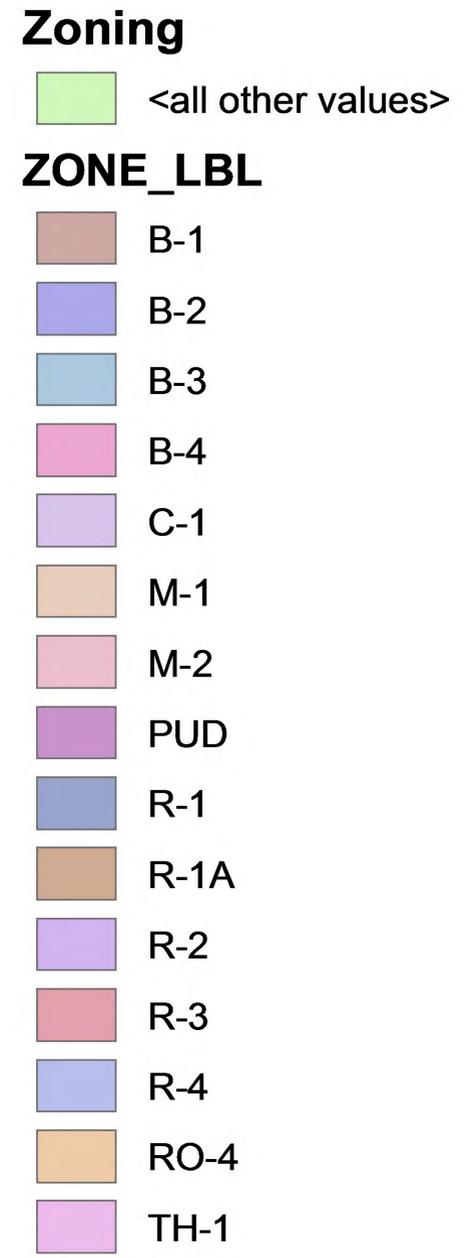
Aerial Map with Landmarks



Proposed property to rezone from R-3 and B-3 to R-4



Zoning Map depicting Sub-Parcel # 042-0195, 042-0095, & 042-0252



Hopewell Redevelopment & Housing Authority

"Where People Matter Every Day"



350 East Poythress Street
P.O. Box 1361
Hopewell, Virginia 23860
804/458-5160, 541-1458
Fax 804/458-3364

TDD/TTY & Voice 711

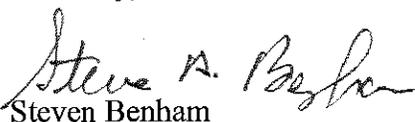
March 27, 2018

Dear Planning Commission Members:

Hopewell Redevelopment and Housing Authority (HRHA) offers the following conditions for the development of the proposed apartments located on parcels 042-0095, 042-0195 and 042-0252 in the Cavalier Square area of the city.

1. We will design and build using the principles of Traditional Neighborhood Design. This includes but is not limited to:
 - a. Buildings will be built close to the street.
 - b. There will be sidewalks/ walking paths and/or bike paths to connect to future pedestrian scale paths developed by the city.
 - c. There will be well designed open space.
 - d. Parking will be behind or under the building.
2. The development shall contain no more than 68 units.
3. The buildings will be well-designed with high quality construction materials. Specifically, the building will have its exterior composed of brick and hardi board material.
4. The buildings will meet the energy efficiency requirements for EarthCraft certification.
5. The plans will be discussed with the police department to include elements of Crime Prevention through Environmental Design.
6. We will present conceptual plans and drawings once available for: (a) the Planning Commission to review and approve the design of the building(s), (b) the height and number of floors of building(s), (c) the building setbacks and (d) the overall site layout; prior to site plan approval.

Sincerely,


Steven Benham

Executive Director

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT ("Agreement") dated December 28, 2017 between AWK and NAJMA DURRANI (the "Seller"), using the address 1107 Marl Bank Drive North Prince George, VA and Hopewell Redevelopment and Housing Authority, a Public Housing Authority in the State of Virginia.

1. **CONVEYANCE.** Seller agrees to sell and convey to Purchaser (or its assignee or nominee) and Purchaser agrees to purchase from Seller, the real estate located in the City of Hopewell, State of Virginia, identified as City of Hopewell PID number 042-0195, further described as 3.5 +/- acres located at Cedar Street and Westover Avenue, Hopewell, VA 23860 in Hopewell, VA which is more particularly described in **Exhibit A** attached hereto and made a part hereof, together with (a) all rights, easements and appurtenances belonging or appertaining thereto, (b) all right, title and interest of Seller in and to any and all roads, streets, alleys or public and private rights of way, bounding such property, and (c) all buildings and other improvements thereon, if any (collectively, the "Property"). Purchaser reserves the right to substitute the description appearing on **Exhibit A** with the legal description shown on an accurate boundary survey obtained by Purchaser and approved by Seller.

2. **PURCHASE PRICE.** The purchase price is Two hundred and fifty thousand dollars and no Cents (\$250,000.00) ("Purchase Price"), which shall be due and payable as set in this agreement, plus or minus prorations, as hereinafter provided. Upon the execution of this Agreement, Purchaser shall pay One Thousand Dollars (\$1,000.00) with the execution of this Contract, and will be applied to purchase price at closing.

3. **CONTINGENCY PERIOD.** Purchaser shall have ninety (90) days following the execution of the Agreement (the "Contingency Period") in which to conduct any and all due diligence concerning the Property.

4. **INSPECTION PERIOD.** Seller acknowledges that Purchaser has performed only a visual inspection of the Property and that Purchaser has not had an adequate opportunity to conduct a complete examination and physical inspection of the Property. Accordingly, Purchaser shall not be obligated to purchase the Property unless surveys, title examinations, zoning and environmental studies conducted by Purchaser at its sole expense shall show, in Purchaser's sole discretion, the Property to be free from environmental contamination or any environmental law violation and otherwise suitable to Purchaser's proposed use of the Property for multifamily residential housing ("Purchaser's Proposed Use"), including, but not limited to availability of adequate utilities. All such studies, reports, plans, appraisals, surveys or other materials obtained or undertaken by Purchaser shall remain the sole property of Purchaser. Purchaser shall have a period of 90 days, concurrent with the contingency period, from the date of this Agreement (the "Inspection Period") to inspect the Property and perform such title examinations, tests and studies and obtain such surveys and reports as Purchaser in its sole discretion deems necessary. Seller shall permit Purchaser, its employees, agents, independent contractors, successors and assigns access to the Property for purposes of conducting such inspections. Purchaser shall indemnify, defend and hold harmless Seller against any claims, damages or liability to Seller resulting from Purchaser's entry upon the Property during the Inspection Period. Purchaser may terminate its obligations to Seller under the Agreement by giving notice to Seller within the Inspection

Period to the effect that inspections show the Property not to be free from environmental contamination or any other environmental law violation. The initial Deposit of One Thousand & 00/100 Dollars Shall be refunded in the event Purchaser in his sole discretion elects to terminate this agreement due to the environmental study yielding unsuitable results, or any other studies that reflect unsuitable conditions to purchaser and uncured by the seller during the Inspection Period. After the Inspection Period expires, the Initial Deposit money is nonrefundable, but applicable to the purchase price. Purchaser agrees to provide Seller with copies of all studies and due diligence items performed regarding the property.

CONTINGENCIES. Seller acknowledges that Purchaser's ability to use the Property for its Proposed Use is subject to certain financing and related contingencies. Notwithstanding anything in this Agreement to the contrary, Final approval of all terms and conditions may require HRHA board approval prior to closing.

5. **TITLE INSURANCE.**

(a) Upon execution and delivery of this Agreement, Seller shall provide to Purchaser as soon as reasonably practicable copies of all title information and other information relating to the Property in the possession of or available to Seller, including but not limited to: surveys, deeds, notes and deeds of trust, title policies or commitments and underlying exceptions, environmental reports, easements, restrictions and covenants relating to the Property. Seller will convey good and marketable title to the Property at closing, and except as provided for herein, the Property shall be conveyed free, clear and unencumbered of all tenancies and parties in possession on the date of closing.

(b) In the event any title search conducted by Purchaser or its Agents shall reflect any defects in title or other conditions not acceptable to Purchaser ("Defects"), then Seller, upon Purchaser's notification of the Defects, shall immediately and diligently proceed to cure same to Purchaser's satisfaction. If, after the exercise of all reasonable diligence, Seller is unable to remove the Defects or obtain a title endorsement over the Defects, then Purchaser may accept the Defects, or Purchaser may terminate the Agreement, in which case Purchaser shall be entitled to the return of the Earnest Money Deposit Of One Thousand & 00/100 Dollars (\$1000.00) and the parties to and their respective brokers shall be released and held harmless from any claims arising and this agreement shall become null and void. Title objections must be reported to Seller within the first fifty (50) days of the "INSPECTION PERIOD" or within seven (7) days of discovery or title shall be deemed acceptable to Purchaser and satisfied with regards to Purchase Agreement.

6. **SELLER'S REPRESENTATIONS AND WARRANTIES.** Seller represents and warrants to Purchaser as follows:

(a) Seller has received no written notice of any pending action by any governmental authority or agency having the power of eminent domain, which might result in any part of the Property being taken by condemnation or conveyed in lieu thereof. Seller shall, promptly upon receiving any such notice, give Purchaser written notice thereof.

(b) Seller has received no written notice of any action, suit or proceeding pending or threatened in writing against, by or affecting Seller's right to transfer the Property or the title of the Property.

(c) At closing, Seller shall terminate, and be responsible for any payments due with respect thereto, all contracts affecting the Property, unless Purchaser agrees to assume any such contracts.

(d) There are no unwritten or unrecorded leases, easements, licenses, or agreements of any kind or nature which grants any rights whatsoever to any party with respect to the Property.

(e) To the best of the Seller's knowledge and belief, the land and/or any improvements comprising the Property, are free of the existence of "Hazardous Materials" (as hereinafter defined), and is not in violation of any Environmental Laws (as hereinafter defined) affecting the Property. As used herein "Environmental Laws" means all federal, state and local statutes, codes, regulations, rules, ordinances, orders, standards, permits, licenses, policies and requirements (including consent decrees, judicial decisions and administrative orders) relating to the protection, preservation, remediation or conservation of the environment or worker health or safety, all as amended or reauthorized, or as hereafter amended or reauthorized, including without limitation, the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), 42 U.S.C. § 9601, *et seq.*, the Resource Conservation and Recovery Act of 1976 ("RCRA"), 42 U.S.C. § 6901, *et seq.*, the Emergency Planning and Community Right-to-Know Act ("Right-to-Know Act"), 42 U.S.C. § 11001, *et seq.*, the Clean Air Act ("CAA"), 42 U.S.C. § 7401, *et seq.*, the Federal Water Pollution Control Act ("Clean Water Act"), 33 U.S.C. § 1251, *et seq.*, the Toxic Substances Control Act ("TSCA"), 15 U.S.C. § 2601, *et seq.*, the Safe Drinking Water Act ("Safe Drinking Water Act"), 42 U.S.C. § 300f, *et seq.*, the Atomic Energy Act ("AEA"), 42 U.S.C. § 2011, *et seq.*, the Occupational Safety and Health Act ("OSHA"), 29 U.S.C. § 651, *et seq.*, and the Hazardous Materials Transportation Act (the "Transportation Act"), 49 U.S.C. § 1802, *et seq.* As used herein, "Hazardous Materials" means: (1) "hazardous substances," as defined by CERCLA; (2) "hazardous wastes," as defined by RCRA; (3) any radioactive material including, without limitation, any source, special nuclear or by-product material, as defined by AEA; (4) asbestos in any form or condition; (5) polychlorinated biphenyls; and (6) any other material, substance or waste to which liability or standards of conduct may be imposed under any Environmental Laws.

(f) Seller represents and warrants that the existing loan on the Property is current in all respects and that no default exists under the loan documents (which shall include all documents executed by the Seller in connection with the loan for the Property), and that such loan shall remain current and the Seller shall comply with all aspects, conditions and requirements of said loan documents at all times that this Agreement is in force including the Closing Date.

7. **EMINENT DOMAIN; DAMAGE.** If, prior to closing, all or any part of the Property is condemned or appropriated by public authority or any party exercising the right of eminent domain, or is threatened thereby, or if the buildings and improvements on the Property are destroyed or materially damaged by fire, windstorm, explosion or other casualty, Seller will give Purchaser written notice thereof and Purchaser may, at its option: (i) terminate this Agreement and Purchaser shall be entitled to the return of the Earnest Money Deposit and the parties shall be released from further

liability; or (ii) elect to proceed under this Agreement and, at Purchaser's discretion, either (a) the Purchase Price shall be reduced by, or (b) Purchaser may take an assignment of, the amount of Seller's award and/or insurance proceeds to which Seller is entitled to receive.

8. **RISK OF LOSS.** Prior to closing, the risk of loss or damage to the Property shall remain with Seller.

9. **CLOSING.**

(a) **Time.** Closing shall take place on a date mutually agreeable to Purchaser and Seller by March 31, 2018.

(b) **Place.** Closing shall be held at a place and time mutually agreeable to Purchaser and Seller.

(c) **Documents.** Seller shall deliver at closing the following executed documents in form and content acceptable to Purchaser:

(i) **Deed.** A General Warranty Deed ("Deed"), with a release of dower, curtesy, homestead and other spousal rights, if any, conveying good, marketable and insurable title and warranting title to be free and clear of all Defects except any which Purchaser may have waived in writing prior to closing and which are listed as exceptions on the Deed.

(ii) **Authority.** Such evidence or documents as may be reasonably required by Purchaser or the Purchaser's title insurance company evidencing the status and capacity of Seller and the authority of the person or persons who are executing the various documents on behalf of Seller in connection with the sale of the Property, including, but not limited to, a good standing certificate from the applicable Secretary of State in which the Property is located and corporate resolutions, if applicable.

(iii) **Leases.** Any leases related to the property, either residential or business-related.

(d) **Payment.** The Purchase Price, subject to any applicable reimbursements, prorations and/or adjustments, shall be paid to Seller as follows:

(i) Should closing occur, all Money Deposits (Initial, Additional, and Extension) shall be applied to the Purchase Price;

(ii) Purchaser shall deliver the balance of the Purchase Price (less reimbursements, prorations and adjustments as set forth herein) to Seller at closing, in cash or otherwise readily available funds.

(e) **Real Estate Taxes and Assessments.** General and special real estate taxes, assessments and other state or city taxes affecting the Property (collectively, "Real Estate Taxes") shall be prorated as of the date of closing based upon the amount of the most recent ascertainable taxes for the Property.

(f) **Transfer Taxes and Recording Fees.** Any transfer or sales tax, including tax(es) on the Deed, shall be paid by Seller at closing. Any recording fees shall be paid by Purchaser.

(g) **Brokers.** Seller and Purchaser represent and warrant to each other that they have not had any dealings with any real estate brokers, finders or agents in connection with this Agreement other than McDonough Real Estate Company (the "Seller's Broker"). Seller shall pay all commissions and other fees due to brokers; a ~~5.00%~~ ^{5.00%} commission. No other fees or commissions to any other shall be the responsibility of the Seller

(K) 10

10. **SURVIVAL OF CLOSING.** All representations, warranties, agreements and indemnities contained in this Agreement shall survive the closing of this transaction.

11. **POSSESSION.** Possession of the Property, free from all tenancies, parties in possession and occupants, shall be delivered to Purchaser by Seller at the closing.

DEFAULT. In the event Purchaser defaults under the terms and conditions of the Agreement and Seller is not in default of the Agreement, Purchaser shall have thirty (30) days after receipt of written notice of default from Seller to cure the default. In the event of no cure by purchaser after the 30 days purchaser shall be liable for all costs and damages including legal fees incurred by seller in his attempt in enforcement of this agreement under the law.

In the event Seller defaults under the terms and conditions of this Agreement and Purchaser is not in default of this Agreement, Purchaser shall deliver a written notice to Seller stating the default of Seller and the action required by Seller to cure such default. Said notice shall provide that if said identified default is not cured to Purchaser's satisfaction within thirty (30) days after Seller's receipt of such notice, then Purchaser may either: (i) terminate this Agreement by written notice to Seller, and thereupon the Earnest Money Deposit of One Thousand (\$1,000.00) shall promptly be refunded to Purchaser and the parties shall have no further obligations hereunder; or (ii) avail itself of any remedies available to it at law or in equity, including, but not limited to, the right to specific performance, and seller shall be liable for all costs and damages including legal fees incurred by purchaser in his attempt in enforcement of this agreement under the law.

12.

13. **TIME OF THE ESSENCE.** Time is of the essence of this Agreement; provided, however, if the final (but not any interim) date of any period set forth herein (including, but not limited to, the date of closing) falls on a Saturday, Sunday or legal holiday under the laws of the United States of America, the final date of such period shall be extended to the next business day.

14. **NOTICE.** All notices, demands, or other communications of any type (herein collectively referred to as "Notices") given by Seller to Purchaser or by Purchaser to Seller, whether required by this Agreement or in any way related to the transaction contracted for herein, shall be void and of no effect unless given in accordance with the provisions of this Agreement. All notices shall be legible and in writing and shall be delivered to the person to whom the notice is directed, either in person with a receipt requested therefor or sent by a recognized overnight courier service for next day delivery or by United States certified mail, return receipt requested, postage prepaid and addressed to the parties at their respective addresses set forth below, and the same shall be effective (a) upon receipt or refusal if delivered personally; (b) one (1) business day after depositing with such an overnight courier service; or (c) three (3) business days after deposit in the mails if mailed as follows:

If to Purchaser:

Hopewell Redevelopment and Housing Authority
Attn: Tarvaris J. McCoy
350 East Poythress Street
Hopewell, VA 23860

If to Seller:

Steve McDonough
1315 Ruffin Rd.
North Prince George, VA 23860

Either party hereto may change the address for Notice specified above by giving the other party ten (10) days advance written notice of such change of address.

15. **ASSIGNMENT**. Purchaser shall have the right to assign this Agreement at any time without consent of Seller for the purpose of constructing the apartment units. Seller shall not have the right to assign this Agreement without the written consent of Purchaser.

16. **FORCE MAJEURE**. If Purchaser is delayed or prevented from performing any of its obligations under this Agreement by reason of strike, lockouts or labor troubles, riots, insurrection, acts of God or any cause beyond Purchaser's control, the period of such delay or such prevention shall be deemed added to the time period herein provided for the performance of any such obligation by Purchaser.

17. **MISCELLANEOUS**. No term or condition of this Agreement will be deemed to have been waived or amended unless expressed in writing, and the waiver of any condition or the breach of any term will not be a waiver of any subsequent breach of the same or any other term or condition. This Agreement constitutes the entire agreement of the parties which incorporates and supersedes all prior written and oral understandings. This Agreement shall be binding upon, and inure to the benefit of, the parties, their heirs, executors, personal representatives, nominees, successors or assigns.

18. **COUNTERPARTS**. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original and all such counterparts taken together shall be deemed to constitute one and the same instrument.

19. **AUTHORIZATION**. Both Seller and Purchaser represent that they have full capacity, right, power and authority to execute, deliver and perform this Agreement and all documents to be executed by Seller pursuant hereto, and all required action and approvals therefore have been duly taken and obtained. The individuals signing this Agreement and all other documents executed or to be executed pursuant hereto on behalf of Seller are and shall be duly authorized to sign the same on Seller's behalf and to bind Seller thereto. This Agreement and all documents to be executed pursuant hereto by Seller are and shall be binding upon and enforceable against Seller, as applicable, in accordance with their respective terms, and the transaction contemplated hereby will not result in a breach of, or constitute a default or permit acceleration of maturity under, any indenture, mortgage, deed of trust, loan agreement or other agreement to which Seller or the Property is subject or by which Seller or the Property is bound.

20. **NO SOLICITATION.** Seller agrees that upon its execution of this Agreement neither it nor its agents or employees (a) will initiate, encourage the initiation by others of discussions or negotiations with third parties or respond to solicitations by third parties relating to the Property or any part thereof, (b) will fail to immediately notify Purchaser if any third party attempts to initiate any such solicitation, discussion or negotiation with Seller and (c) will enter into an agreement with any third party with respect to the Property or any part thereof.

21. **CONFIDENTIALITY.** Seller and its agents, representatives, employees, partners, officers and directors will not disclose the subject matter or terms of the transaction contemplated by this Agreement (except to professional performing services for Seller or government agencies requesting same.

[SEPARATE SIGNATURE PAGES FOLLOW]

PURCHASER:

Hopewell Redevelopment and Housing Authority

By: Stew A. Benjamin
Print Name: Steven A. Benjamin, Sr Date 12/22/17
Title: Executive Director

IN WITNESS WHEREOF, Seller(s) have/ has caused this Agreement to be executed and sealed as of the date first above written.

SELLER(s):

Individuals

By: AWK Durrani 12/23/17
Printed Name: ABULWAHEED KHAN DURRANI
Date

By: Najma Durrani
Printed Name: _____
Date 12-23-17

By: NAJMA DURRANI
Printed Name: _____



HOPEWELL, VA REAL ESTATE RECORDS



City of Hopewell Tax Report - HOPEWELL, VA 23860



- Residential
- Agricultural
- Government
- Water
- Commercial
- Industrial
- Other
- Condo

PROPERTY INFORMATION

PID # 042-0195	Property Use: 1 SINGLE FAMILY	Census Tract: 820300 Block: 2111
Tax ID: 05218	URBAN	Block / Lot:
Property Type: Residential	Land Description: 1. Lot	Subdivision: HIGHLAND PARK
Property Address: CEDAR HOPEWELL, VA 23860	Lot Size: - n/a -	Legal Description: LOTS 1 THRU 12 BLK 5 & LOTS 1 THRU 12 BLK 7 & LOTS 1 THRU 12 BLK 10 SUBDIVISION: HIGHLAND PARK
Current Owner: A W K & NAJMA DURRANI 1012 WINSTON CHURCHILL DR HOPEWELL, VA 23860-5141	Zoning: R3	
	2. Lot	
	Lot Size: - n/a -	
	Zoning: R3	
	3. Lot	
	Lot Size: - n/a -	
	Zoning: R3	

VALUE INFORMATION

	<u>2012 Final</u>	<u>2013 Final</u>	<u>2014 Final</u>	<u>2015 Final</u>	<u>2016 Final</u>
Building Value:	\$0	\$0	\$0	\$0	\$0
Land Value:	\$154,900	\$148,700	\$148,700	\$225,000	\$225,000
Extra Feature Value:	- n/a -				
Total Assessed Value:	\$154,900	\$148,700	\$148,700	\$225,000	\$225,000
Taxable Value:	\$154,900	\$148,700	\$148,700	\$225,000	\$225,000
Millage Rate:	-n/a-	-n/a-	-n/a-	-n/a-	-n/a-

SALES INFORMATION

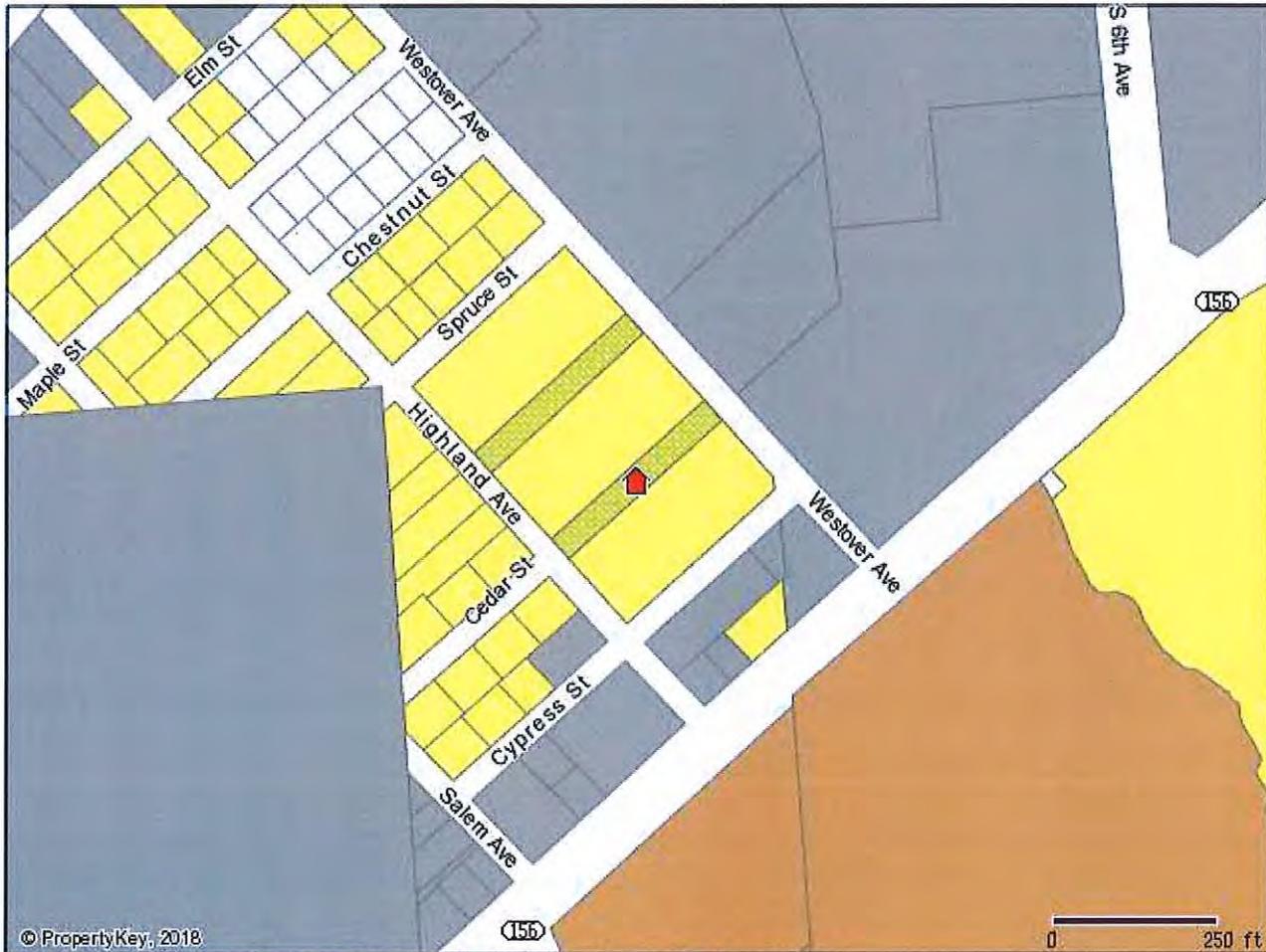
Deed Type	Sale Date	Rec Date	Price	Document #	Grantor
n/a	07/1998		\$1		



HOPEWELL, VA REAL ESTATE RECORDS



City of Hopewell Tax Report - HOPEWELL, VA 23860



© PropertyKey, 2018

- Residential
- Agricultural
- Government
- Water
- Commercial
- Industrial
- Other
- Condo

PROPERTY INFORMATION

PID # 042-0252 Tax ID: 10977 Property Type: Residential Property Address: WESTOVER HOPEWELL, VA 23860 Current Owner: A W K & NAJMA DURRANI 1012 WINSTON CHURCHILL DR HOPEWELL, VA 23860-5141	Property Use: 1 SINGLE FAMILY URBAN Land Description: 1. Lot Lot Size: - n/a - Zoning: R3 2. Lot Lot Size: - n/a - Zoning: R3	Census Tract: 820300 Block: 2111 Block: / Lot: Subdivision: HIGHLAND PARK Legal Description: VAC ASH ST & PT OF CEDAR ST VAC SUBDIVISION: HIGHLAND PARK
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VALUE INFORMATION

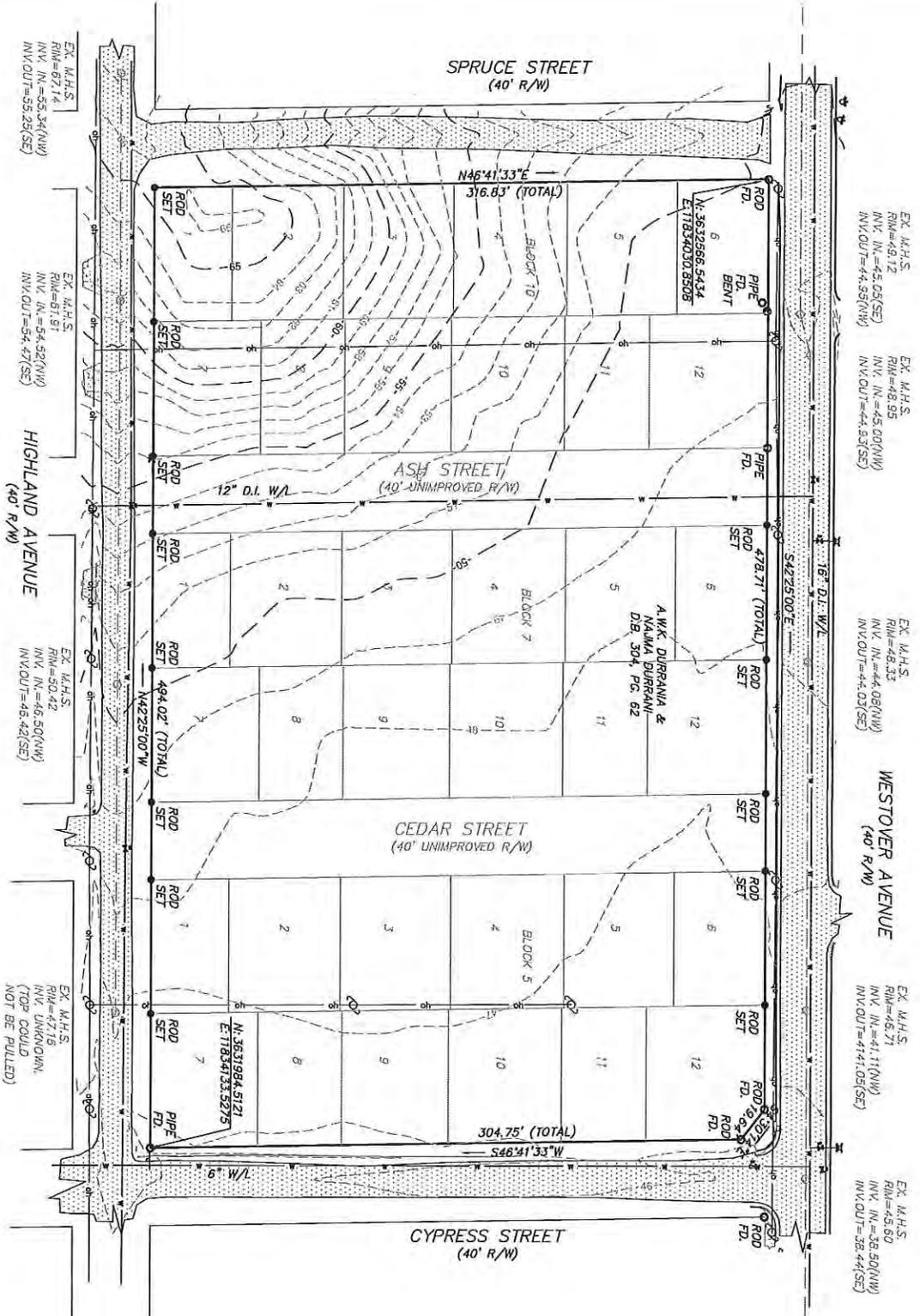
	<u>2012 Final</u>	<u>2013 Final</u>	<u>2014 Final</u>	<u>2015 Final</u>	<u>2016 Final</u>
Building Value:	\$0	\$0	\$0	\$0	\$0
Land Value:	\$18,900	\$18,100	\$18,100	\$30,000	\$30,000
Extra Feature Value:	- n/a -				
Total Assessed Value:	\$18,900	\$18,100	\$18,100	\$30,000	\$30,000
Taxable Value:	\$18,900	\$18,100	\$18,100	\$30,000	\$30,000
Millage Rate:	-n/a-	-n/a-	-n/a-	-n/a-	-n/a-

SALES INFORMATION

Deed Type	Sale Date	Rec Date	Price	Document #	Grantor
n/a	04/08/2002		\$0	Bk 2000/Pg 20001252	
n/a	07/01/1998		\$1	Bk 4 /Pg 65	
n/a	06/15/1998		\$0		CITY OF HOPEWELL

BUILDING INFORMATION
No buildings on this property or building information not available.

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EX. M.H.S.
RIM=48.12
INV. IN.=45.05(SE)
INV. OUT.=44.93(NW)

EX. M.H.S.
RIM=48.95
INV. IN.=45.00(NW)
INV. OUT.=44.93(SE)

EX. M.H.S.
RIM=48.33
INV. IN.=44.08(NW)
INV. OUT.=44.03(SE)

EX. M.H.S.
RIM=46.71
INV. IN.=41.11(NW)
INV. OUT.=41.05(SE)

EX. M.H.S.
RIM=45.60
INV. IN.=38.50(NW)
INV. OUT.=38.44(SE)

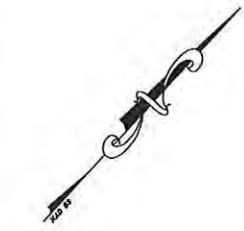
REFERENCES:
MAP OF HIGHLAND PARK PREPARED BY SIMS OCTOBER 18, 1921

THIS PROPERTY IS LOCATED IN ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP FROM COMMUNITY PANEL #1898982022, EFFECTIVE DATE: 08/16/2011

THIS SURVEY IS SUBJECT TO ANY EASEMENT OR RECORD OR OTHER PERTINENT FACTS THAT A CURRENT TITLE REPORT MIGHT REVEAL. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

THIS SURVEY WAS MADE FOR THE PURPOSE OF DESCRIBING ENVIRONMENTAL FEATURES THAT AN ENVIRONMENTAL ASSESSMENT MIGHT IDENTIFY.

LEGEND	
	DL GRATE
	TELEPHONE PEDestal
	ELEC. TRANSFORMER
	SANITARY CLEANOUT
	WATER VALVE
	GAS VALVE
	ASPHALT
	SANITARY MANHOLE
	P.O.B. POINT OF BEGINNING
	E.P. EDGE OF PAVEMENT
	R/W RIGHT OF WAY
	EX. EXISTING
	POWER POLE
	SIGN
	LIGHT POLE
	# OF PARKING SPACES
	GUY POLE/WIRE
	CONCRETE
	OVERHEAD LINE
	P/LC PROPERTY LINE
	F/C FACE OF CURB



THIS IS TO CERTIFY THAT I MADE AN ACCURATE FIELD SURVEY OF THE ABOVE DESCRIBED LOTS AND VISIBLE THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN SHOWN.

Charles C. Tommes II
 CHARLES C. TOMMES II
 L.C. No. 2803
 3/11/15
 LAND SURVEYOR

PLAT SHOWING
 TOPOGRAPHIC SURVEY OF
 LOTS 1-12, BLOCK 5, LOTS 1-12, BLOCK 7 &
 LOTS 1-12, BLOCK 10
 HIGHLAND PARK SUBDIVISION
 FOR
 BRADLEY HOUSING DEVELOPERS, LLC
 CITY OF HOPEWELL, VIRGINIA
 DATE: MARCH 4, 2015
 SCALE: 1" = 40'

2463 boulevard
 colonial heights, VA 23834
 telephone: 804.520.9715
 facsimile: 804.520.9716
 email: cctommes@tommesppc.com

consulting engineers, planners, & land surveyors

CALCULATED BY: GCL II
 DRAWN BY: GCL II
 CHECKED BY: GCL II
 SHEET 1 OF 1



HOPEWELL, VA REAL ESTATE RECORDS



City of Hopewell Tax Report - HOPEWELL, VA 23860



© PropertyKey, 2017

- Residential
- Agricultural
- Government
- Water
- Commercial
- Industrial
- Other
- Condo

PROPERTY INFORMATION

<p>PID # 042-0095 Tax ID: 05209 Property Type: Commercial Property Address: CYPRESS HOPEWELL, VA 23860 Current Owner: A W K & NAJMA DURRANI 1012 WINSTON CHURCHILL DR HOPEWELL, VA 23860-5141</p>	<p>Property Use: 4 COMMERCIAL/INDUSTRIAL Land Description: 1. Lot Lot Size: 0.34 acres / 14,628 sf Zoning: B3 Frontage: 212 ft Depth: 69 ft</p>	<p>Census Tract: 820300 Block: 2111 Block / Lot: Subdivision: HIGHLAND PARK Legal Description: LOTS 1-2-3-4 BLK 3 SUBDIVISION: HIGHLAND PARK</p>
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VALUE INFORMATION

	<u>2012 Final</u>	<u>2013 Final</u>	<u>2014 Final</u>	<u>2015 Final</u>	<u>2016 Final</u>
Building Value:	\$0	\$0	\$0	\$0	\$0
Land Value:	\$54,700	\$54,700	\$54,700	\$54,700	\$54,700
Extra Feature Value:	- n/a -				
Total Assessed Value:	\$54,700	\$54,700	\$54,700	\$54,700	\$54,700
Taxable Value:	\$54,700	\$54,700	\$54,700	\$54,700	\$54,700
Millage Rate:	-n/a-	-n/a-	-n/a-	-n/a-	-n/a-

SALES INFORMATION

Deed Type	Sale Date	Rec Date	Price	Document #	Grantor
BARGAIN & SALE	03/22/2004	03/22/2004	\$5,000	Bk 2004/Pg 907	PRINCE GEORGE PROP
Mortgage Amount:	\$5,000	Mortgage Terms:	% / yrs	35	Document Book/Page:
Lender:	PRINCE GEORGE PROPERTIES		Borrower:	GHOLSON CAROL F	
					/ 908

n/a	07/1998	\$1	
n/a	06/24/1997	\$1	WILSON NORWOOD W III & R W MCDONOUGH
n/a	06/01/1997	\$1	
n/a	07/02/1995	\$0	WILSON NORWOOD W JR

BUILDING INFORMATION

No buildings on this property or building information not available.

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REGULAR MEETING

CONSENT AGENDA

PERSONNEL CHANGE REPORT

DATE: July 3, 2018
TO: The Honorable City Council
FROM: Michelle Ingram, Human Resources Specialist
SUBJECT: Personnel Change Report – June 2018

ADDITIONS (Regular FT and PT positions only)

NAME	DEPARTMENT	POSITION	DATE
HENDERSON, SARAH	RECREATION	AQUATIC PROG SPEC	06/20/2018
SEELIE-BULLOCK, ARLENE	SOCIAL SERVICES	BEN PROG SPC I	06/06/2018
WILKERSON, NOVELLE	WATER RENEWAL	ENVIR COMPL COORD	06/18/2018

SEPARATIONS

NAME	DEPARTMENT	POSITION	DATE
ELLIOTT, BRYAN	WATER RENEWAL	WWT OPER I	06/05/2018
MCCARTHY, SANDREA	CIRCUIT COURT	CIR CRT CLK	06/10/2018

CC: March Altman, City Manager
Charles Dane, Assistant City Manager
Renia Coles, HR Director
Debbie Pershing, Senior Executive Assistant
Michael Terry, Finance Director
Dipo Muritala, Assistant Finance Director
Kim Hunter, Payroll
Concetta Manker, IT Director
Jay Rezin, IT
Dave Harless, Risk/Safety Coordinator
Carol Scarbrough, Parks & Recreation

FINANCIAL REPORT

City of Hopewell, VA
Finance Department Turnover Assessment
Implementation Plan
Progress Report
06.30.2018

Implementation Plan

- **External Reporting**
 - **CAFR (FY16, FY17, FY18)**
 - **Closing, Reporting and Audit Workflow**
 - **Other (New – FY16, FY17, FY18)**
 - **APA, DEQ, Single Audit, FAC (FY15)**

- **Budget Development FY19**

- **Internal Reporting (reporting for the period of 01.03.2018 – 06.30.2018 is deferred due to priority action given to External Reporting and Budget Development FY19 Implementation Plan)**

City of Hopewell, VA
Finance Department Turnover Assessment
Implementation Plan
Progress Report
06.30.2018

- **External Reporting**
 - **CAFR (FY16, FY17, FY18)**
 - **Closing, Reporting and Audit Workflow**
 - **Other (New – FY16, FY17, FY18)**
 - **APA, DEQ, Single Audit, FAC (FY15)**

City of Hopewell, VA June 30, 2018				
External Reporting -- CAFR Compliance Implementation Plan FY 2016, FY 2017 & FY 2018				
	Date Start	Date Due	% Completion Status	Comment(s)
Perform Assessment & Planning Requirements: for Completion and Audit of the CAFR, APA Report(s) and Single Audit Fiscal Years Ending FY2016, FY 2017 & FY 2018	12.01.17	12.31.17	100%	
Communicate Implementation Plan: to Stake Holders & Essential Participants such as... City Administration & Staff Schools Administration & Staff City Council Auditor- PBMares (PBM) Government & Regulatory Agencies	01.03.18	01.16.18	100%	Actual completion date 01.26.18 Lapse in achieving due date: City closings -- Inclement weather, holidays. Calendar availability of stake holders & essential participants (prescheduled commitments).
FY 2016 Implementation Plan Activities	Date Start	Date Due	% Completion Status	Comment(s)
FY 2016 Audit & CAFR Preparation	01.03.18	03.31.18	95%	Overall estimated % of completion as of 06.30.18
Issued authorization to prior auditor-CBH to allow current auditor-PBM access to audit work papers (Fiscal Year Ended 6.30.2010 thru 6.30.2015)				Task completion 100% 02.01.18
Received concurrence from current auditor-PBM on the City's CAFR implementation plan approach & timetable				Task completion 100% 02.01.18
Obtained additional input from current auditor-PBM on items the City are to have available during the audit field work process				Task completion 100% 02.02.18
Requested departments to provide documents, schedules and other required information for FY16 CAFR preparation				Task completion 100% 01.19.18
Ongoing review of information received from departments and follow-up communications with departments including interviews, meetings emails etc				Task completion 100% 05.31.18
Task completion pending Schools providing corrected fund statements information to auditor (PBM)				Task work in process (90%)
City Closing, Reporting, Audit WorkFlow (CRAW) Implementation Plan				Task work in process (95%) (see % completion status & comments of the City CRAW implementation plan)
FY 2016 Audit	04.01.18	04.30.18		
FY 2016 CAFR Audited & Issued			90%	Review and finalization in process
FY 2016 APA Report(s) Issued			0%	Pending FY16 CAFR opinion issuance
FY 2016 Single Audit Issued			0%	Postponed until FY16 audit completed and FY15 issues resolved.

FY 2017				
Implementation Plan	Date	Date	% Completion	
Activities	Start	Due	Status	Comment(s)
FY 2017 Audit & CAFR Preparation	04.01.18	07.31.18		
Received confirmation from auditor-PBM on date to start internal control field work process for both City & Schools	6.14.18	6.29.18	100%	Task completion 100% 06.25.18
(07.9.18 to 07.13.18 Field Work Period)				
Obtained input from auditor-PBM on items the City are to have available during the audit field work process & the departments that will be reviewed	6.14.18	6.18.18	100%	Task completion 100% 06.18.18
Requested departments to provide documents, schedules and other required information for FY17 CAFR preparation	06.15.18	6.29.18	100%	Task completion 100% 06.29.18
FY 2017 Audit	08.01.18	08.31.18		
FY 2017 CAFR Audited & Issued				
FY 2017 APA Report(s) Issued				
FY 2017 Single Audit Issued				
FY 2018				
Implementation Plan	Date	Date	% Completion	
Activities	Start	Due	Status	Comment(s)
FY 2018 Audit & CAFR Preparation	08.01.18	10.31.18		
FY 2018 Audit	11.01.18	11.30.18		
FY 2018 CAFR Audited & Issued				
FY 2018 APA Report(s) Issued				
FY 2018 Single Audit Issued				

City of Hopewell, VA				
June 30, 2018				
Other				
FY 16, FY17 & FY18				
	Date	Date	% Completion	
	Start	Due	Status	Comment(s)
Perform Assessment & Planning Requirements	12.01.17	12.31.17	100%	
Anticipated and Prep for:				
W2s Issuance and Reporting				
1099s Issuance and Reporting				
1094s & 1095s Issuance and Reporting				
Notification & Requests for Reporting	01.03.18	03.31.18	93%	Overall estimated % of completion as of 06.30.18
Not Anticipated:				
State Compensation Board Reimbursement -- SCB				
(Dec 2017 & Jan 2018)			100%	Actual completion date 02.13.18
(Feb 2018)			100%	Actual completion date 03.15.18
(Mar 2018)			100%	Actual completion date 04.10.18
(April 2018)			100%	Actual completion date 05.08.18
(May 2018)			100%	Actual completion date 06.12.18
Department of Criminal Justice System -- DCJS (FY18 3rd Quarter)			100%	Actual completion date 04.30.18
Healthy Families Grant (FY18 3rd Quarter)			100%	Actual completion date 04.30.18
Community Based Child Abuse Program (CBCAP) Grant (FY18 3rd Quarter)			100%	Actual completion date 04.17.18
Electronic Municipal Market Access -- EMMA (Escrow Deposit Agreement for 2015 Refunding)			100%	Actual completion date 01.23.18
VDOT/Weldon Cooper Center 2017 Highway Finance Survey (Due 03.15.18)			15%	Inquiry of City submission in process
VDOT/Weldon Cooper Center 2016 Highway Finance Survey (Due 03.15.17)			15%	Inquiry of City submission in process
FY18 Reimbursement Filing-General Registrar & Electoral Board (Due 05.11.18)			100%	Actual completion date 05.29.18
APA 01.31.18 requirement to submit the reason(s) for the City's non submission of the FY17 comparative transmittal on 11.30.17			100%	Actual completion date 01.30.18
FOIA Request (City Attorney & City Clerk Confidential)			100%	Actual completion date 02.26.18
Healthy Families Grant Compliance Monitoring Site Visit (Postpone FY16 & FY17 ---Required to occur by 03.31.18)			100%	Actual completion date 03.29.18
Rating Agency Monitoring Call (02.23.18)			100%	Actual completion date 02.23.18
Residential Sewer Rates Cost of Service Study				Task work in process
Va. Dept of Emergency Mangement (VDEM) Grant Compliance Monitoring Site Visit preparation by Finance Staff	6.25.18	6.30.18	75%	Task work in process
(Site Visit 07.24.18)				

City of Hopewell, VA June 30, 2018					
External Reporting - APA, DEQ, Single Audit & FAC Issuance and/or Completion FY 2015					
	Date Start	Date Due	% Completion Status	Comment(s)	
Perform Assessment & Contact Prior Auditor -- Cherry Bekaert (CBH); for Issuance and/or Completion Status of	12.01.17	12.31.17	100%		
APA Reports (Comparative Transmittal, Sheriff's Report)					
DEQ (Landfill Financial Assurance Report)					
Single Audit Report					
Federal Audit ClearingHouse (FAC) Reporting					
Other					
Implementation Plan:					
Obtain from CBH Confirmation of Issuance and/or Completion Status	01.03.18	01.31.18			
APA Reports					
FY15 Comparative Transmittal			100%	Actual completion date 01.24.18	
FY15 Sheriff Report			NA	The City is required to request its auditor to conduct APA agreed upon procedures and issue a Sheriff report. CBH advised as of 01.31.18 the City had not made such request for FY15 or FY14. The City requested on 02.01.18 CBH and APA to consider the impact on the City's current CAFRs implementation Plans (FY16, FY17 & FY18) APA advised on 02.05.18 It will not pursue requesting the FY15 Sheriff's internal controls attesting report for FY15.	
DEQ (Landfill Financial Assurance Letter)	01.03.18	01.31.18	NA	The City requested on 02.01.18 DEQ to advise on the City delinquent reporting (agreed upon procedures) related to the Financial Landfill Letter for FY15, FY16 & FY17. DEQ advised on 02.02.18 since the City has recently put a standby trust deposit in place to satisfy DEQ requirements. The City should take measures to ensure the DEQ Letter going forward for the fiscal year ending 6.30.2018 (FY18) is submitted on a current basis (12.31.18)	
Single Audit Report FAC Reporting	01.03.18	01.31.18	85%	CBH provided the City with a draft FY15 report on 03.30.18 . Finalization & issuance of the report is pending City review of the draft and discussions with the City's current auditors (PB Mares LLP). CBH issuance of the FY15 single audit & corresponding FAC Reporting is reset for 07.31.18	

**City of Hopewell, VA
Finance Department Turnover Assessment
Implementation Plan
Progress Report
06.30.2018**

- **Budget Development FY19**

City of Hopewell, VA				
June 30, 2018				
Budget Development				
FY 2018 - 2019				
	Date	Date	% Completion	
	Start	Due	Status	Comment(s)
Perform Assessment & Planning Requirements				
for FY 2018 - 2019 Budget Development:	12.01.17	12.31.17	100%	
Annual Operating				
Capital Project				
Capital Improvement Plan (CIP)				
Draft Proposed City Budget Calendar for FY 2018 - 2019	01.03.18	01.31.18	100%	Actual completion date 02.21.18
(Received input from Key Stake Holders)				Lapse in achieving due date:
City Manager				City closings -- Inclement weather,
City Attorney				holidays.
City Administration & Staff				Calendar availability of stake holders
School Administration & Staff				& essential participants (prescheduled
City Council				commitments).
School Board				
				The City received notification from
				APA regarding the required submission
				due date of 01.31.18 pertaining to the
				reason for non submission of the
				FY17 comparative transmittal on
				11.30.17. (Note: On 01.31.18 APA
				confirmed receiving the City response.)
				Transition, orientation and prioritization
				joint discussion with the new City
				and the former Interim City Manager.
Communicate Draft to Stake Holders:	02.15.18	02.23.18	100%	Task completion 100% 02.23.18
Finalize City Budget Calendar for FY 2018 - 2019	02.23.18	02.28.18	100%	Task completion 100% 03.27.18
Implement City Budget Calendar for FY 2018 - 2019	03.01.18	05.31.18	100%	Actual completion date 06.12.18
Prepare the approved FY19 City Budget for loading to the	6.18.18	6.30.18	100%	Task completion 100% 06.29.18
City's accounting administrative system (MUNIS)				
Review & verify the loaded approved FY19 City Budget to	6.25.18	6.30.18	100%	Task completion 100% 06.29.18
the City's accounting administrative system (MUNIS)				
Confirm & verify City departments having access to their	6.29.18	6.30.18	100%	Task completion 100% 07.02.18
loaded approved FY19 City Budget to the City's accounting				
administrative system (MUNIS)				

**City of Hopewell, VA
Finance Department Turnover Assessment
Implementation Plan
Progress Report
06.30.2018**

- **Internal Reporting (reporting for the period of 01.03.2018 – 06.30.2018 is deferred due to priority action given to External Reporting and Budget Development FY19 Implementation Plan)**

**INFORMATION
FOR COUNCIL
REVIEW**

**MINUTES OF THE AUGUST 15, 2017 MEETING
OF THE BOARD OF ZONING APPEALS
CITY OF HOPEWELL, VA**

A meeting of the Board of Zoning Appeals for the City of Hopewell was held on Tuesday, August 15, 2017, at 6:00 p.m. in City Council Chambers, located at 300 North Main Street, Hopewell, Virginia.

Board of Zoning Appeals Members present:

Patricia Dostie
Christine Duclos
Ashley Epps
Johnny Partin

Staff Members present:

Tevya W. Griffin, Director of Development
Horace Wade, III, City Planer
David Thompson, GIS Coorindator

Mrs. Griffin called the meeting to order at 6:00 p.m., followed by a welcome to members and visitors.

MINUTES

The minutes of the May 17, 2017 meeting were reviewed. A motion was made by Ashley Epps to approve the minutes of the May 17th meeting. The motion was seconded by Christine Duclos. Mr. Partin did not vote as he was not present at the May meeting. The motion passed with a vote of 3-0.

ADMINISTRATIVE MATTERS

1. Requests for withdrawal/ deferral or amendments to the agenda
There were no requests for withdrawal/ deferral or amendments to the agenda.

2. Citizen Comments

There were no citizen comments.

PUBLIC HEARINGS

1. A request for a Special Use Permit submitted by Associated Asphalt Hopewell, LLC, located at 410 Water Street to replace an office building located on their property with a new office building. The property is located in the R-2, Residential Medium Density District. The current office building is a non-conforming use in the R-2 Zoning District and in accordance with Article XXII, Section E (2) of the Hopewell Zoning Ordinance, if replaced, the owner must obtain a Special Use Permit from the Board of Zoning Appeals.

An overview of the application was provided by Mrs. Griffin.

Brenan Keen, attorney for Associated Asphalt spoke on behalf of the property owner. There is an office building and it located on the property line. There is no front yard setback. The owner is requesting a smaller building. The roof of the smaller building was damaged during a storm. He stated that the use is a lawful, non-conforming use. The new building will be smaller than the current and meet setbacks. According to Mr. Keen the building has existed since the early 20th century. He had the BZA view a power point presentation showing the damaged roof. The members received this information in their packets.

The new building will improve public safety around the site. The renovation would exceed \$660,000. The estimated tax value of the current building is \$72,500. He showed pictures of the damaged roof. The office is critical as it holds the scale computers and other facilities are located in the building. The public meeting was opened. There was no one in the audience that came forward to speak.

The applicant was asked about the time frame for the project.

Dan Matthews, Director Facilities stated that they wanted to move into building around November/December.

Mrs. Dostie asked if they would already have that building demolished. The representative stated that demolition is going through the VA Department of Environmental Quality and that the permit should be ready in a week.

Mr. Partin asked if they had considered a brick and mortar building. The answer was yes but this was 2 ½ the cost of a modular building. A modular building would get the current building down quicker.

A motion was made by Ashley Epps to approve the special exception with conditions.

Placement of modular building with façade modifications.

The demolition of the old building with removal within one or within three months of DEQ approve which comes first.

The motion was seconded by Patricia Dostie. The motion passed with a vote of 4-0

2. A request for a Special Use Permit submitted by Dennis M. Wales, to replace a mobile home at 2400 Oaklawn Boulevard. The property is zoned B-3, Highway Commercial District. A mobile home is a non-conforming use in the B-3 Zoning District and in accordance with Article XXII, Section E (2) of the Hopewell Zoning Ordinance, if replaced, the owner must obtain a Special Use Permit from the Board of Zoning Appeals.

Mrs. Griffin gave an overview of the application. Mr. Wade presented the staff report.

Mr. Wales is the applicant. He stated that he is a commercial hotel license. He has been in business for 31 years.

He stated that he was told the mobile homes do not belong under the building code and that they don't need a building permit and they therefore can be moved at any time. He never of an ordinance that stated otherwise. He stated that previous Development Staff approved increases.

Mr. Wales provided showed pictures of previous work done in the mobile home park. He said that he put a lot of work into the park. He contends that he should have been notified of an ordinance change. He also stated that he has a deed that says he can have 30 plots and currently he does not have 30.

He stated that he has already spent money for the mobile home under question. He contends that he was misled to say he can't spend more than 50% of the assessed value.

Mrs. Dostie asked when the pictures taken. He answered in 1986. Mrs. Dostie stated that none of the trailers look that good now.

Mr. Partin stated that he wants to ensure the mobile home park is more aesthetically pleasing.

Mr. Wales stated that the new home was built in 2005. It has vinyl siding. The older one was built in the 1980's had older siding. He is trying to keep the area neat.

Mr. Partin asked why it had taken so long to address this particular home.

Mr. Wales stated that an older lady in her 80's lived there. She has a disabled child and cats. He did not know the condition of the home as most damage was on the interior. The cost to fix would have been \$1,500. He gave the mobile home away. The outside condition was not bad.

Mr. Partin asked if Mr. Wales had other homes in this condition.

He stated that there are 26 homes in total. Most were built in 1980's, there are some that are late 90's and one is 2009. Several have vinyl siding. He put all new sewer, and electrical facilities. He stated that they are greatly improved. He owns them all. He is keeping the property for the future. He is up to selling if the price is right.

David Thompson, GIS Coordinator for the City, spoke regarding the question of whether the homes needed a building permit. He stated the owner pays personal property tax. HUD tightened their regulations on manufactured homes. If it has a HUD stamp it is considered a home. There was debate regarding the payment of real estate tax and personal property tax.

Wales stated that the homes are not on a permanent foundation. He also stated that his title says mobile home. He stated that he just learned about the Zoning Ordinance change.

Ms. Epps asked when he purchased the new home. Was it before or after December 7m 2016.

Mr. Wales stated that he could have replaced the unit for less than \$3,095. He said he was not told he could not replace it.

Mrs. Griffin read the letter sent to Mr. Wales from the City regarding the designation of spot blight. The letter informed him that the mobile home was considered spot blight and that in order to replace it he would have to get permission before the Board of Zoning Appeals.

Mr. Partin stated that he is concerned about the outdated storm water and infrastructure. He asked the applicant if he was vested in improving these features.

Ms. Eppes asked if these facilities met current standards.

Mr. Wales said they were approved the City of Hopewell.

Mr. Partin asked for clarification on this matter from Staff.

Staff answered that the current park was grandfathered in but would not meet the standards for storm water and infrastructure under current standards.

Mr. Partin made a motion to approve the mobile home with conditions to replace two other mobile homes. He believes this would add value to the City.

Ms. Eppes asked about the other 23 homes on the property.
Mr. Wales said that most are in pretty good shape.

There was no second on Mr. Partin's motion. The motion died.

Ms. Dostie stated that the City does not want to bring in new mobile home. She believes the request should be denied.

A motion was made by Ms. Dostie to deny the request for a special exception to allow a new mobile home to replace one this dilapidated and would cost more than 50% of the assessed value to restore. The motion was seconded by Mrs. Duclos. The motion was approved with a vote of 3-1 (Partin).

Cassandra Vanderkeift thanks the Board for understanding the zoning law. She commended them on doing a good job discussing the matter. She commended them for following the rules.

REPORTS

1. Report of the Director of Development
None
2. Report from Members of the BZA
There were no reports from members.

ADJOURN

Having no further business, Mr. Partin made a motion to adjourn the meeting. It was seconded by Ms. Epps.

The motion was approved 4 – 0.

Submitted by,



Patricia Dostie, Chairman



Tewa W. Griffin, AICP
Director of Development

**MINUTES OF THE OCTOBER 19, 2017 MEETING
OF THE BOARD OF ZONING APPEALS
CITY OF HOPEWELL, VA**

A meeting of the Board of Zoning Appeals for the City of Hopewell was held on Thursday, October 19, 2017, at 6:00 p.m. in City Council Chambers, located at 300 North Main Street, Hopewell, Virginia.

Board of Zoning Appeals Members present:

Patricia Dostie
Christine Duclos
Ashley Epps
Johnny Partin

Staff Members present:

Tevya W. Griffin, Director of Development

Mrs. Griffin called the meeting to order at 6:00 p.m., followed by a welcome to members and visitors.

MINUTES

Minutes were not issued.

ADMINISTRATIVE MATTERS

1. Requests for withdrawal/ deferral or amendments to the agenda
There were no requests for withdrawal/ deferral or amendments to the agenda.
2. Election of Chairman

A motion was made by Christine Duclos to nominate Patricia Dostie as Chairman. The motion was seconded by Ashley Eppes. The motion passed with a vote of 4 -0.

3. Election of Vice Chairman

A motion was made by Ashley Eppes to nominate Johnny Partin as Vice Chairman. The motion was seconded by Mrs. Duclos. The motion passed with a vote of 4-0.

4. Citizen Comments

There were no citizen comments.

PUBLIC HEARINGS

1. **The City has received a request for a variance from Johnny and Deborah Jones of 603 Brown Avenue to encroach 2 feet into the required 10 feet side yard setback in the Tourist Historic (TH-1) Zoning District.**

Chairman Dostie provided an overview of the case. Dan Robbins spoke regarding the application. Mr. Robbins stepped forward and said that he works under the name of J.D. Robbins Builder. He was contacted by the owners of the property to restore the home at 603 Brown Avenue. The home is of the Greek-Revival architecture. He will update the roof and kitchen with period detail. He will also update the bathrooms, permeable driveway, rear porch patio and construct a master bedroom.

He provided a handout of the design to the Board members. The addition for the master bedroom will require a variance.

The size of the property creates an issue. The width of the property is 48 feet. This leaves no room for modernizations. The home needs to be modernized to make it livable. There are no bedrooms that meet the current International Building Code requirements for two people. He is requesting a two feet encroachment into the ten feet side yard setback for the master bedroom. He went into further detail about the floor plan of the home.

He believes he has a hardship that deals with the property. The owners wants their rehabilitation to be historically accurate. The Secretary of Interior Standards for Rehabilitation requires an addition to stand alone and not look like the historical portion of the home. He does not want to go against the spirit of the historic designation. Mr. Robbins mentioned that that home was originally turned parallel to Brown Avenue but changed to be perpendicular in order to make room for the home next door.

Mr. Robbins does not believe this issue is generally shared by other properties in the area. Mr. Robbins provided photography of aerials of properties in the historic district. He showed non-compliance of other structures in regards to side yard setbacks. He spoke about the value of the rehabilitation that he believed would enhance the district.

Mr. Robbins also informed the Board that the Architectural Review Board approved the design at their last meeting.

Chairman Dostie asked if the owners of the property were present.

Mr. Johnny Jones came forward. He stated that he promised his wife he would keep quiet and allow their contractor, Mr. Robbins to speak. Mr. Jones also stated that he and his wife rehabilitated 317 Brown Avenue before selling it to the current owners. He complimented Dan Robbins on his beautiful design. Mr. Jones and his family have lived in the City Point neighborhood for twenty six years.

The public hearing was opened. Ms. Sharon Tote of 605 Brown Avenue spoke. She stated that she had no problem with the addition. An addition was constructed at her home several years ago.

Rita Joyner, Vice-Chairman of the Architectural Review Board, stated that this is a quality restoration/adaptation of the structure. Robbins did a thorough presentation and the Architectural Review Board (ARB) meeting. It was approved by the ARB. The house was moved 100 years ago. She is present on behalf of the ARB to lend support to the property owner.

Cassandra Vanderkeift, a member of the Planning Commission, spoke regarding the request. She asked about the placement of the driveway and the addition. Mr. Robbins answered her questions. The public hearing was closed at 6:30 p.m.

Vice – Chairman Partin made a motion to approve the request for a two foot variance into the side yard setback at 603 Brown Avenue. The motion was seconded by Ashly Eppes. The motion passed with a vote of 4-0.

REPORTS

1. Report of the Director of Development

Mrs. Griffin announced that since their last meeting, Horace Wade, the Senior Planner, took a job in Prince George County as a Planner.

Mrs. Griffin announced that the next meeting of the BZA is scheduled for November 20, 2017. Mrs. Duclos announced that she would be out of town during parts of November and December.

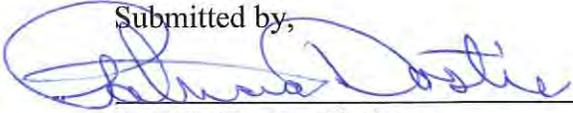
2. Report from Members of the BZA

There were no reports from members.

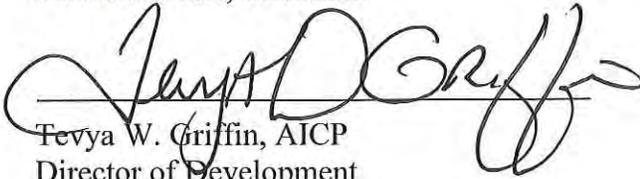
ADJOURN

A motion to adjourn the meeting was made at 6:28 p.m. Mrs. Eppes. The motion was seconded by Vice-Chairman Partin. The motion passed with a vote of 4 to 0.

Submitted by,



Patricia Dostie, Chairman



Tevya W. Griffin, AICP
Director of Development

**MINUTES OF THE DECEMBER 11, 2017 MEETING
OF THE BOARD OF ZONING APPEALS
CITY OF HOPEWELL, VA**

A meeting of the Board of Zoning Appeals for the City of Hopewell was held on December 11, 2017, at 6:00 p.m. in City Council Chambers, located at 300 North Main Street, Hopewell, Virginia.

Board of Zoning Appeals Members present:

Patricia Dostie
Ashley Epps
Johnny Partin

Board of Zoning Appeals Member absent:

Christine Duclos

Staff Members present:

Tevya W. Griffin, Director of Development

Mrs. Griffin called the meeting to order at 6:00 p.m., followed by a welcome to members and visitors.

MINUTES

Minutes were not issued.

ADMINISTRATIVE MATTERS

1. Requests for withdrawal/ deferral or amendments to the agenda
There were no requests for withdrawal/ deferral or amendments to the agenda.

2. Citizen Comments
There were no citizen comments.

PUBLIC HEARINGS

1. A request received from Service Neon Signs, Inc. on behalf of CVS Pharmacy for a special exception in accordance with Article XIX, Provisions for Appeal, of the Hopewell Zoning Ordinance, to install two free standing signs on one parcel, identified as Sub-Parcel # 081-0722. The applicant is requesting a freestanding sign to front on Winston Churchill Drive and Oaklawn Boulevard. The City's Zoning Ordinance allows only one free standing sign per parcel.

Chairman Dostie read the application brief from David Stevens with Neon Signs. Mr. Stevens requests the special exception in order to construct two freestanding signs on one parcel. The public hearing was opened at 6:05 p.m. There was no one present to speak. The public hearing was closed at 6:06 p.m. Mr. Partin made a motion to approve the special exception to allow a second free standing sign on the property. The motion was seconded by Ashley Eppes. The motion carried with a vote of 3-0.

2. A request from Community Housing Partners (CHP) for a special exception in accordance with Article XIX, Provisions for Appeal, of the Hopewell Zoning Ordinance to erect a free-standing monument style sign in the Downtown Central Business Zoning District (B-1) at 10 Kippax Street, also identified as Sub-Parcel #079-0925. The City's Zoning Ordinance does not allow free-standing signs in the B-1 Zoning District.

Chairman Dostie read the request aloud. Mrs. Griffin gave a brief description of the request and informed the BZA that Staff recommended approval. An Tyler Plante, who works for Community Housing Partners presented the request to the BZA. The previous sign located at Kippax Apartments was removed during the revitalization of the building. A free standing sign is not allowed in the Downtown Central Business District (B-1). The sign is redesigned and is 4 feet in height. The Public Hearing was opened. There was no one in the audience to speak to the application. Ashley Eppes made a motion to approve the request for a freestanding sign at 100 Kippax Street at 4 feet. The motion was seconded by Johnny Partin. The motion carried with a 3-0 vote.

3. Request from the Hopewell School Board for a special exception in accordance with Article XIX, Provisions for Appeal, of the Hopewell Zoning to replace an existing modular classroom building with a new modular building at 1100 Dinwiddie Avenue, also identified as Sub-Parcel # 089-1551. The City's Zoning Ordinance only allows temporary office trailers in the M-1 and M-2 Industrial District.

Joyce Jones, Principal of Woodlawn spoke regarding this request. There is one existing unit modular unit on the property. The bathroom doesn't work. Woodlawn Learning Center has received a grant from Headstart to replace the modular building. It will not be used as a classroom. Instead it will be used to teach parenting classes and as a multi-purpose room for parents to gather. She mentioned that in the past there were two modular units. One was removed previously. The modular unit is 24 x 46, with a restroom, an office and open floor plan classroom. It will be known as the Parent Resource Center. Chairman Dostie opened the public hearing at 6:14 p.m. There was no one to speak concerning the matter. The public hearing was closed at 6:15 p.m. Johnny Partin thanked the principal for her efforts to improve the school facilities. There was discussion about additional repairs. Ashley Eppes made a motion to approve the request. The motion was second by Johnny Partin. The motion carried with a vote of 3-0.

4. A request from Saucy's Bar. B.Q. for a special exception at Lot 23R, and Lots 26-32, also identified as 207 East City Point Road, Block 2 of West City Point Annex [Subparcel #'s 079-0125 and 079-0150] in the Downtown Central Business District (B-1) in accordance with the City of Hopewell Zoning Ordinance, Article IX. The applicant is requesting an exception to Article IX, Section J(1)(g) to allow free standing signage, Section J(2) for sign size, and J(5) for signage materials.

Request from Saucy's BBQ for a special exception to allow a free standing in the Downtown Central Business District (B-1). Mrs. Griffin gave an overview and a short brief. The BZA previously approved three freestanding signs for the downtown restaurant. After conducting research the owner of the property learned that the freestanding directional drive-thru sign and the order sign, previously approved did not meet the standard size or height for drive-thru's. The public hearing was opened. There was no one in the audience to speak regarding this matter. The public hearing was closed. The motion was made by Ashley Epps - 4ft. The motion was seconded by Johnny Partin. The motion carried with a 3-0 vote.

REPORTS

1. Report of the Director of Development

There will not be a meeting in January 2018. The City has not received any requests for review.

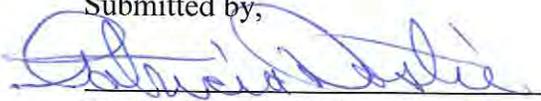
2. Report from Members of the BZA

There were no reports from members.

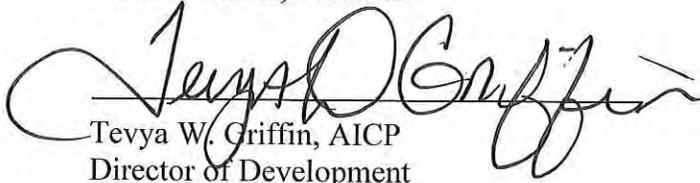
ADJOURN

A motion to adjourn the meeting was made at 6:25 p.m. by Mrs. Epps. The motion was seconded by Vice-Chairman Partin. The motion passed with a vote of 3 to 0.

Submitted by,



Patricia Dostie, Chairman



Tevya W. Griffin, AICP
Director of Development

PROCLAMATIONS

§

RESOLUTIONS

§

PRESENTATIONS



VCU

L. Douglas Wilder School of
Government and Public Affairs
Center for Public Policy

Efficiency and Technology Review

Helping Improve City Hall Operations and Services to the Public



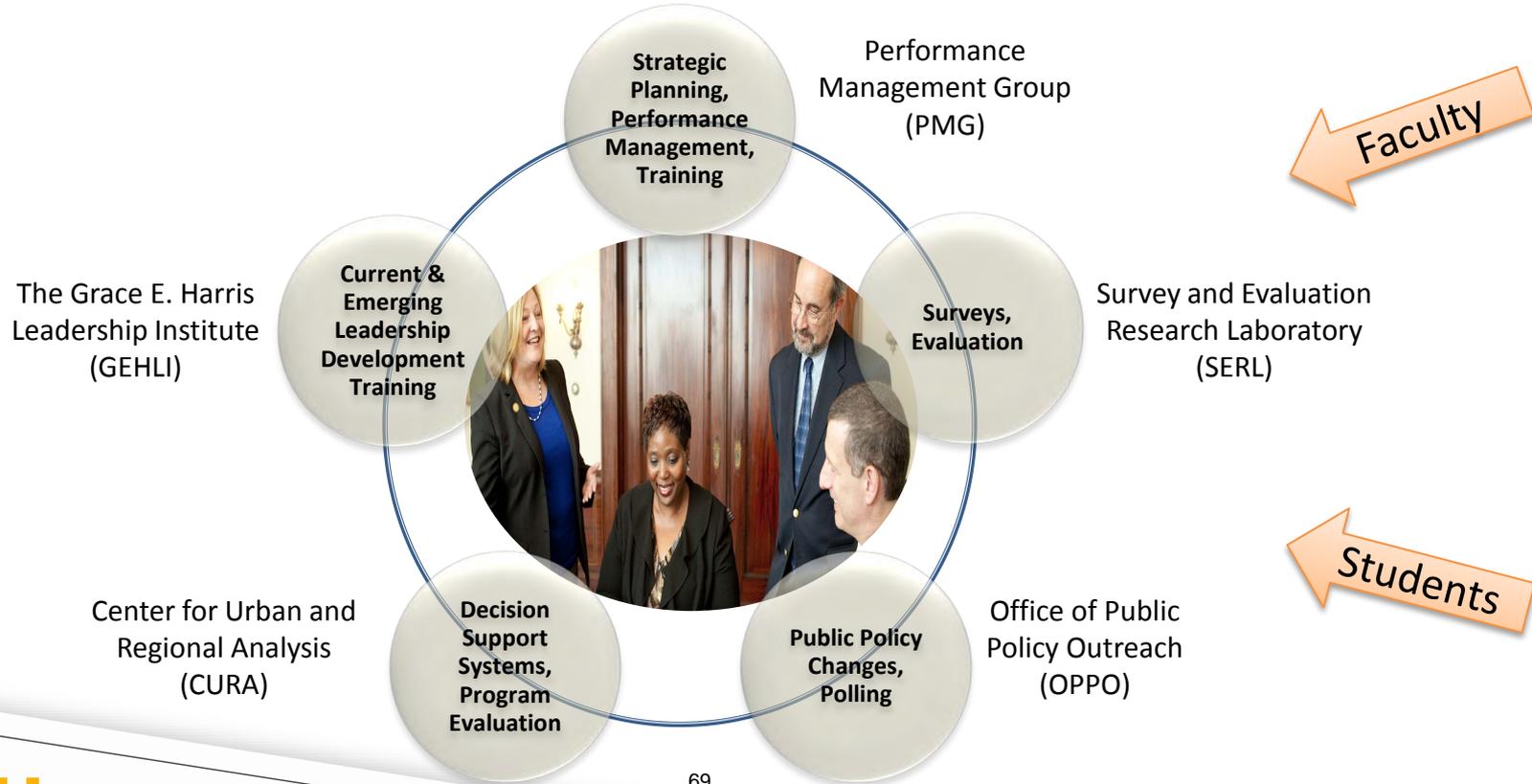
Prepared for the City Council of Hopewell, VA

Background

Vice Mayor Jasmine Gore reached out to the VCU Performance Management Group about generating ideas and recommendations to help improve City Hall efficiencies and effectiveness of processes, tools, services to customers and constituents and to increase collaboration. The initial request was to consider the following general areas:

- Operational effectiveness
- Operational efficiency
- Employee Satisfaction Survey
- Employee Time & Management
- Resolution to address constituent needs

The VCU Center for Public Policy (CPP)



The Need for a Collaborative Service Offering

CPP recognized that local government organizations face many challenges today:

Managing tight budgets - Maintaining an engaged workforce - Meeting performance expectations

Devising a strategy and plan for future economical viability and stability is not easy when focusing on current challenges.

This is where we can and want to help...

We have created an [Operational Vitality Review \(OVR\)](#) collaborative service offering that provides local government leaders the opportunity to obtain collective insights from the workforce and constituents and receive recommendations, unbiased observations and research, to help move their organizations forward in efficiency gains and service delivery.



Why an Operational Vitality Review

An OVR is designed to:

- Give employees a venue for open feedback
- Help leaders understand what keeps the workforce engaged vs. disengaged
- Capture problems and challenges in the workplace
- Provide ideas and opportunities around policies, processes, procedures, and technologies from which to develop action plans
- Improve the organizational culture by collaborating on ideas and together working toward improvements
- Provide unbiased research and analysis on program decisions

Options for Operational Vitality Review

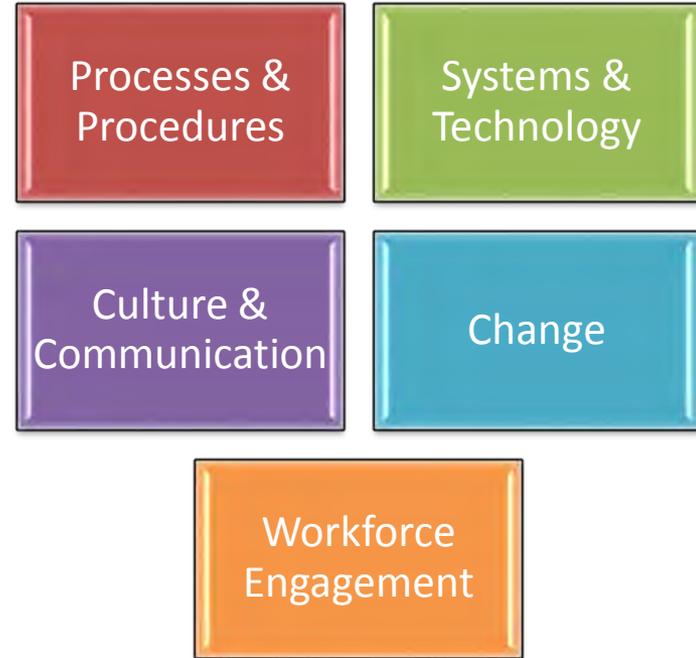
Each OVR is customized based on the needs of a locality, which may include any or a combination of the following:

- Performance management review
- Citizen/constituent survey
- Impact of development projects
- Leadership development and training needs analysis
- Business climate competitiveness
- Cost-effect analysis of enterprise zone economic incentives
- Housing needs analysis

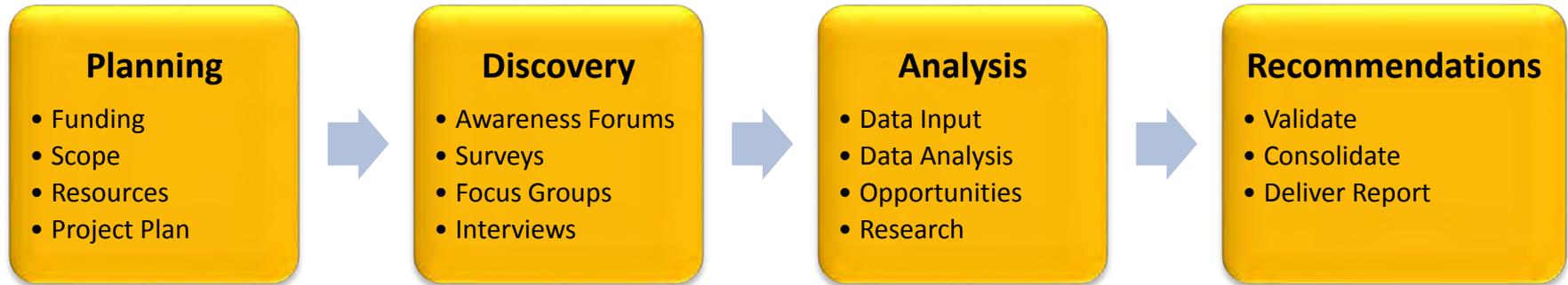
Core Themes

The OVR typically includes employee survey feedback categorized into core themes in order to fully capture the essence of employee comments and opinions regarding their work environment.

We would work collaboratively to customize the questions and inputs that you want to capture with regard to these themes (and/or others) from an operational perspective.



Operational Vitality Review Process



General Assumptions

- City Council would be the sponsor (CPP's direct client)
- All departments / all full-time City employees included in the surveys
 - Part time employees to be excluded?
- Around 400 full time employees in City Hall
- Resident population is approximately 22,700 (for constituent survey)

Questions?

Contact info:

Jim Burke

Director, Performance Management Group

Center for Public Policy

VCU's L. Douglas Wilder School of Government and Public Affairs

jmburke@vcu.edu

PH-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Public Hearing to consider citizen comments regarding a Conditional Use Permit to building a single family home at 2308 Lee Street.

ISSUE: The Hopewell Zoning Ordinance requires non-conforming lot of record located in the Residential, Medium Density (R-2) Zoning District obtain a Conditional Use Permit in order to construct a single family detached home.

RECOMMENDATION: The City Administration recommends approval of the Conditional Use Permit with conditions.

TIMING: A public hearing will be held on July 10, 2018.

BACKGROUND: The property is located at the corner of Lee Street and 24th Avenue. The current home on the property is on the City's Spot Blight list and has received several violations for tall grass. The applicant is not the owner but will purchase the property to demolish and construct a new home if the Conditional Use Permit is approved. The Planning Commission recommends approval of the request.

FISCAL IMPACT: None

ENCLOSED DOCUMENTS:

1. Staff Report
2. Conditional Use Permit Application
3. Map
4. Pictures
5. Renderings
6. Inventory table of neighborhood homes

STAFF: Tevya W. Griffin, Director, Department of Development
Chris Ward, Senior Planner



Conditional Use Permit

Agent: Mark Mueller

2308 Lee Street

Staff Report prepared for the Hopewell City Council Regular Meeting July 10, 2018

Last Revised: July 3, 2018

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the Hopewell City Council to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	June 7, 2018	Recommended Approval
City Council	July 10, 2018	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	N/A
Existing Zoning:	R-2, Residential, Medium Density
Acreage:	7,440 square feet
Owner:	Novella N. Earman
Agent:	Mark Mueller
Location of Property:	Corner of Lee Street and South 24 th Avenue
Election Ward:	Ward 1
Land Use Plan Recommendation:	Urban Residential
Strategic Plan Goal:	N/A
Map Location(s):	Sub Parcel #: 013-0920
Zoning of Surrounding Property:	North: R-2 South: R-2 East: R-2 West: R-2

III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request from Mark Mueller for a Conditional Use Permit (CUP) in accordance with Article IV, Section I, Special Conditions for Non-Conforming Lots, R-2, Medium Density Residential Zoning District, of the Hopewell Zoning Ordinance. The applicant would like to demolish the structure currently located

on the lot to construct a single family detached home at 2308 Lee Street, further identified as LOTS 9-10 & 1/2 8 BLK 18 SUBDIVISION: BATTLEGROUND ADDITION, Sub-Parcel # 0130920.

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

Article IV, Section I, Special Conditions for Non-conforming Lots

For property consisting of less than seven thousand five hundred (7,500) square feet but five thousand (5,000) or more square feet and/or less than seventy (75) feet but fifty (50) feet or more of frontage, an applicant may appeal to City Council for a Conditional Use Permit as allowed in Section XVIII of the Zoning Ordinance for approval to construct a single family dwelling on such lot in accordance with the procedures given in Section XVIII of the Zoning Ordinance.

Article XVIII, General Provisions, Section G, Conditional and Special Use Permits, Sub-Section c. 1-3:

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

Article XVIII, General Provisions, Section G, Sub-Section c.4.

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:
 - i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements,

development phasing, and standards pertaining to traffic, circulation, noise, lighting, hours of operation and similar characteristics; and

- ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

Article XVIII, General Provisions, Section G, Sub-Section d.

d. Approval Criteria

As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council only if the applicant demonstrates that:

1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.
5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.

6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.
7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

V. SUBJECT PROPERTY:

The subject property is located at the south eastern quadrant of Lee Street and South 24th Avenue. The property is approximately 7,440 square feet and has 62 feet of frontage along Lee Street. It is zoned R-2, and is surround by R-2 zoned property to the north, south, east and west.

Currently there is a single family detached home located on the property. The home is on the City's Spot Blight list. The property has been cited for tall grass and other code violations. The applicant will demolish the current building and build a new home if the Conditional Use Permit is approved. Lots 9-10 & ½ of 8 must be consolidated through the administrative subdivision process in order for a home to be constructed on the property.

VI. ZONING/STAFF ANALYSIS:

Article IV, Section I of the Zoning Ordinance allows a property owner with a non-conforming lot of record in the R-2 zoning district to appeal to the Planning Commission and City Council for approval of a Conditional Use Permit to construct a single family dwelling on a non-conforming lot consisting of less than 7,500 square feet but at least 5,000 square feet and/or less than 75 feet but at least 50 feet or more of frontage.

The subject property is non-conforming because it has 62' feet of frontage and is 7,440 square feet. The property meets the criteria to apply for a Conditional Use Permit.

The applicant desires to build a one and a half (1 ½) story single family detached home. Renderings of the dwelling are provided with this report. The table attached provides characteristics of the housing stock within the neighborhood. Staff used architectural elements that were consistent in the homes in the neighborhood to provide recommendations for conditions in accordance with Article XVIII, Section G., subsection d. of the Hopewell Zoning Ordinance.

Proposed conditions can require a use to conform to the character of the neighborhood within the same zoning district in which it is located. Conditions may also dictate the architectural style of a proposed structure to ensure it will not be a variance with the exterior architectural appeal and functional plan of the structures existing within the immediate neighborhood or the character of the applicable zoning district.

The average square feet of homes surveyed is 930. The average number of bedrooms is 2.5 and the average number of baths is 1.5. Stucco and Vinyl siding is a common exterior building material used on home located along Lee Street. The exterior of the current home on the property is stucco. It has two bedrooms and one bath and is approximately 727 square feet.

VII. STAFF RECOMMENDATION:

The Staff recommends approval of the request submitted by Mark Mueller for a Conditional Use Permit with the conditions below.

1. The exterior material of the proposed single-family dwelling shall be stucco or vinyl siding;
2. If the exterior is vinyl, the proposed single-family dwelling shall have a brick foundation on all four (4) sides. A brick foundation consists of foundation block from the block work to the first floor elevation with brick veneer;
3. The front yard setback shall be the average of the two (2) adjacent structures on either side or the current front yard setback of the structure (18 feet) from the front property line;
4. Tree and shrubs presently located on the property shall be preserved except if they are located within the proposed building footprint;
5. The single-family dwelling shall have a minimum of 930 square feet of finished living area;
6. Consistent with the majority of homes on Lee Street, the home shall have a front stoop or porch;
7. If the exterior is vinyl, the proposed single-family dwelling shall have a brick porch. A brick porch includes the steps, treads, risers, floor and side veneer. A brick porch consists of a concrete porch. The porch should be enclosed from the ground level to the finished floor elevation with block and brick enclosure
8. If the exterior is stucco, the proposed single-family dwelling shall have a block porch. A block porch includes the steps, treads, risers, floor and side veneer. A block porch consists of a concrete porch. The porch should be enclosed from the ground level to the finished floor elevation with block enclosure
9. The single-family dwelling will be 1 ½ story in height.
10. Street facing building facades shall not have a section of blank wall exceeding 30 linear feet without being interrupted by a window;
11. The home must front on Lee Street;
12. The driveway for the proposed home will have ingress and egress from South 24th Avenue.

VIII. APPLICATION UPDATE:

During the Planning Commission meeting the applicant proposed to build a two story home. However, the Commission approved a one story home. After the meeting, the applicant provided a rendering of 1 ½ story home. Staff and the Planning Commission reviewed the new rendering. Staff recommended approval. The Planning Commission voted 4-0 to approve the 1 ½ story home because the height, scale and architectural style

of the home was compatible with other homes in the neighborhood. The home is substantially larger than the current structure, with three bedrooms and 2 ½ baths.

IX. PLANNING COMMISSION RESOLUTION:

At their June 7, 2018 meeting the Planning Commission voted 4-0 to approve the Conditional Use Permit submitted by Mark Mueller for 2308 Lee Street, also identified as Lot 9 -10, and ½ of 8, Block 18, Battleground Addition, with conditions, in accordance with Article XVIII, Section G, of the Hopewell Zoning Ordinance.

X. CITY COUNCIL RESOLUTION:

The Hopewell City Council votes ___ to ___ to *approve, approve with conditions, deny or table*, the request for a Conditional Use Permit received by Mark Mueller for 2308 Street, also identified as Lot 9 -10, and ½ of 8, Block 18, Battleground Addition, in accordance with Article XVIII, Section G, of the Hopewell Zoning Ordinance.

Attachment(s):

1. Application for Conditional Use Permit
2. Location Map (ArcExplorer Map)
3. Pictures of current dwelling located on property
4. Pictures of homes along Lee Street
5. Rendering of proposed home
6. Inventory table of neighborhood homes



The City
of
Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$200

APPLICANT:	Mark Mueller 8217
ADDRESS:	4001 W. Hundred RD Chester VA 23831
PHONE #:	804 586 3654
FAX #:	
INTEREST IN PROPERTY:	OWNER OR <input checked="" type="checkbox"/> AGENT <i>IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.</i>
OWNER:	Novelle Eisman c/o Bandy Butherford
ADDRESS:	3800 Moreel Avenue #5 S. Prince George, VA 23805
PHONE #:	804-233-0490
FAX #:	N/A
PROPERTY ADDRESS / LOCATION:	2308 Lee St
PARCEL #:	013-0920
ACREAGE:	7,440
ZONING:	R-2
*** IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, A SITE PLAN MUST ACCOMPANY THIS APPLICATION ***	
ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:	
1. FLOOR PLANS OF THE PROPOSED BUILDINGS.	_____
2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS.	_____

#20180271

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION
OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

Single Fam Residential

THE CONDITIONAL USE PERMIT WILL ALLOW:

Same

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

There is a house falling apart there now
we plan to build new home.

PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

There is already a house there, just more
feasible to build new than to repair

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

No changes to comprehensive plan.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

APPLICANT SIGNATURE

4/24/2018

DATE

OFFICE USE ONLY

DATE RECEIVED

4/24/18

DATE OF ACTION

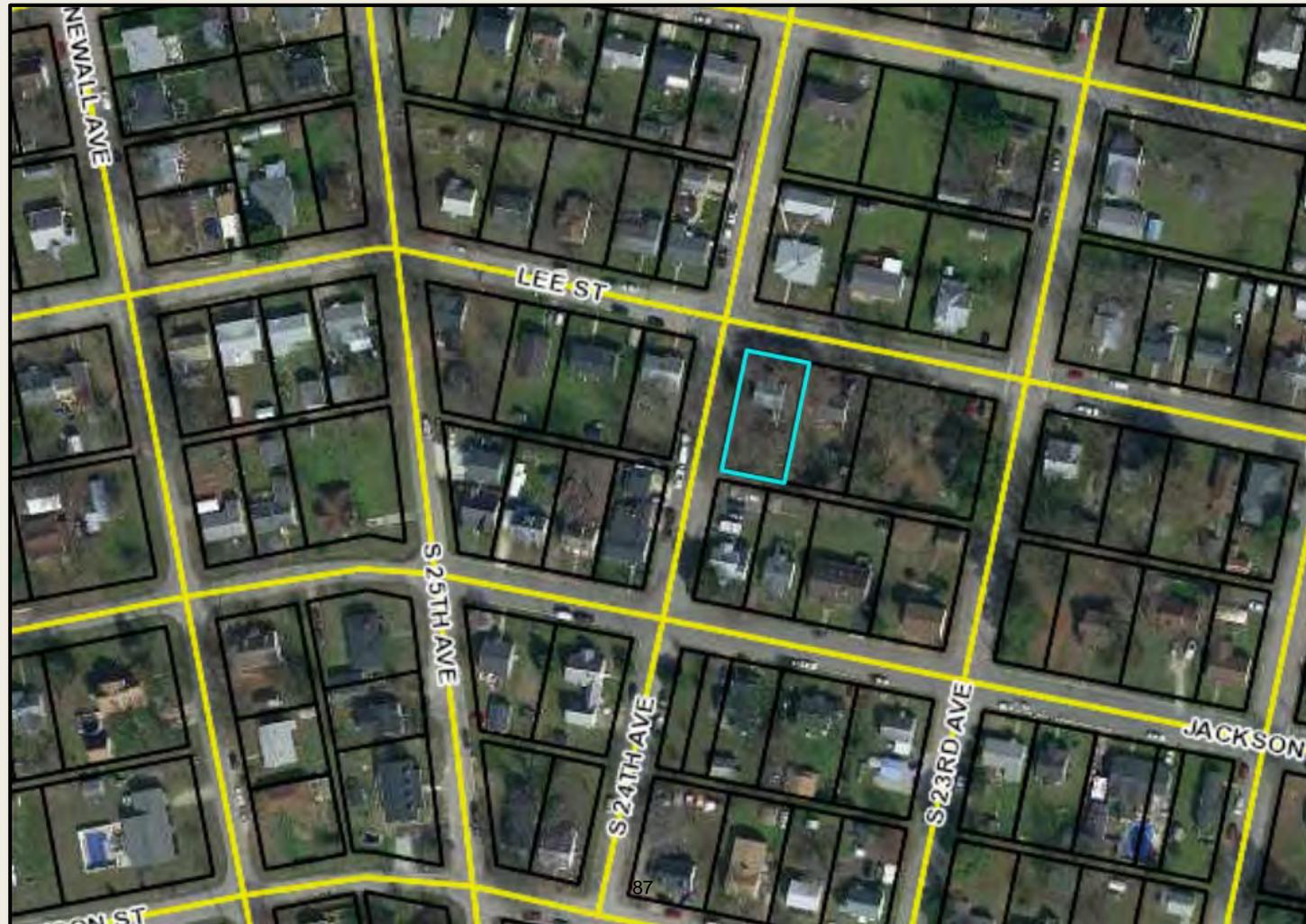
6/7/2018

APPROVED

DENIED

APPROVED WITH THE FOLLOWING CONDITIONS:

2308 Lee Street: Aerial Map



2308 Lee Street

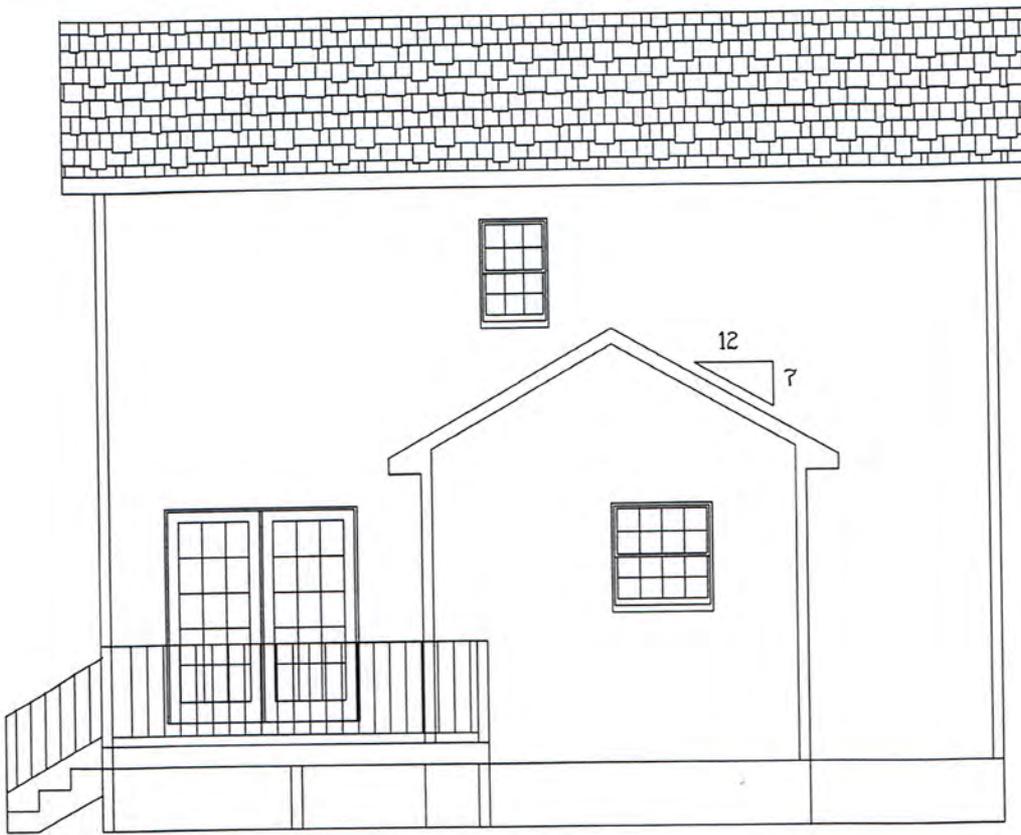


Home has been vacant for a year. There is extreme water damage. It is on the City's Spot Blight list. It is for sale and the applicant will demolish and build a new home if approved for the Conditional Use Permit.

Homes along Lee Street



SUB-PARCEL #	PHYSICAL ADDRESS	OWNER	OWNER ADDRESS	CITY	STATE	ZIP CODE	SQ. FT. OF HOME	EXTERIOR MATERIAL	STOOP OR PORCH	Bedrooms	Bathrooms
130915	2306 LEE STREET	RILEY INGRAM	3302 OAKLAWN BOULEVARD	HOPEWELL	VA	23860	672	STUCCO	Y	2	1
130925	2309 JACKSON STREET	PAR THREE LLC	609 PARK	HOPEWELL	VA	23860	848	ASBESTOS SIDING	Y	2	1
130930	2307 JACKSON STREET	JANICE J LELAND	2307 JACKSON STREET	HOPEWELL	VA	23860	820	ASBESTOS SIDING	Y	2	1
130381	2305 LEE STREET	ROBER W OR MARY T MCGOUGH	2305 LEE STREET	HOPEWELL	VA	23860	1152	VINYL SIDING	Y	3	2
130355	2309 LEE STREET	ANDRENA H & DAVID E NEARY	2309 LEE STREET	HOPEWELL	VA	23860	1122	STUCCO	Y	3	2
130960	2400 LEE STREET	JOANNE & KYLE DAVIS	2920 DEEP BOTTOM DROAD	NORTH PRINCE GEORGE	VA	23860	924	ASBESTOS SIDING	Y	3	2
130320	2401 LEE STREET	PAIGE H OR DONALD W PARR	104 CHRISTOPHER NEWPORT DRIVE	HOPEWELL	VA	23860	972	VINYL SIDING	N	3	2
	Average						930			2.571429	1.5714286



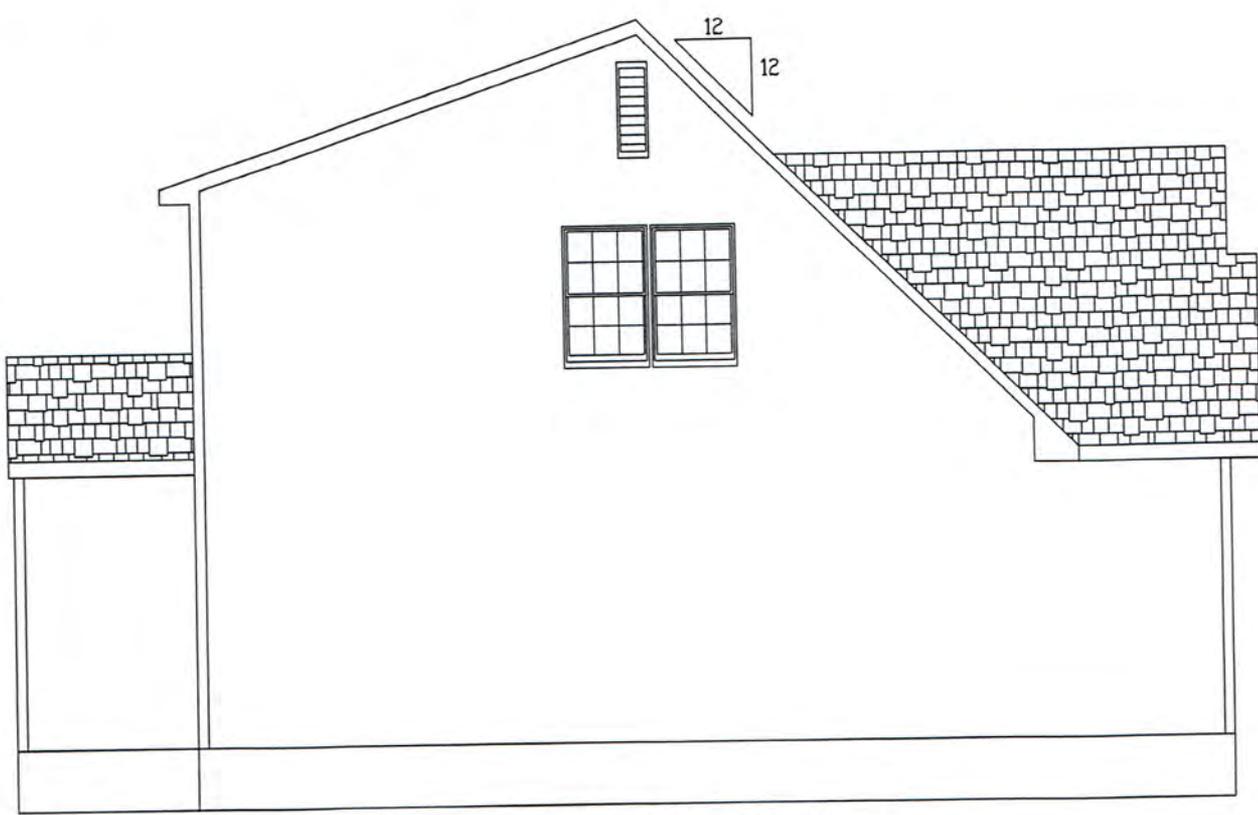
Rear Elevation

Scale 1/8"=1'



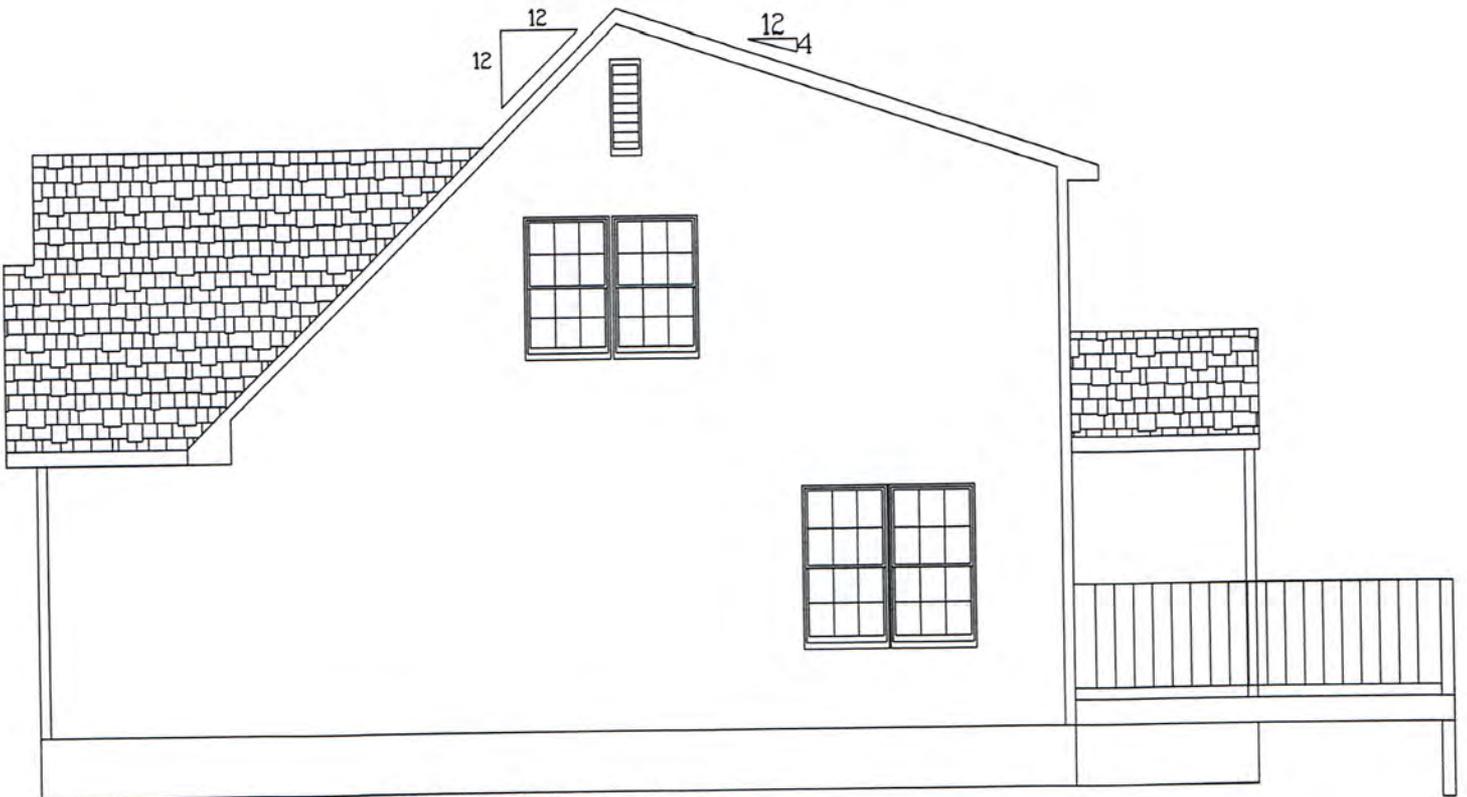
Front Elevation

Scale 1/4"=1'



Left Elevation

Scale 1/8"=1'



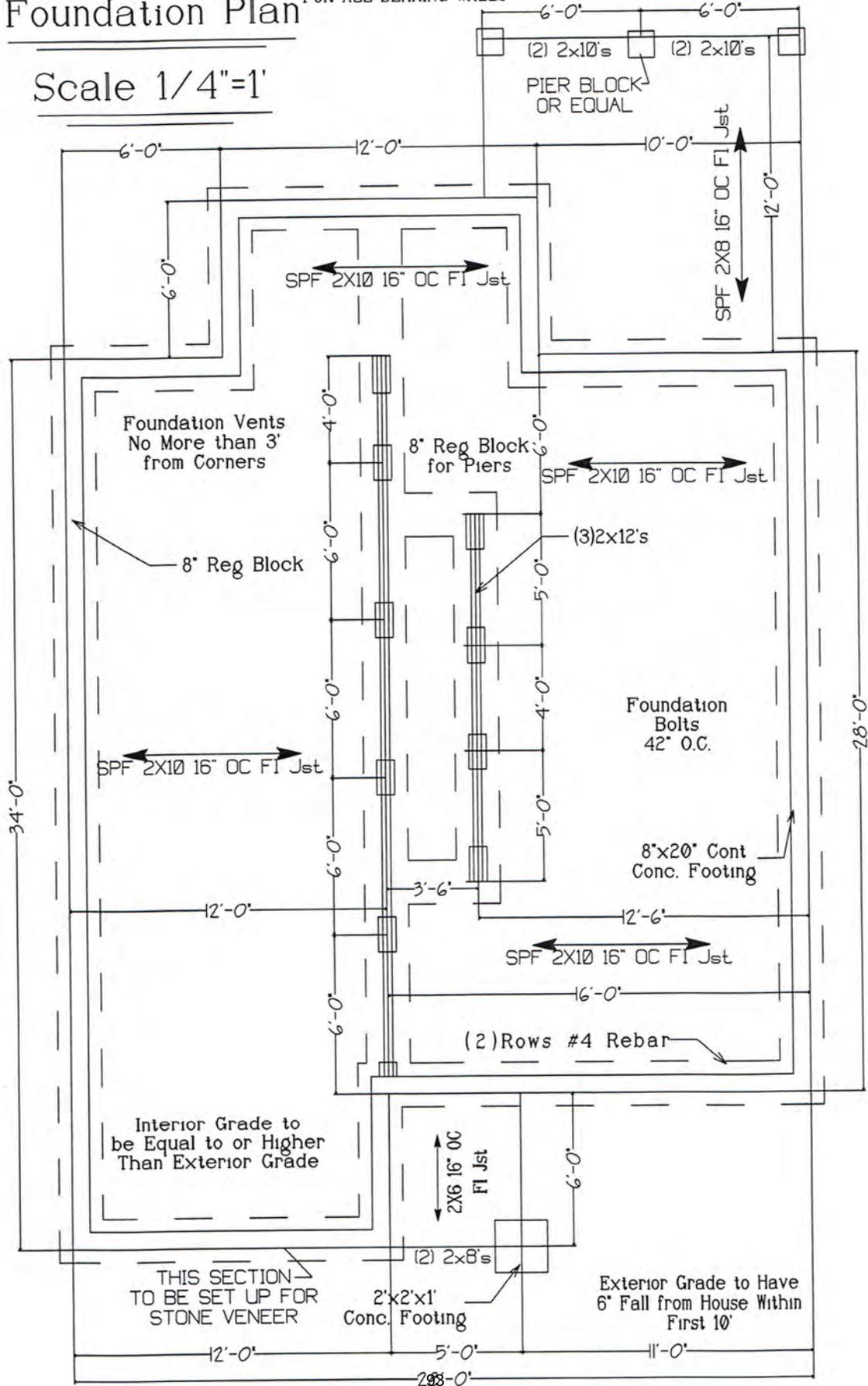
Right Elevation

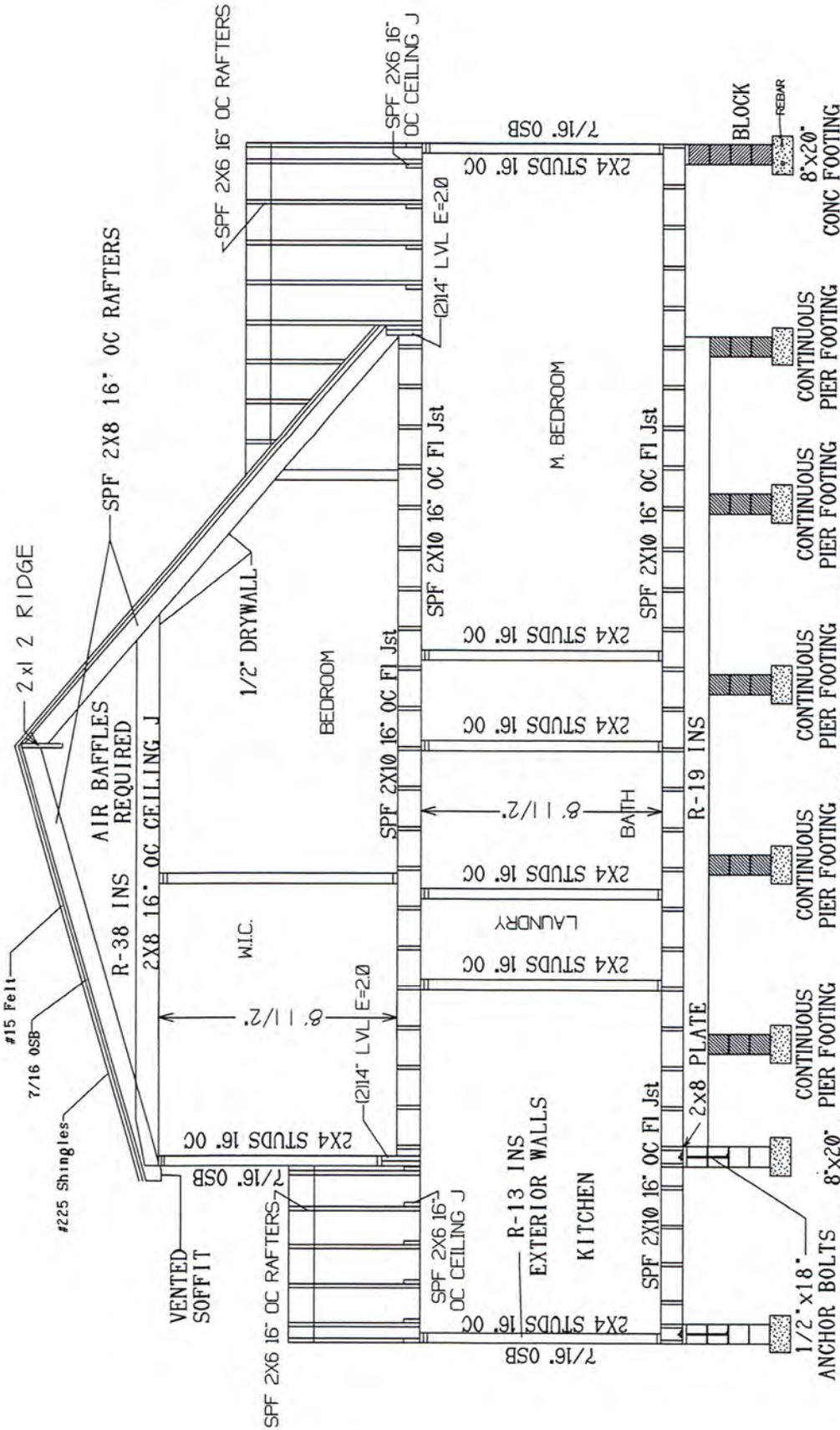
Scale 1/8"=1'

NOTE:
 UNLESS OTHERWISE NOTED ALL HEADERS
 ARE AS FOLLOWS
 UNDER 48' - (2)2x8's
 48' TO 60' - (2)2x10's
 60' TO 72' - (2)2x12's
 FOR ALL BEARING WALLS

Foundation Plan

Scale 1/4"=1'





THRU WALL SECTION

SCALE 1/4"=1'

CONCRETE ENCASED
ELECTRODE OF #4 COPPER
TO BE INSTALLED FOR
PROPER GROUNDING OF STRUCTURE

ANCHOR BOLTS
MAX 12" FROM
END OF PLATE
AND 12" FROM
CORNER OF WALL







PH-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Public Hearing to consider citizen comments regarding a request from Kathy Felton Diradour to rezone property.

ISSUE: The City has received a request from Kathy Felton Diradour to rezone property identified as Sub-Parcel # 031-1355, also identified as 905 West Broadway from B-2, Limited Business District to R-3, Residential, High Density District.

RECOMMENDATION: Administration recommends City Council consider citizen comments regarding the matter.

TIMING: City Council is requested to hold a public hearing on July 10, 2018.

BACKGROUND: The Planning Commission held a public hearing on June 7, 2018 to consider citizen comments regarding this request. The Commission voted 2-2 to recommend approval of the rezoning. A tie vote results in a denial of the request.

FISCAL IMPACT: None at this time

ENCLOSED DOCUMENTS:

- Application
- Staff Report
- Maps

STAFF: Tevya W. Griffin, Director, Department of Development
Chris Ward, Senior Planner, Department of Development



Kathy Felton Diradour
Rezoning from B-2 (Limited Commercial District to
R-3 (Residential, High Density)

Staff Report prepared for the City Council Regular Meeting –
 July 10, 2018

Last Revised: July 4, 2018

This report is prepared by the City of Hopewell Department of Development Staff to provide information to the City Council to assist them in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	June 7, 2018	Denied
---------------------	--------------	--------

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Proposed Zoning:	R-3, Residential, High Density
Existing Zoning:	Sub-Parcel #031-1355
Parcel Size:	<u>Total Acreage:</u> .136 acres or 5,924 square feet
Owner:	Current Owner: Kathy F. Diradour
Location of Property:	Located at the corner of West Broadway and North 10 th Avenue
Election Ward:	Ward 1
Land Use Plan Recommendation:	2028 Comprehensive Plan : Downtown Residential Mixed Use
Strategic Plan Goal:	N/A
Zoning of Surrounding Property:	North: R-3 South: B-2 East: B-2 West: B-2

III. EXECUTIVE SUMMARY:

The City has received a request received from Kathy F. Diradour to rezone property located at 905 West Broadway, also identified as Lot 16 and 17, Block 35, Day Subdivision, Sub-Parcel #030-0355, from the Limited Commercial District (B-2) to the Residential, High Density (R-3).

IV. FUTURE LAND USE:

Future land use for this property is designated as Downtown Residential Mixed Use.

This designation is outlined in Chapter 6 of the 2028 Comprehensive Plan on pages 2, 5 and 8; with corresponding maps shown on pages 9 and 10.

Residential Emphasis with Urban Development Area Designation: High Density Single, Attached and Multifamily Residences; Residential Units in Mixed Use Buildings; Live work dwellings

Detached: 5-7 Dwelling Units per acre

Multifamily: 20-40 Dwelling Units per acre

Attached: 10-14 Dwelling Units per acre

Mixed Use: Variable Mix & Density by Small Area Plan

Typical Dwelling or Business size: 500 -2000 square feet per unit

Regulatory Approach: UDA & Form Based Code: DHD Small Area Plan

V. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this rezoning request are found in Article XXI, *Amendments*, and include the following:

Article XXI-A, Initiation:

"Whenever public necessity, convenience, general welfare or good zoning practice require, City Council may amend, supplement, or change this ordinance, including the schedule of district regulations and the official zoning map. Any such amendment may be initiated by resolution of City Council, by motion of the Planning Commission, or by petition of any property owner addressed to City Council."

Article XXI-B, Action by Planning Commission

1. No zoning ordinance shall be adopted, amended, or re-enacted unless City Council has referred the proposal to the Planning Commission for its recommendation. The commission shall hold at least one (1) public hearing on such proposed amendment, after notice as required by Section 15.1-431 of the Code of Virginia (1950), as amended. Following the hearing, the Planning Commission shall prepare and by motion adopt its recommendations, which may include changes in the original proposal resulting from the hearing, and shall transmit such recommendations, together with any explanatory matter, to the City Council.

2. In recommending the adoption of any amendment to this ordinance, the Planning Commission shall fully state its reasons for any such recommendations, describing any change in conditions, if any, that it believes makes the amendment advisable and specifically setting forth the manner in which, in its opinion, the amendment would be in harmony with the comprehensive plan of the city and would be in furtherance of the purpose of this ordinance.

Article XXI-B, Action by City Council

Before approving the proposed amendment, the City Council shall hold at least one (1) public hearing thereon, pursuant to public notice as required by Section 15.1-431 of the Code of Virginia (1950), as amended, after which the City Council may make appropriate changes or corrections in the proposed amendment; provided, however, that no additional land may be zoned to a different classification than was contained in the public notice without an additional public notice as required by Section 15.1-431 of the Code of Virginia (1950), as amended. An affirmative vote of at least a majority of the members of the City Council shall be required to amend or re-enact a zoning ordinance.

Article V, Residential, High Density (R-3) – See attached

VI. SUBJECT PROPERTY:

The subject property is located at the corner of West Broadway and North 10 Avenue. The property is approximately 5,924 square feet and is currently zoned B-2, Limited Commercial District. The parcel is surrounded by properties zoned B-2 to the south, east and west, and zoned R-3 to the north. The structure on the lot is a single family detached home. It is certain that at one time the home was utilized as a residence. Staff could not ascertain the exact date of the rezoning from a residential zone to B-2. However the zoning map dated August 1, 1989 shows the stretch of West Broadway from North 2nd Avenue to North 11th Avenue as B-2. This area was zoned B-2 to transition from the B-1 District shopping district. As you travel further along West Broadway there is another area

designated as B-2 which also has been traditionally used for commercial purposes.

If the structure was used as a residence after the August 1, 1989 zoning map amendment it did so as a non-conforming activity. As defined in Article I, Definitions, of the Hopewell Zoning Ordinance, a non-conforming activity is the otherwise legal use of a building or structure or of a tract of land that does not conform to the use regulations of [the Zoning] ordinance for the district in which it is located. This means that a single family detached (SFD) home was not an allowable use in the B-2 Zoning District but was allowed to continue to function as such.

However, if a non-conforming activity ceases to operate for two years or more or if it is used for an allowable activity within the base zoning district, in this case, a business activity (store and office) within the B-2 Zoning District, the non-conforming activity cannot reoccur without rezoning the property.

VII. ZONING/STAFF ANALYSIS:

The subject property is located on a transition corridor with a mix of residential and commercial uses. The new Comprehensive Plan designates this area as Downtown Residential Mixed Use. A description of this designation was provided above in Section IV. Future Land Use.

The owner has made efforts to sell the property with the B-2 zoning but has been unsuccessful. According to the owner, this request is being made in order to sell the property to an investor as residential rental property.

In reviewing this request, the City Council must determine if rezoning the property to R-3 meets the requirements of the Comprehensive Plan. Additional, Council should also consider the consistency with surrounding zoning, and uses; and the effect the rezoning will have on the corridor.

VI. STAFF RECOMMENDATION:

The staff recommends denial of the request to rezone 905 West Broadway. This recommendation is based on the following:

1. The corridor has been designed to act as a transition from the B-1, Central Business District. There are pockets of business development in distinct areas with residential areas located further down the corridor toward Mesa Drive. The placement of one residential detached single family home is incompatible with business uses located from North 2nd Avenue to North 11th Avenue.

2. The 2028 Comprehensive Plan designates this area as Downtown Residential Mixed Use. The Plan calls for this area to have High Density Residential, Attached. The request is inconsistent with the Plan. It is understood that the current structure is not compliant, however, rezoning the property moves the property further away from the Comprehensive Plan recommendation.

VIII. PLANNING COMMISSION RESOLUTION:

At their June 7, 2018 meeting, the Hopewell Planning Commission voted 2-2 to recommend approval of the rezoning of Sub-parcel 031-1355, also known as LOTS 16 & 17 BLK 35 SUBDIVISION: DAY, from B-2, Limited Commercial District to R-3. Residential, High Density. A tie vote results in a denial of the request.

IX. CITY COUNCIL RESOLUTION:

The Hopewell City Council votes ___ to ___ to *approve, deny, table*, the request made by Kathy Felton Diradour, to rezone Sub-parcel 031-1355, also known as LOTS 16 & 17 BLK 35 SUBDIVISION: DAY, from B-2, Limited Commercial District to R-3. Residential, High Density.

Attachments:

1. Rezoning Application
2. Aerial Map
3. Zoning Map
4. R-3 Zoning District



The City of Hopewell, Virginia

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

City of Hopewell, VA
Permits / Inspec... - 20180246|RZNG - 2018
007121-0005 Melissa ... 04/18/2018 02:24PM
0 -
REZONING - REVIEW
Payment Amount: 300.00
Transaction Amount: 300.00
CASH:

APPLICATION FOR REZONING

APPLICATION FEE: \$300

#20180246

APPLICANT: Kathy Felton (AKA Kathy Diradour)
ADDRESS: 1630 N. White Mountain Dr.
Chester, VA 23836
PHONE #: 804-731-4663 FAX #:

INTEREST IN PROPERTY: [checked] OWNER OR AGENT
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: Kathy Diradour
ADDRESS: 1630 N. White Mountain Dr.
Chester, VA 23836
PHONE #: 804-731-4663 FAX #:

PROPERTY ADDRESS / LOCATION: 905 W. Broadway Hopewell, VA

LEGAL DESCRIPTION: Lot 16+17 Blk 35 Day Subdivision

PARCEL #: 0301355 ACREAGE: .136

PRESENT ZONING DISTRICT: B2

REQUESTED ZONING DISTRICT: Residential 1 or 2
PRESENT USE OF PROPERTY: vacant zoned B2

IT IS PROPOSED THAT THE FOLLOWING BUILDINGS WILL BE CONSTRUCTED:

NEED AND JUSTIFICATION FOR THE CHANGE IN CLASSIFICATION:
This property has been available for commercial lease +/or sale for several years. There has been no interest at all. There is a contractor who would like to purchase the property for residential rental. There are residential properties in close vicinity of this property.

ANTICIPATED EFFECT OF THE PROPOSED CHANGE (IF ANY) ON PUBLIC SERVICES AND FACILITIES:

No effect other than Hogewell will have one less vacant property

APPROPRIATENESS OF THE PROPERTY FOR THE PROPOSED CHANGES, AS IT RELATES TO THE INTENT OF THE ZONING DISTRICT DESIRED:

Property was originally built as a residence. There are single family residences all around the property.

WAY IN WHICH THE PROPOSED CHANGE WILL FURTHER THE PURPOSES OF THE ZONING ORDINANCE AND GENERAL WELFARE OF THE COMMUNITY:

Having a vacant property is a safety hazard to residents as well as an unattractive property for visitors to view. Having the property cared for and maintained by both a tenant & owner will enhance the city.

COMMENTS FROM APPLICANT / OWNER:

I have tried to sell this property with its current zoning. I have tried to rent this property with no success. I have a buyer who will care for it if the zoning is changed. I cannot continue to financially afford an empty property which is a bit problematic for me and the city.
*** ATTACH A COPY OF A SURVEY BY A LICENSED SURVEYOR OF THE PROPERTY Not available

A PROFFER STATEMENT IS ATTACHED Y N

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Cathy J. [Signature]
APPLICANT SIGNATURE

4/4/18
DATE

OFFICIAL USE ONLY

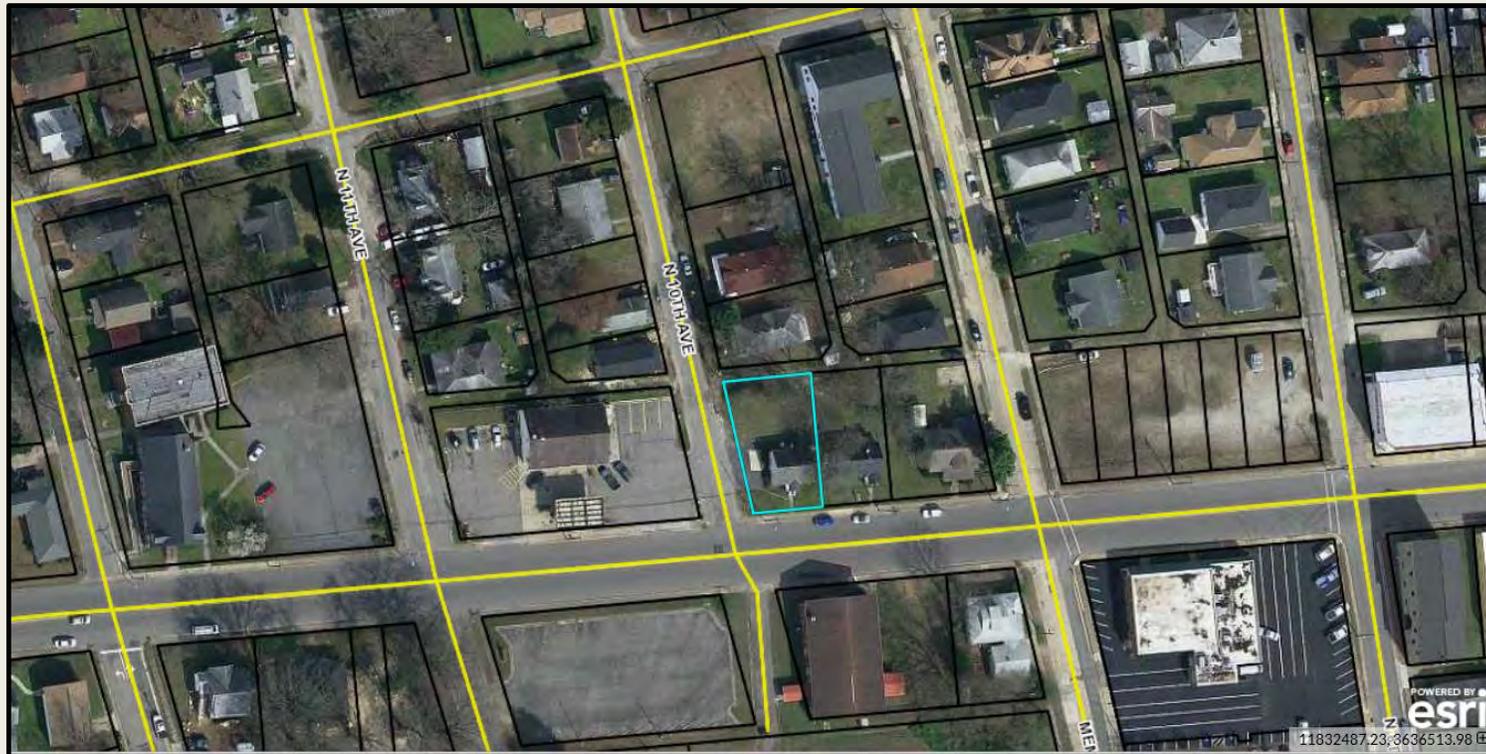
DATE RECEIVED: 4/18/2018 DATE OF FINAL ACTION: _____

ACTION TAKEN:

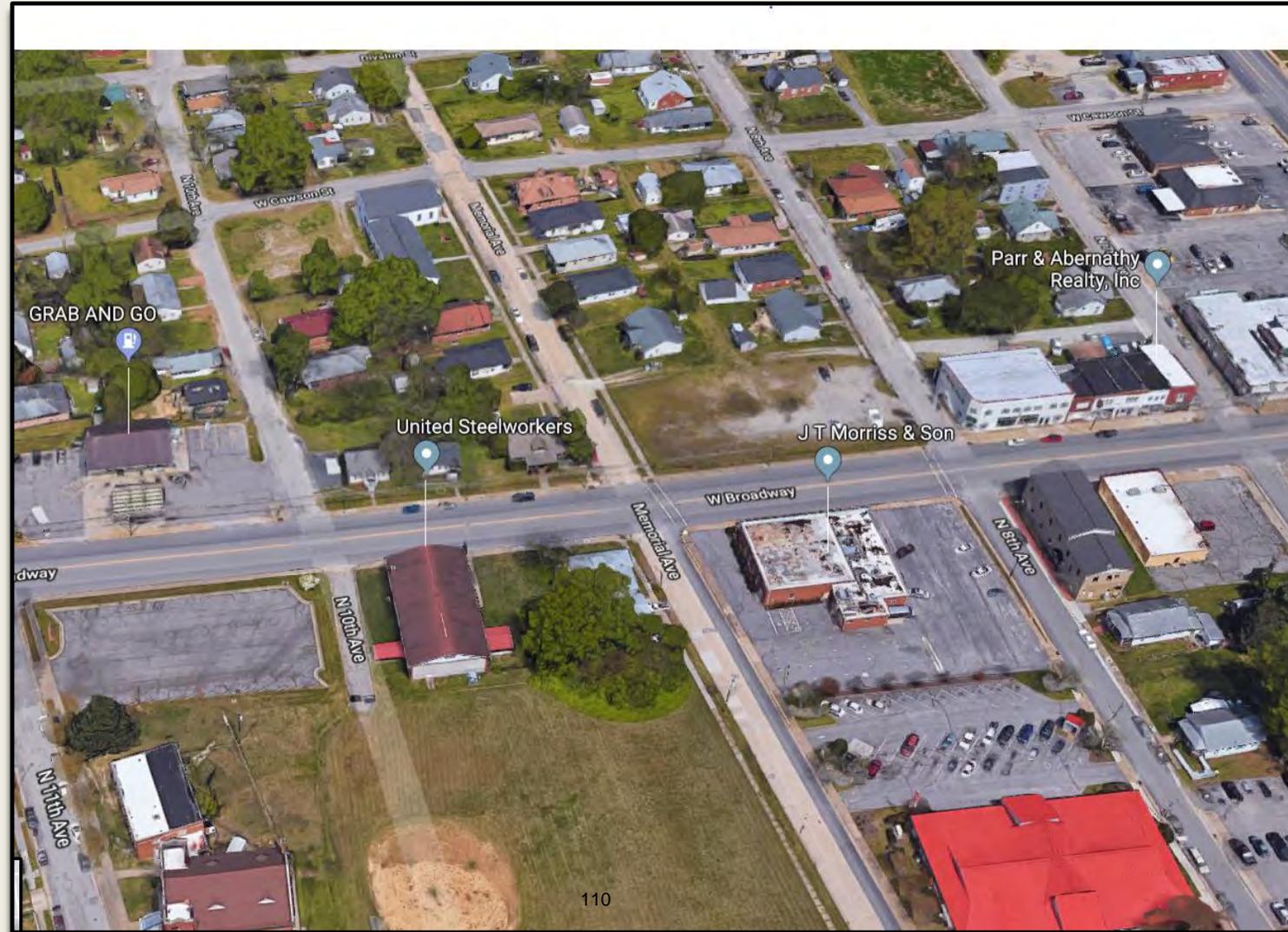
APPROVED DENIED

APPROVED WITH THE FOLLOWING CONDITIONS/ PROFFERS:

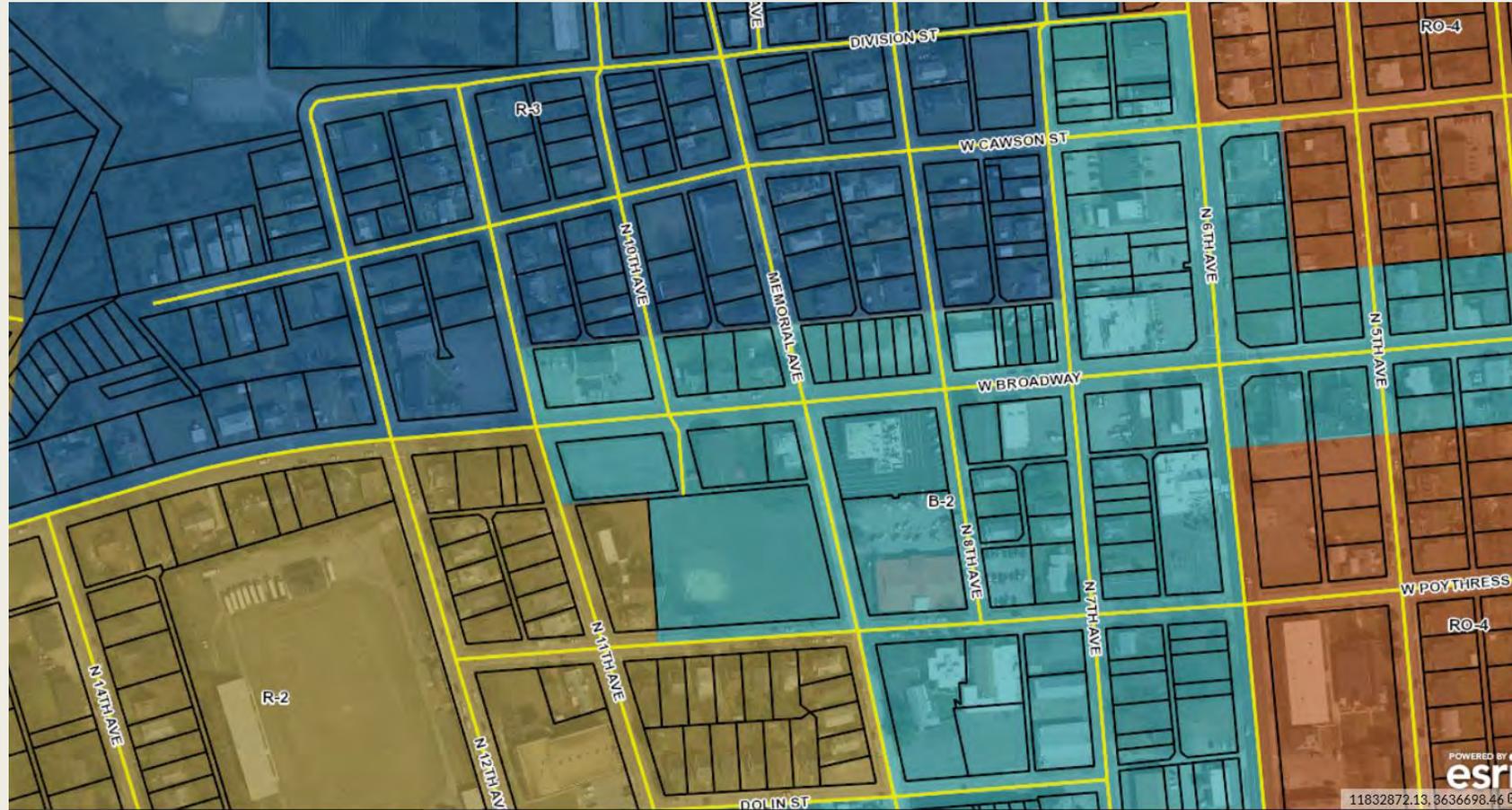
905 West City Point Road : Aerial Map



905 West City Point Road: Current Uses



905 West City Point Road: Zoning Map



B-2, Limited Business District, R-2, Residential Medium Density, R-1, Residential, Low Density, RO-4, Residential/Office District

ORDINANCE 2013-10

An Ordinance amending and reenacting Article III-E-2, Article III-A-E-2, Article IV-E-2, Article V-E-2, Article VI-E-2, and Article VII-A-E-2 of the Zoning Ordinance of the City of Hopewell, as it relates to the side and rear setback requirements for accessory structures in residential zoning districts.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that Article III-E-2, Article III-A-E-2, Article IV-E-2, Article V-E-2, Article VI-E-2, and Article VII-A-E-2 of the Zoning Ordinance of the City of Hopewell, is amended and reenacted as follows:

ARTICLE V

RESIDENTIAL, HIGH DENSITY DISTRICT (R-3)

STATEMENT OF INTENT

This district is intended as a residential area with a medium to high population density. The regulations for the district are designed to stabilize and protect the essential characteristics of the district and to promote and encourage, insofar as it is compatible with the intensity of land uses, a suitable environment for family life. Uses such as schools, parks, churches and certain public facilities that serve the residents of the district are also permitted. Certain additional uses may be allowed, as long as the character of the district is not altered by levels of traffic, vehicular parking, lighting, noise and visual displays which are not compatible with the area.

A. USE REGULATIONS

In the R-3 Residential District, land may be used and buildings or structures may be erected, altered, or used, only for the following (with off street parking as required for the uses permitted in the district):

1. Single family dwellings (special definition).
2. Duplex includes zero lot line (special definition).
3. Multifamily dwellings (special definition).
4. Public parks, playgrounds, Recreational facilities.
5. Schools, General Education (special definition).
6. Fire and rescue squad stations
7. Home occupations to be located in the main building (special definition).
8. Hospitals (special definition).
9. Accessory uses (special definition).

10. Signs in accordance with Article 18 of this ordinance (special definition).
11. Group housing for the elderly and handicapped (special definition).
12. Neighborhood stores (special definition).
13. Laundromat as a part of a neighborhood store, provided that the neighborhood store and laundromat maintain the same hours of operation. (12/98)
14. Member-owned recreational facilities.
15. Churches.
16. Accessory apartments, with a Conditional Use Permit (see Section H of this article) from City Council (special definition).
17. Municipal Utilities, not to include towers for the transmission of electrical energy.
18. Private Utilities, towers or antenna for the wireless transmission of electrical energy above the frequency of 20,000 hertz, with a Conditional Use Permit issued by City Council.
19. Kindergartens and day care centers.
20. Bed and Breakfast (special definition).
21. Home Occupation, in an out building, with a Special Use Permit from the Board of Zoning Appeals (special definition).

B. AREA REGULATIONS

The minimum lot area for permitted uses in this district shall be as follows:

1. Single family dwellings shall have a minimum lot area of five thousand (5,000) square feet.
2. Duplexes shall have a minimum lot area of seven thousand five hundred (7,500) square feet. For zero lot line duplexes for sale, each unit within the duplex shall have a minimum lot area of three thousand, seven hundred and fifty (3,750) square feet.
3. Multifamily dwellings shall have as minimum lot area of seven thousand five hundred (7,500) for the first two (2) units plus four thousand (4,000) for each additional unit.
4. Churches, either new construction or conversion of an existing building, shall have a minimum lot area of ten thousand (10,000) square feet.
5. All other uses shall have a minimum lot area of five thousand (5,000) square feet.

C. MINIMUM LOT WIDTH

1. The minimum lot width for permitted uses in this district shall be fifty (50) feet at the setback line.

D. YARD REGULATIONS, MAIN BUILDING.

1. Structures shall be located at least twenty (20) feet from any street or highway or any street or highway right-of-way, except that no new structure need be set back more than the average of the two (2) adjacent structures on either side. This shall be known as the "setback line".
2. The minimum width of each side yard (two required except that each unit within a zero lot line duplex need only have one side yard) for a permitted use in this district shall be eight (8) feet. On a corner lot, the minimum side yard for the side facing the side street shall be fifteen (15) feet.
3. Each main structure shall have a rear yard of at least twenty (20) feet.

E. YARD REGULATIONS, ACCESSORY BUILDINGS.

1. No accessory building shall be located between the "setback line" and the front property line.
2. No accessory building shall be located any closer than ~~five (5) two (2)~~ zero (0) feet to any property line. On a corner lot, no accessory building shall be located any closer than fifteen (15) feet to the side property line of the side facing the street.
3. No accessory building shall be located any closer than five (5) feet to any other building.

F. HEIGHTS

1. Main buildings may be erected up to thirty five (35) feet or two and one half (2 ½) stories from grade.
2. Churches, cathedrals, temples, hospitals, sanitariums, schools, or other educational institutions may be increased to a height of eighty (80) feet or six (6) stories, provided that the required side yards are increased one (1) foot for each additional three (3) feet of heights over thirty five (35) feet.
3. Chimneys, water towers, wireless towers and other necessary mechanical appurtenances when permitted by this article in this district and when attached to a main building or structure are exempt from height regulations.

G. REQUIREMENTS FOR PERMITTED USES:

Before a building permit shall be issued or construction commenced on any permitted use other than a single family or duplex dwelling in this district of a permit issued for a new use, other than a single family or duplex dwelling, all requirements of Article 16, Site Plan Requirements, shall be met.

H. ACCESSORY APARTMENTS

Accessory Apartments, (special definition) shall be permitted, subject to the following conditions and requirements:

1. Owner/occupants may apply to the City Council for a Conditional Use Permit to convert an existing garage to an apartment, as follows:
 - a. Applicant must certify that such apartment will be occupied by a related family member 55 years of age or older or handicapped.
 - b. Applicant must acknowledge that upon vacation by such family member, the building may no longer be used as an apartment, unless another family member meets the required criteria and in no case shall it be used as a rental unit.
 - c. Applicant must demonstrate that sufficient off street parking will be provided.
2. Permits for such apartments shall be issued for a period of one year and must be renewed annually. All other requirements of the Zoning Ordinance and Building Code, including but not limited to building permits and occupancy permits, must be complied with.
3. No such permit shall be authorized except after notice and hearing, as provided by Section 15.1-431 of the Code of Virginia, as amended.
4. City Council may impose such conditions relating to the use for which such Conditional Use Permit is granted as it may deem necessary in the public interest and may require guarantee bond to insure that the conditions imposed are being and will continue to be complied with.
5. Upon approval by City Council, and prior to the issuance of a permit, the owners must execute an agreement acknowledging the limitations on such permit, which will be recorded at the owner's expense in the Clerk's Office of the Circuit Court of Hopewell.

PH-3

Please refer to items under Work Session

COMMUNICATIONS FROM CITIZENS

UNFINISHED BUSINESS



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: General Registrar Request for Appropriation

ISSUE: The General Registrar has hired an Assistant Registrar at a salary higher than the budgeted salary (\$33,741.56) for that position. Pursuant to Virginia Code §24.2-112, City Council sets the rate of pay for the Assistant Registrar. The General Registrar is requesting an appropriation of an additional \$9,758.44 for FY18 and FY19 to bring the position salary to \$43,500.

RECOMMENDATION: City Staff recommends City Council take appropriate action. Should Council approve the increase, Staff recommends that it be retroactive to the date of hire

TIMING:

BACKGROUND: The General Registrar has requested the increase in salary based on the individual’s “35 years of experience as a Registrar assistant in Petersburg, Virginia, the benefits and offers provided to other employees of this locality and the needs of the Voter Registration Office for the City of Hopewell at this time.” Virginia Code §24.2-112 states “(t)he compensation of any assistant registrar, other than those who agree to serve without pay, or any other employee of the general registrar shall be fixed and paid the by the local governing body and shall be the equivalent of or exceed the minimum hourly wage established by federal law in 29 U.S.C. §206 (a) (1), as amended.” The current salary of \$33,341.56 (\$16.22/hr), which exceeds the Federal minimum hourly wage (\$7.25/hr), was “fixed” by City Council during the FY18 budget process. There is a projected FY18 fund balance in the General Registrar’s Office full-time salary line item of \$7,304.58 available.

FISCAL IMPACT: The requested action will increase the reduce fund balance by \$9,758.44.

ENCLOSED DOCUMENTS: Memorandum dated May 29, 2018; Salary Survey of Assistant Registrars; Salary History of Registrar’s Office; Available Fund Balance Worksheet for General Registrar’s Office

STAFF: Yolanda W. Stokes, General Registrar

Voter Registrar

FY 18 Budget	\$	192,735.57
Less:		
Actuals as of 6/19/18		174,472.94
Payroll through end of fiscal year		<u>10,958.05</u>
Available balance	\$	7,304.58

Assistant Registrar - Salary Survey

	Salary Range (\$)	# of Assistant Registrars
Colonial Heights	29,100 - 49,961	1
Danville	36,186.55	1
Dinwiddie	28,704	0*
Emporia	24,024	2**
Lynchburg	46,342	1
Newport News	65,437	1
Norfolk	No Reponse	
Petersburg	No Reponse	
Richmond	44,646 - 73,336	1
Suffolk	38,407 - 60,298	2
Surry		0

NOTE:

* - 1 part-time Program Support Technican

** - positions are Part-Time

13.8	28,704
11.55	24,024
22.28	46,342

Assistant Registrar - Salary Survey

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Suffolk	38,407 - 60,298	2
Surry		0

NOTE:

* - 1 part-time Program Support Technican

** - positions are Part-Time

13.8	28,704
11.55	24,024
22.28	46,342

REGULAR BUSINESS

R-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: National League of Cities Line Warranty Service Program

ISSUE: National League of Cities (NLC) provides utility service line warranty program to member communities

RECOMMENDATION: Staff recommends City Council approve and authorize the City Manager to execute necessary documentation pending City Attorney review and approval

TIMING: The request is not time sensitive

BACKGROUND: The NLC a service line warranty program provides homeowners repair protection for leaking, clogged or broken water and sewer lines. NLC offers warranty coverage programs for interior and exterior repairs. The warranties provide up to \$3,000 (internal) and \$8,500 (external) of coverage per repair incident made by licensed, local contractors. There are no annual or lifetime limits, deductibles, service fees, forms, or paperwork. There no public funds required for the City to offer this program to the citizens. The City would enter into an Agreement with Utility Service Partners granting license for three (3) term. Utility Service Partners would pay the City a license fee of \$0.50 per product per month per Residential Property Owner that participates.

FISCAL IMPACT: No cost to the City. City would benefit from license fee.

ENCLOSED DOCUMENTS: PowerPoint Presentation, NLC Service Warranty Program Highlights, Marketing Agreement

STAFF: March Altman, City Manager

City of Hopewell, VA



we promise



NLC NATIONAL
LEAGUE
OF CITIES
CITIES STRONG TOGETHER

Ashley Shiwarski
724-749-1097
ashiwarski@utilitysp.net



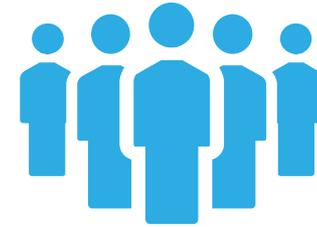
WHY CHOOSE UTILITY SERVICE PARTNERS?



EXPERIENCE



REPUTATION



PARTNERSHIP



BBB Torch Award for Marketplace Ethics

Trust • Performance • Integrity

2013 Winner
Western Pennsylvania Better Business Bureau®



This award underscores one of the primary reasons the National League of Cities selected USP as a partner and extended our agreement for another five years. The organization's exemplary record of customer service and transparency is what has driven the success of this partnership over the years.

— Clarence Anthony, Executive Director
National League of Cities

PROGRAM BENEFITS

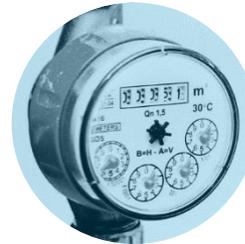
- Only Service Line Program Partnered with the National League of Cities
- Helps address the public policy issue of aging infrastructure
- No cost for the Municipality to participate
- Ongoing Revenue Stream for the Municipality
- Educates homeowners about their lateral line responsibilities
- Free Public Awareness Campaign
- Peace of Mind - with one toll-free call a reputable plumber is dispatched
- All repairs performed to code by local licensed contractors
- Contractors undergo rigorous vetting process to ensure quality service



OUR SERVICE AND WHAT IT COVERS



EXTERNAL
SEWER/SEPTIC
LATERAL COVERAGE



EXTERNAL
WATER/WELL
LINE COVERAGE

Homeowner repair protection for leaking, clogged or broken water and sewer lines from the point of utility connection to the home exterior

Coverage includes:

- Educating homeowners about their service line responsibilities
- Up to \$8,500 coverage per repair incident
- No annual or lifetime limits, deductibles, service fees, forms, or paperwork
- 24/7/365 availability
- Repairs made only by licensed, local contractors
- Affordable rates and multiple payment methods

OUR SERVICE AND WHAT IT COVERS



INTERIOR PLUMBING AND DRAINAGE

Homeowner repair protection for in-home water supply lines and in-home sewer lines and all drain lines connected to the main sewer stack that are broken or leaking inside the home after the point of entry

Coverage includes:

- Up to \$3,000 coverage per repair incident.
- Repair of clogged toilets
- Includes coverage for broken or leaking water supply, sewer, or drain lines under the slab or basement floor
- No annual or lifetime limits, deductibles, service fees, forms, or paperwork
- 24/7/365 availability
- Repairs made only by licensed, local contractors
- Affordable rates and multiple payment methods

MARKETING APPROACH

- No Public Funds are used in marketing, distribution, or administration of the program.
 - Only market by direct mail, no telemarketing
 - Would never mail without your review and approval of marketing material before each and every campaign
 - Limited mailing campaigns per year
 - Consumer friendly marketing
 - Always voluntary for the homeowner
- 
- Consumers can enroll one of three ways:
 - Calling into our toll free number that is provided on the mailing;
 - Returning the bottom of the letter to us in the self addressed stamped envelope provided
 - Visiting our consumer website www.slwofa.com at any time

OVER 500 MUNICIPAL PARTNERS IN 36 STATES

Alabama
Arkansas
Arizona
California
Colorado
Connecticut
Florida
Georgia
Iowa
Illinois
Indiana
Kansas



Kentucky
Louisiana
Maryland
Michigan
Minnesota
Missouri
North Carolina
Nebraska
New Jersey
New Mexico
Nevada
Ohio

Oklahoma
Oregon
Pennsylvania
South Carolina
South Dakota
Texas
Utah
Virginia
Washington
West Virginia
Wisconsin
Wyoming

Q & A

NLC Service Line Warranty Program Highlights

- The only utility line warranty program endorsed by the National League of Cities (NLC)
- Endorsed by multiple state leagues
- Over 400 municipalities participating nationwide
- No cost to or liability for the city to participate
- Ongoing revenue stream for city
- Educates homeowners about their lateral line responsibilities
- Utility Service Partners (USP) handles all marketing and management of the program
- 24/7/365 bilingual customer service
- All repairs performed to city code by local, licensed contractors
- Reduces calls from residents to City Hall for lateral water and sewer line issues
- Homeowner billed by NLC Service Line Warranty Program
- Provides residents an affordable solution that covers cost of repairs to water and sewer lines for which the homeowner is responsible
- Saved more than 140,000 homeowners across the country over \$90 million in water and sewer service line repair costs
- No public funds are used in the marketing, distribution or administration of the NLC Service Line Warranty Program
- The NLC Service Line Warranty Program must be supported by the city into which it is being introduced before any warranty offer letters are mailed to homeowners in the community

PARTICIPATING CITIES (SAMPLE OF OVER 400)

Phoenix, AZ	East Point, GA	Edgewood, KY	Fairfield, OH
Tucson, AZ	Franklin Park, IL	District Heights, MD	Tulsa, OK
San Diego, CA	El Dorado, KS	Clawson, MI	Scranton, PA
Ft. Lauderdale, FL	Hillsboro, KS	Dayton, OH	Madison, WI

NLC SERVICE LINE WARRANTY PROGRAM BENEFITS

CITY

Provides non-tax revenue stream without any investment

Reduces calls to City/Public Works when a homeowner's line fails

Contractors undergo rigorous vetting process to ensure quality service

Reduces costs associated with sending Public Works to residents' homes to assess lateral line issues

Keeps money in the local economy by using contractors in the metro area

Contractors must be current with insurance and required licenses

RESIDENTS

Affordable utility line repair solution for families on a budget

Educates homeowners about their service line responsibilities

Prevents aggravation of having to find a reliable, reputable plumber

Peace of mind - with one toll-free call a reputable plumber is dispatched

Keeps money in the homeowner's pocket; without warranty, repairs cost from hundreds to thousands of dollars

No service fees or deductibles and no paperwork or forms to complete

ACCOLADES & ACCOMPLISHMENTS



- Accredited Better Business Bureau member with A+ rating for nearly a decade
- 2013 Western Pennsylvania Better Business Bureau Torch Award winner for Marketplace Ethics

- The **only** utility line warranty program endorsed by the National League of Cities
- **More than 97%** of all submitted claims are approved
- **A customer satisfaction rating of 98%**
- **9 of 10 customers surveyed** have recommended the program to friends, family and neighbors

MARKETING AGREEMENT

This MARKETING AGREEMENT ("Agreement") is entered into as of _____, 20__ ("**Effective Date**"), by and between the City of Hopewell, Virginia ("**City**"), and Utility Service Partners Private Label of Virginia, Inc. d/b/a SLWA ("**Company**"), herein collectively referred to singularly as "Party" and collectively as the "Parties".

RECITALS:

WHEREAS, sewer and water line laterals between the mainlines and the connection on residential private property are owned by individual residential property owners residing in the City ("**Residential Property Owner**"); and

WHEREAS, City desires to offer Residential Property Owners the opportunity, but not the obligation, to purchase a service line warranty and other similar products set forth in Exhibit A or as otherwise agreed in writing from time-to-time by the Parties (each, a "**Product**" and collectively, the "**Products**"); and

WHEREAS, Company, a subsidiary of HomeServe USA Corp., is the administrator of the National League of Cities Service Line Warranty Program and has agreed to make the Products available to Residential Property Owners subject to the terms and conditions contained herein; and

NOW, THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and with the intent to be legally bound hereby, the Parties agree as follows:

1. **Purpose.** City hereby grants to Company the right to offer and market the Products to Residential Property Owners subject to the terms and conditions herein.
2. **Grant of License.** City hereby grants to Company a non-exclusive license ("**License**") to use City's name and logo on letterhead, bills and marketing materials to be sent to Residential Property Owners from time to time, and to be used in advertising (including on the Company's website), all at Company's sole cost and expense and subject to City's prior review and approval, which will not be unreasonably conditioned, delayed, or withheld. City agrees that it will not extend a similar license to any competitor of Company during the Term and any Renewal Term of this Agreement.
3. **Term.** The term of this Agreement ("**Term**") shall be for three (3) years from the Effective Date. The Agreement will automatically renew for additional one (1) year terms ("**Renewal Term**") unless one of the Parties gives the other written notice at least ninety (90) days prior to end of the Term or of a Renewal Term that the Party does not intend to renew this Agreement. In the event that Company is in material breach of this Agreement, the City may terminate this

Agreement thirty (30) days after giving written notice to Company of such breach, if said breach is not cured during said thirty (30) day period. Company will be permitted to complete any marketing initiative initiated or planned prior to termination of this Agreement after which time, neither Party will have any further obligations to the other and this Agreement will terminate.

4. **Consideration.**

A. As consideration for such license, Company will pay to City a License Fee as set forth in Exhibit A ("**License Fee**") during the term of this Agreement. The first payment shall be due by January 30th of the year following the conclusion of first year of the Term. Succeeding License Fee payments shall be made on an annual basis throughout the Term and any Renewal Term, due and payable on January 30th of the succeeding year. City will have the right, at its sole expense, to conduct an audit, upon reasonable notice and during normal business hours, of Company's books and records pertaining to any fees due under this Agreement while this Agreement is in effect and for one (1) year after any termination of this Agreement.

5. **Indemnification.** Company hereby agrees to protect, indemnify, and hold the City, its elected officials, officers, employees and agents (collectively or individually, "**Indemnitee**") harmless from and against any and all third party claims, damages, losses, expenses, suits, actions, decrees, judgments, awards, reasonable attorneys' fees and court costs (individually or collectively, "**Claim**"), which an Indemnitee may suffer or which may be sought against or are recovered or obtainable from an Indemnitee, as a result of or arising out of any breach of this Agreement by the Company, or any negligent or fraudulent act or omission of the Company or its officers, employees, contractors, subcontractors, or agents in the performance of services under the Products; provided that the applicable Indemnitee notifies Company of any such Claim within a time that does not prejudice the ability of Company to defend against such Claim. Any Indemnitee hereunder may participate in its, his, or her own defense, but will be responsible for all costs incurred, including reasonable attorneys' fees, in connection with such participation in such defense.

6. **Notice.** Any notice required to be given hereunder shall be deemed to have been given when notice is (i) received by the Party to whom it is directed by personal service, (ii) sent by electronic mail (provided confirmation of receipt is provided by the receiving Party), or (iii) deposited as registered or certified mail, return receipt requested, with the United States Postal Service, addressed as follows:

To: City:
ATTN: March Altman
City of Hopewell
300 N Main St
Hopewell, VA 23860-2740
Phone: (804) 541-2243

To: Company:
ATTN: Chief Sales Officer
Utility Service Partners Private Label of Virginia, Inc.
11 Grandview Circle, Suite 100
Canonsburg, PA 15317
Phone: (866) 974-4801

7. **Modifications or Amendments/Entire Agreement.** Any and all of the representations and obligations of the Parties are contained herein, and no modification, waiver or amendment of this Agreement or of any of its conditions or provisions shall be binding upon a party unless in writing signed by that Party.

8. **Assignment.** This Agreement and the License granted herein may not be assigned by Company other than to an affiliate or an acquirer of all or substantially all of its assets, without the prior written consent of the City, such consent not to be unreasonably withheld.

9. **Counterparts/Electronic Delivery; No Third Party Beneficiary.** This Agreement may be executed in counterparts, all such counterparts will constitute the same contract and the signature of any Party to any counterpart will be deemed a signature to, and may be appended to, any other counterpart. Executed copies hereof may be delivered by facsimile or e-mail and upon receipt will be deemed originals and binding upon the Parties hereto, regardless of whether originals are delivered thereafter. Nothing expressed or implied in this Agreement is intended, or should be construed, to confer upon or give any person or entity not a party to this agreement any third- party beneficiary rights, interests, or remedies under or by reason of any term, provision, condition, undertaking, warranty, representation, or agreement contained in this Agreement.

10. **Choice of Law/Attorney Fees.** The governing law shall be the laws of the State of Virginia. In the event that at any time during the Term or any Renewal Term either Party institutes any action or proceeding against the other relating to the provisions of this Agreement or any default hereunder, then the unsuccessful Party shall be responsible for the reasonable expenses of such action including reasonable attorney's fees, incurred therein by the successful Party.

11. **Incorporation of Recitals and Exhibits.** The above Recitals and Exhibit A attached hereto are incorporated by this reference and expressly made part of this Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the day and year first written above.

CITY OF HOPEWELL

Name:

Title:

UTILITY SERVICE PARTNERS PRIVATE LABEL OF VIRGINIA, INC.

Name: Michael Backus

Title: Chief Sales Officer

Exhibit A
NLC Service Line Warranty Program
City of Hopewell
Term Sheet
May 17, 2018

I. Initial Term. Three years

II. License Fee. \$0.50 per Product for each month that a Product is in force for a Residential Property Owner (and for which payment is received by Company), aggregated and paid annually, for:

- a. City logo on letterhead, advertising, billing, and marketing materials
- b. Signature by City official

III. Products.

- a. External water service line warranty (initially, \$5.75 per month)
- b. External sewer/septic line warranty (initially, \$7.75 per month)
- c. Interior plumbing and drainage warranty (initially, \$9.99 per month)

Company may adjust the foregoing Product fees; provided, that any such adjustment shall not exceed \$.50 per month in any 12-month period, unless otherwise agreed by the Parties in writing.

IV. Scope of Coverage.

- a. External water service line warranty:
 - Homeowner responsibility: From the meter and/or curb box to the external wall of the home.
 - Covers thawing of frozen external water lines.
 - Covers well service lines if applicable.
- b. External sewer/septic line warranty:
 - Homeowner responsibility: From the exit point of the home to the main.
 - Covers septic lines if applicable.
- c. Interior plumbing and drainage warranty:
 - Water supply pipes and drainage pipes within the interior of the home.

V. Marketing Campaigns. Company shall have the right to conduct up to three campaigns per year, comprised of up to six mailings and such other channels as may be mutually agreed. Initially, Company anticipates offering the Interior plumbing and drainage warranty Product via in-bound channels only.

R-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business**
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Regular Business – Item R-1

ISSUE: During the months of August-December 2018, **VDOT** will evaluate and score four (4) new projects for **SMART SCALE Funding**. **SMART SCALE (formerly HB2)** stands for System Management and Allocation of Resources for Transportation and funds transportation projects through a prioritization process based on key factors including safety, congestion mitigation, accessibility, environmental quality, economic development and land use coordination. **SMART SCALE** operates on a biennial schedule with submissions occurring on even years and if selected will be programmed and funded in the last two years of the upcoming Six-Year Improvement Program (SYIP). Projects selected by the Commonwealth Transportation Board (CTB) in June 2019 are projected to receive funding in Fiscal Years 2024 and 2025. In order for the applications to continue through the screening process, the City must upload a Council Resolution Letter with the submitted application into the SMART Portal by August 1, 2018. The project applications are currently going through a pre-screening process with the complete applications also due on August 1, 2018. Full funding as requested is not guaranteed, but if selected will receive full reimbursement. The projects submitted are as follows:

1. **Cedar Level Road Southern Segment:** Approximately 0.5 Mile of major roadway reconstruction, realignment, drainage improvements, new curb & gutter, driveway entrances, pedestrian and bicycle facilities on Cedar Level Road between North Avenue and Cobblestone Pkwy.
2. **Courthouse Road Improvements:** Major widening, new curb and gutter, sidewalks and drainage improvements within existing 50' City Right-of-Way between Ashland St and Berry St/High Ave.
3. **W Randolph Rd & N 6th Ave Intersection Improvements:** Improvements to the current five (5) leg intersection including upgraded pedestrian facilities, pedestrian pole actuation and crosswalks and geometric improvements to improve safety, efficiency and user expectation.
4. **Winston Churchill Drive & Arlington Road Intersection Improvements:** Improve existing intersection by installing video detection, emergency, preemption equipment and other improvements.

Required Program Guidelines, VDOT requires the following action:

1. A formal Resolution Letter of Support to be passed by City Council endorsing the SMART Scale project applications indicated above. The Resolution Letter showing the council voting action is due on August 1, 2018.

RECOMMENDATION: Administration recommends Approval.

TIMING: City Council Action is recommended on July 10, 2018.

BACKGROUND: SMART SCALE operates on a biennial schedule with submissions occurring on even years and if selected will be programmed and funded in the last two years of the upcoming Six-Year Improvement Program (SYIP). Projects selected by the Commonwealth Transportation Board (CTB) in June 2019 are projected to receive funding in Fiscal Years 2024 and 2025. In order for the applications to continue through the screening process, the City must upload a Council Resolution Letter with the submitted application into the SMART Portal by August 1, 2018

FISCAL IMPACT: Projects selected to receive SMART Scale funding would be fully reimbursable by VDOT through a project administration agreement.

ENCLOSED DOCUMENTS:

1. FY2020 VDOT SMART Scale Resolution Letter Sample

STAFF: Johnnie Butler, City Engineer
Austin Anderson, Construction Manager

CITY OF HOPEWELL FY 2020 VDOT SMART SCALE RESOLUTION LETTER

At a regularly scheduled meeting of the City of Hopewell held on July 10, 2018, on a motion by [name of Council member], seconded by [name of Council member], the following resolution was adopted by a vote of 7 to 0:

WHEREAS: The City of Hopewell hereby supports the following SMART Scale project applications: Cedar Level Road Sothern Segment, Courthouse Road Improvements, W Randolph and N 6th Avenue Intersection Improvements, and Winston Churchill Drive and Arlington Road Intersection Improvements.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Hopewell hereby commits to fund its local share of preliminary engineering, right-of-way and construction (as applicable) of the project(s) under agreement with the Virginia Department of Transportation in accordance with the project financial document(s).

BE IT FURTHER RESOLVED, that the City Manager is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

Given under my hand and the Corporate Seal of the City of Hopewell, Virginia this 25th day of July 2018, I do certify that the foregoing is a true and correct copy of a resolution of the City of Hopewell duly adopted on the 10th day of July 2018.

Ronnieye Arrington
City Clerk

R-3



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business**
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Regular Business – Item R-3**ISSUE: Library Street - Emergency Repairs**

The subject segment of Library Street is located between East Broadway Street and the east west/alley just north on the intersection.

History:

The road section was extended through this area during the first phase of the Downtown Streetscape project back in 2007. The zone was an area where old buildings once stood. The buildings were removed many years prior to the project. The road extension improvements included installing storm sewer pipe through the now failed zone.

During construction the road section was undercut then controlled fill placed to achieve an unyielding subgrade condition. Proof-rolling dynamic tests were done during the inspection steps. The subgrade was approved by such wheel force load testing.

At some point over the past 10 years the storm sewer pipe under the road section began to separate at the joints. The disjointed storm sewer pipe allowed water to escape the system, which has resulted in severe settlement of the storm basin, sidewalk and road section. This can be seen on the surface and with subsurface investigations. The subgrade materials were compromised by the saturation and flows.

Given the risks of allowing continued use, the City faces closure of this public facility in our downtown if the repairs are not performed.

Emergency Capital Improvement Program [CIP] funding is required. Council Authorization action on the specific funding appropriation is necessary.

RECOMMENDATION: Administration recommends Approval.

TIMING: City Council Action is recommended on July 10, 2018.

BACKGROUND: The witnessed settlements on Library Street began several years ago, especially noticed in the brick sidewalk zone. Over the past years remedial “make safe repairs” were done in or within the sidewalk zone. The settlement has now grown much worse. The biggest change occurred during 2017. The settlement now has spread out underneath the northbound lane of the roadway section.

FISCAL IMPACT:

CIP project funds specifically appropriated and assigned to the capital expense account “Library Street Repairs”. The cost of repairs is estimated at \$116,460.

ENCLOSED DOCUMENTS:

1. Cost estimate breakdown sheet
2. Sample Voting Action Minutes/Letter

STAFF: Johnnie Butler, City Engineer
Austin Anderson, Construction Manager

CITY OF HOPEWELL FY 2019 CIP Budget Adjustment
Emergency funding appropriation for Library Street
Voting Action Minutes/Letter

At a regularly scheduled meeting of the City of Hopewell held on July 10, 2018, on a motion by [name of Council member], seconded by [name of Council member], the following voting action was adopted by a vote of _ to _ :

WHEREAS: The Department of Public Works recommends approval of the emergency CIP funding to perform the Library Street Repairs as indicated in the council action form briefing.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Hopewell hereby approves the budget adjustment and designated appropriation or re-appropriation to cover the special funding request.

Given under my hand and the Corporate Seal of the City of Hopewell, Virginia this 25th day of July 2018, I do certify that the foregoing is a true and correct copy of the voting action and authorization of the City of Hopewell duly adopted on the 10th day of July 2018.

Ronnieye Arrington
City Clerk

Item No.	Estimated Quantities	Unit / Measure	Item Description	Unit Price	Total Cost
1.0	1.00	LS	Demolition of existing asphalt, curb and gutter and drop inlet and remove/store salvage existing pavers	\$ 18,000.00	\$ 18,000.00
2.0	900.00	CY	Undercut Excavation of roadway and sidewalk, not to exceed 6' Depth	\$ 30.00	\$ 27,000.00
3.0	1710.00	TON	#21-A Aggregate Backfill	\$ 25.00	\$ 42,750.00
4.0	450.00	LF	Furnish & Install Geo-Grid stabilization fabric	\$ 4.00	\$ 1,800.00
5.0	150.00	LF	Install new Curb & Gutter CG-6	\$ 30.00	\$ 4,500.00
6.0	1.00	EA	Install new Curb Drop Inlet and reset storm pipe	\$ 6,750.00	\$ 6,750.00
7.0	84.00	TON	Pavement Replacement - 6" asphalt base and surface courses	\$ 115.00	\$ 9,660.00
8.0	200.00	SY	Install sand/asphalt bedding and re-install salvaged pavers	\$ 30.00	\$ 6,000.00
					\$ 116,460.00

R-4



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- X None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- X Regular Business
- Reports of Council Committees

Action:

- Approve and File
- X Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Modification to Article II Fire Prevention Code Section 15-20

ISSUE: Request to modify existing ordinances to reflect the appropriate appendices

RECOMMENDATION: Approve as modified with appendices

TIMING: Enforcement upon approval of City Council on July 10, 2018

BACKGROUND: The Fire Department updated the fire ordinances during the fiscal year 2017-2018. In Article II Fire Prevention Code Sec. 15-20, there was wording that was inadvertently omitted which prevents the Fire Department from enforcing all of the Fire Code. Wording needs to be added to the current ordinance to read “and all relevant appendices to the Virginia Statewide Fire Prevention Code.”

FISCAL IMPACT: None

ENCLOSED DOCUMENTS: N/A

STAFF: Donald Hunter Fire Chief

SUMMARY: Article II. FIRE PREVENTION CODE - Sec. 15-20. The Virginia Statewide Fire Prevention Code Act. The Virginia Statewide Fire Prevention Code Act, as adopted by the State Board of Housing and Community Development pursuant to § 27-97 (Adoption of Fire Prevention Code) of the Virginia Code, and all relevant appendices to the Virginia Statewide Fire Prevention Code, as amended, and insofar as not inconsistent with the laws of the state and the city, is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, is hereby incorporated as fully as if set forth herein. The City of Hopewell Board of Fire Prevention Code Appeals, as created by Sec. 15-23 of this code, shall constitute the city's local board of fire prevention code appeals.

Sec. 15-20. - The Virginia Statewide Fire Prevention Code Act.

The Virginia Statewide Fire Prevention Code Act, as adopted by the State Board of Housing and Community Development pursuant to Code of Virginia, § 27-97 (Adoption of Fire Prevention Code) as amended, and insofar as not inconsistent with the laws of the state and the city, is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, is hereby incorporated as fully as if set forth herein. The City of Hopewell Board of Fire Prevention Code Appeals, as created by section 15-23 of this Code, shall constitute the city's local board of fire prevention code appeals.

([Ord. No. 2016-1-21](#), 1-21-16)

ORDINANCE 2018-_____

AN ORDINANCE REVISING CHAPTER 15, ARTICLE II, SEC. 15-20 OF THE CODE OF THE CITY OF HOPEWELL, VIRGINIA, 1981, AS AMENDED AND REPLACING IT WITH THE BELOW.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL:

That Chapter 15, Article I, Sec. 15-20 of the Code of the City of Hopewell, Virginia, 1981, is hereby amended as follows:

Article II. FIRE PREVENTION CODE

Sec. 15-20. The Virginia Statewide Fire Prevention Code-~~Act~~.

The Virginia Statewide Fire Prevention Code Act, as adopted by the State Board of Housing and Community Development pursuant to § 27-97 (Adoption of Fire Prevention Code) of the Virginia Code, ~~and appendix B through J, and all relevant appendices to the Virginia Statewide Fire Prevention Code,~~ as amended, and insofar as not inconsistent with the laws of the state and the city, ~~is~~are hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, ~~is~~and are hereby incorporated by reference as fully as if set forth herein. The ~~e~~City of Hopewell Board of Fire Prevention Code Appeals, as created by Sec. 15-23 of this code, shall constitute the city's local board of fire prevention code appeals.

ORDINANCE 2018-_____

AN ORDINANCE REVISING CHAPTER 15, ARTICLE II, SEC. 15-20 OF THE CODE OF THE CITY OF HOPEWELL, VIRGINIA, 1981, AS AMENDED AND REPLACING IT WITH THE BELOW.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL:

That Chapter 15, Article I, Sec. 15-20 of the Code of the City of Hopewell, Virginia, 1981, is hereby amended as follows:

Article II. FIRE PREVENTION CODE

Sec. 15-20. The Virginia Statewide Fire Prevention Code.

The Virginia Statewide Fire Prevention Code Act, as adopted by the State Board of Housing and Community Development pursuant to § 27-97 (Adoption of Fire Prevention Code) of the Virginia Code, and all relevant appendices to the Virginia Statewide Fire Prevention Code, as amended, and insofar as not inconsistent with the laws of the state and the city, are hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, and are hereby incorporated by reference as fully as if set forth herein. The City of Hopewell Board of Fire Prevention Code Appeals, as created by Sec. 15-23 of this code, shall constitute the city's local board of fire prevention code appeals.

R-5



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

- Civic Engagement
- Culture & Recreation
- Economic Development
- Education
- Housing
- Safe & Healthy Environment
- None (Does not apply)

Order of Business:

- Consent Agenda
- Public Hearing
- Presentation-Boards/Commissions
- Unfinished Business
- Citizen/Councilor Request
- Regular Business
- Reports of Council Committees

Action:

- Approve and File
- Take Appropriate Action
- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
- Set a Public Hearing
- Approve on Emergency Measure

COUNCIL AGENDA ITEM TITLE: Panhandling in Public Right-of-Way

ISSUE: Individuals panhandling within the public right-of-way creates a public safety issue

RECOMMENDATION: Staff recommends approval to place signage in the right-of-way

TIMING: The request is not time sensitive

BACKGROUND: At the June 26, 2018 City Council meeting, Mayor Shornak expressed her concern with panhandling within the public right-of-way and the implications on public safety. The City Attorney has reviewed the Code of Virginia and current case law on the matter. The review has resulted in a determination that the activity is protected by the 1st Amendment, and the City is limited to placing signage within the public right-of-way to direct the public and those in need to a phone number that can be called.

FISCAL IMPACT: Cost of signage is estimated at \$50.00 per sign.

ENCLOSED DOCUMENTS: Example of Signage

STAFF: March Altman, City Manager
Stefan Calos, City Attorney

Sample Panhandling Sign – James City County



**REPORTS
OF THE
CITY
ATTORNEY**

HOPEWELL CITY COUNCIL RULES OF PROCEDURE

These rules are authorized by the Hopewell Charter, Chapter IV, Section 4

CONDUCT OF MEETINGS— ROLES OF PRESIDING OFFICER, CITY CLERK, AND CITY ATTORNEY

- 101. Robert's Rules of Order; Parliamentarian; Presiding Officer** – Where these rules are silent, *Robert's Rules of Order* prevails (Charter IV.4). The city attorney is parliamentarian, whose ruling, when requested by or through the presiding officer, is final and binding, subject only to appeal to and a two-thirds vote of all council members. The presiding officer is the council president (mayor) or, in the mayor's absence, the vice-president (vice mayor) (Charter IV.5). If the mayor and vice mayor are absent, the temporary chairman (see Rule 103) is the presiding officer.

[Approved 6.26.18 (this and other rules are to be adopted once all rules are approved)]

Current . . .

102. **Roll Call** – The Mayor, or in his absence the Vice-Mayor, shall take the chair at the hour appointed for Council to meet and shall immediately call the members to order. The roll should then be called by the Clerk who shall enter in the minutes of the meeting the names of the members present and absent. In the absence of a quorum at the time appointed for a meeting, the members present by a majority vote take a recess or recesses and direct the Clerk to procure the attendance of absent members. A quorum exists when a majority of Council is present. (City Charter, Chapter 4, Section 4(c)).

Proposed changes (redlined) . . .

102. **Roll Call; Quorum** – The ~~Mayor, or in his absence the Vice-Mayor, shall take~~presiding officer takes the chair at the ~~hour~~appointed for Council to meet~~meeting hour,~~ and ~~shall~~ immediately ~~call the members~~calls council to order. The ~~roll should~~clerk then ~~be called~~bycalls the ~~Clerk who shall enter~~roll, and enters in the ~~meeting~~minutes of the meeting the names of the ~~members~~councilors as present ~~and/or~~ absent. In the absence of a quorum ~~at the time appointed for a meeting, the members present by a majority vote take a recess or recesses and direct the Clerk,~~ the clerk attempts to procure the attendance of absent ~~members~~councilors. A quorum exists when a majority of ~~Council~~all councilors is present. ~~(City Charter, Chapter IV.4, Section 4(e)).~~
)

Proposed (clean) . . .

102. **Roll Call; Quorum** – The presiding officer takes the chair at the appointed meeting hour, and immediately calls council to order. The clerk then calls the roll, and enters in the meeting minutes the names of the councilors as present or absent. In the absence of a quorum, the clerk attempts to procure the attendance of absent councilors. A quorum exists when a majority of all councilors is present (Charter IV.4).

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Current . . .

103. **Temporary Chairman** – In case of the absence of the Mayor and Vice Mayor, the Clerk shall call the Council to order and call the roll of the members. If a quorum is found to be present, Council shall proceed to elect by a majority of those present a chairman of the meeting to act until the Mayor or Vice Mayor appears.

Proposed changes (redlined) . . .

103. **Temporary Chairman** – In ~~ease of~~ the absence of the ~~Mayor~~ mayor and ~~Vice Mayor~~ vice mayor, the ~~Clerk shall call the Council~~ clerk calls council to order, and ~~call~~ calls the roll ~~of the members.~~ If a quorum ~~is found to be present, Council shall proceed to elect~~ exists, council elects by a ~~majority vote of~~ those present ~~one of its members to be temporary~~ chairman ~~of the meeting to act until the Mayor~~ mayor or ~~Vice Mayor~~ vice mayor appears.

Proposed (clean) . . .

103. **Temporary Chairman** – In the absence of the mayor and vice mayor, the clerk calls council to order, and calls the roll. If a quorum exists, council elects by majority vote of those present one of its members to be temporary chairman until the mayor or vice mayor appears.

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Current . . .

104. **Appeals from decision of the Chair** – The chair shall preserve decorum and decide all questions of order subject to appeal to Council. In case of an appeal from a ruling of the Chair, the question shall be put: “Shall the decision of the Chair stand as the decision of the Council?” If a member transgresses the rules of Council, the Chair shall call him to order, in which case, he shall be seated unless permitted to explain.

Proposed changes (redlined) . . .

104. ~~**Appeals from decision of the Chair** – The chair shall preserve decorum and decide all questions of order subject to appeal to Council. In case of an appeal from a ruling of the Chair, the question shall be put: “Shall the decision of the Chair stand as the decision of the Council?” If a member transgresses the rules of Council, the Chair shall call him to order, in which case, he shall be seated unless permitted to explain.~~

~~**Appeals** – See Rule 101.~~

Proposed (clean) . . .

104. **Appeals** – See Rule 101.

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Current . . .

105. **Voting** – All questions shall be stated and put by the Chair. All votes concerning the approval of any Ordinance or Resolution shall be by roll call by the Clerk, followed by immediate statement of result. All other votes may be taken by “ayes” and “nays,” or by roll call, at the discretion of the Chair. It shall not be in order for members to explain their vote during the call of the roll. Silence shall be recorded as an affirmative vote.

Proposed changes (as redlined as of 6/26/18 meeting) . . .

105. ~~**Voting** – All questions shall be stated and put by the Chair. All votes concerning the approval of any Ordinance or Resolution shall be by roll call by the Clerk, followed by immediate statement of result.~~ **Methods** – Votes upon a motion to adopt an ordinance or resolution are by roll call ~~by the Clerk, followed by immediate statement of result.~~ All other votes ~~may be taken~~ are by “ayes” and “nays,” ~~or by~~ (Charter IV.8), unless the presiding officer requests a roll call, ~~at the discretion of the Chair. It shall not be in order for members to explain their vote during the call of the roll. Silence shall be recorded as an affirmative vote.~~

Proposed changes (redlined per comments at 6/26/18 meeting) . . .

105. **Voting Methods** – Votes upon a motion to adopt an ordinance or resolution are by roll call. All other votes are recorded by “ayes” and “nays” (Charter IV.8), unless the presiding officer requests a roll call. No councilor is excused from voting except on items that consider the councilor's official conduct, or involve the councilor's financial or personal interests (Charter IV.8). Although one cannot be compelled to vote (Robert's Rules), a councilor who abstains or otherwise fails to vote without having been excused under this rule or Rule 209 may be disciplined (Charter IV.4; Va. Code § 2.2-3711).

Proposed changes (clean) . . .

105. **Voting Methods** – Votes upon a motion to adopt an ordinance or resolution are by roll call. All other votes are recorded by “ayes” and “nays” (Charter IV.8), unless the presiding officer requests a roll call. No councilor is excused from voting except on items that consider the councilor's official conduct, or involve the councilor's financial or personal interests (Charter IV.8). Although one cannot be compelled to vote (Robert's Rules), a councilor who abstains or otherwise fails to vote without having been excused under this rule or Rule 209 may be disciplined (Charter IV.4; Va. Code § 2.2-3711).

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Current . . .

106. **Presiding Officer – Leaving Chair** - The presiding officer at a meeting may call any other member to take his place in the chair for a single issue and in no instance shall ~~**Presiding Officer – Leaving Chair**~~ - The presiding officer at a meeting may call any other member to take his place in the chair for a single issue and in no instance shall substitution extend beyond adjournment. By Presiding Officer shall mean either the Mayor, Vice Mayor or Chairman of the meeting.

Proposed changes (redlined) . . .

106. ~~**Presiding Officer – Leaving Chair**~~ **Officer's Designee** – The presiding officer ~~at a meeting may call any other member~~ designate another councilor to ~~take his place in the chair~~ **preside** for a single issue ~~and in no instance shall substitution extend beyond adjournment. By Presiding Officer shall mean either.~~ If the mayor is the Mayor, Vice Mayor or Chairman of ~~presiding officer,~~ the ~~meeting vice mayor is designated.~~ **If the vice mayor is unavailable, the presiding officer may designate any other councilor.**

Proposed (clean) . . .

106. **Presiding Officer's Designee** – The presiding officer may designate another councilor to preside for a single issue. If the mayor is the presiding officer, the vice mayor is designated. If the vice mayor is unavailable, the presiding officer may designate any other councilor.

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Current . . .

204. **Method of Voting**

- A. Every member present when a question is put shall vote either “yes” (or “aye”) or “no” (or “nay”). No member shall be excused from voting except on matters involving the consideration of his official conduct, or where his financial or personal interests are involved. (City Charter §8) Application to be excused from voting must be made before the vote is called. The member having briefly stated the reason for his request, the decision shall be made without debate in accordance with City Charter and State Law.
- B. Roll call for voting on motions shall be chronological by ward numbers. At the first meeting in July, the roll call shall start with the Councilor from Ward 1 and proceed with Councilors through Ward 7. Each Council meeting thereafter, the roll call shall be rotated by beginning with the next chronological Ward and continue to rotate throughout the fiscal year. (See Minute Book No. 23, Page No. 348).

Proposed changes (redlined) . . .

204. **Method of Voting**

~~C. — Every member present when a question is put shall vote either “yes” (or “aye”) or “no” (or “nay”). No member shall be excused from voting except on matters involving items that consider the consideration of his councilor’s official conduct, or where his involve the councilor’s financial or personal interests are involved. (City Charter §IV.8) Application to be excused from voting must be made before the vote is called. The member having briefly stated the reason for his request, the decision shall be made without debate in accordance with City Charter and State Law.~~

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~~D. —) Roll call for voting on motions shall be chronological is by ward numbers number. At the first meeting in July, the roll call shall start starts with the Councilor from Ward 1 and proceed with Councilors councilor, and proceeds numerically, through the Ward 7. Each Council councilor. At each meeting thereafter, the roll call shall be is rotated by beginning with the next chronological Ward and continue to rotate throughout2 councilor at the second meeting, and so on until each councilor has voted first. Once all councilors have voted first, the fiscal year. (See Minute Book No. 23, Page No. 348), process repeats.~~

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Proposed (clean) . . .

204. **Voting Order** – Roll call for voting is by ward number. At the first meeting in July, the roll call starts with the Ward 1 councilor, and proceeds numerically, through the Ward 7 councilor. At each meeting thereafter, the roll call is rotated by beginning with the Ward 2 councilor at the second meeting, and so on until each councilor has voted first. Once all councilors have voted first, the process repeats.

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Current . . .

209. **Excuse During Meeting** – Any member desiring to be excused while Council is in session shall obtain such permission from the presiding officer.

Proposed changes (redlined) . . .

209. **Excuse During Meeting** – Any ~~member desiring to~~councilor may be excused ~~while Council is in session shall obtain such~~during a meeting, with permission ~~from~~of the presiding officer.

Proposed (clean) . . .

209. **Excuse During Meeting** – Any councilor may be excused during a meeting, with permission of the presiding officer.

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**REPORTS
OF THE
CITY CLERK**

REPORTS OF THE CITY COUNCIL

- **COMMITTEES**
- **INDIVIDUAL REQUEST**
- **ANY OTHER COUNCILOR**

IC-1

Purpose:

The City Council Ward Improvement Fund is designed to assist Hopewell residents, businesses', community groups and city partners that are providing a contribution to moving Hopewell forward.

Authority:

Each member of City Council shall maintain oversight for his or her respective Ward Improvement Fund.

The City Clerk shall be the sole manager of each Ward Improvement Fund. The City Clerk will document and keep records for each Ward Improvement expenditures and will serve as the primary administrator to facilitate all fund requests.

Budget Appropriation:

Ward Improvement Fund is an annual appropriation within City Council's Operating Budget. The City of Hopewell's finance system shall listed individual ward allocations and serve as the primary tool to manage fund revenues and expenditures. All funds within the Ward Improvement Fund are only available for that respective fiscal year.

Council shall have the authority to provide additional appropriations to the Ward Improvement Fund by way of budget amendments. Additional appropriations shall be divided equally between all seven wards within the City of Hopewell.

Transfers from other City Council Operating Budget line items is prohibited.

Guidelines

City Council is only legally authorized to expend District Improvement Funds for requests that fall into one of the following five categories:

1. Public improvements to public land.
2. Purchase of property and equipment which the City will own.
3. Public events or programs sponsored by the City or by organizations to which the City has specific statutory authority to make donations.
4. Public school programs which the School Board has specific authority to support, or requests from Virginia public universities which the City is specifically authorized by law to fund.
5. Donations to organizations to which the City is specifically authorized to make donations by state statute.

Requests:

Any member of the public, city staff or member of the Governing Body may submit a Ward Improvement Fund grant request.

City Council may contribute to the same cause or events as other members of City Council. Joint funding requests to multiple members of City Council on one application is permissible.

Procedure:

- 1) Eligible applicants submit the Ward Improvement Fund Application to the City Clerk's Office: 300 North Main Street. Hopewell, VA 23860.
- 2) The City Clerk logs and processes the Ward Improvement Fund Application. Processing must be completed within three to five business days. Processing includes assessing each application to ensure it meets eligibility criteria and determining if the Ward Improvement Fund has the required funding available.
- 3) In writing, the City Clerk forwards the submitted Ward Improvement Fund application, fund Actual Balance, and recommendation to both the respective City Councilor(s) and City Attorney for review. The City Attorney provides a legal review to determine if the request does violate city, state or federal law.
- 4) In writing, the respective City Councilor(s) provide the City Clerk with an 1) Approval 2) Denial for the respective Ward Improvement Fund Application within three to five business days.
- 5) The City Clerk drafts the responsive letter to the applicant to provide notification of the request approval or denial. The letter must be drafted using the set template on file for each member of City Council, unless requested at time of decision to use otherwise.
- 6) If the request is approved, the City Clerk will process the necessary Purchase Orders and other required documentation. The City Clerk will notify the respective member of City Council once the check is released to the applicant. If applicable, the City Clerk will notify the respective member of City Council when the check is ready for pick up for direct presentation to the applicant.

Members of City Council may contribute to the same cause or events as other members of City Council. Applicants are allowed to request a joint funding request from multiple members of City Council on one application.



City of Hopewell, Virginia Ward Improvement Fund Funding Request Application

FY19 Application

Applicant Information

Full Name: _____ Date: _____
Last First M.I.

Address: _____
Street Address Apartment/Unit #

City State ZIP Code

Phone: _____ Email _____

Ward: _____ Date Funds Needed: _____ Funding Amount: \$ _____

Have you ever worked for this city? YES NO If yes, when? _____

Do you have a relative that has worked for the city? YES NO If yes, when? _____

Have you ever been convicted of a felony? YES NO

If yes, explain: _____

Organization Information

Although the City Council receives many requests for donations that seem worthy of funding, the City Councilor(s) are only legally authorized to expend District Improvement Funds for requests that fall into one of the following five categories:

1. Public improvements to public land.
2. Purchase of property and equipment which the City will own.
3. Public events or programs sponsored by the City or by organizations to which the City has specific statutory authority to make donations.
4. Public school programs which the School Board has specific authority to support, or requests from Virginia public universities which the City is specifically authorized by law to fund.
5. Donations to organizations to which the City is specifically authorized to make donations by state statute.

Organization: _____ Phone: _____

Address: _____ Mobile: _____

City: _____ State: _____ Zip Code: _____

Email: _____ W9 Attached: Yes: No:

Website: _____ Facebook: _____

Twitter: _____ Instagram: _____

Event Information

Event Name: _____ Date: _____

Address: _____ Supervisor: _____

City: _____ State: _____ Zip Code: _____

Event Purpose:: _____

If approved, would you like the check presented at the event? YES NO

Special Notes:

Disclaimer and Signature

I certify that my answers are true and complete to the best of my knowledge.

I understand that false or misleading information in my application or interview may result in my release.

Signature: _____ Date: _____

Written Name _____

Clerk – Internal Only

Date Received: _____ PO #: _____

Date Processed: _____

Application Status: **Approved:** **Denied:**

LEGITIMATE CATEGORIES OF FUNDING WITH DISTRICT IMPROVEMENT FUNDS

Although the Board receives many requests for donations that seem worthy of funding, the Board is only legally authorized to expend District Improvement Funds for requests that fall into one of the following five categories:

1. Public improvements to public land.
2. Purchase of property and equipment which the County will own.
3. Public events or programs sponsored by the County or by organizations to which the County has specific statutory authority to make donations.
4. Public school programs which the School Board has specific authority to support, or requests from Virginia public universities which the County is specifically authorized by law to fund.
5. Donations to organizations to which the County is specifically authorized to make donations by state statute.

DISTRICT IMPROVEMENT FUNDS
PROCESS

- Request initiated by citizen, Board member, or staff;
- **Contact Special Assistant for Board and Community Affairs for application** (748-1567 or conleyk@chesterfield.gov)
- Application completed by requestee for each request; (**Applicant**)
- Completed application & information logged in and reviewed (**Special Assistant for Board and Community Affairs**):
- Application and back-up information delivered by Special Assistant for Board and Community Affairs to County Attorney's Office (copied appropriate department or school board w/blue log sheet for notification and notification to Clerk to the Board) to determine eligibility of request;
- County Attorney's Office notifies Special Assistant for Board and Community Affairs after eligibility is determined (approval or denial);
- If approved:

- Contact Board of Supervisors to notify and/or verify request

- (Special Assistant for Board and Community Affairs)**

- Agenda Item prepared by County Attorney's Office (within 5 days)

- Forwarded to Budget and Management for comments/edits

- If changes, returned to County Attorney's office to make edits;

- County Attorney's office forwards final agenda item to the County Administrator's office and Clerk's office to include on the agenda for a Board of Supervisors meeting;

- Special Assistant for Board and Community Affairs indicates status on log

- ✓ If time permits, notify requestee when item will be sent to the Board of Supervisors (Special Assistant for Board and Community Affairs)

- ✓ If time does not permit, send follow-up letter from Board member after approval (Clerk's Office)

- Thursday after Board meeting, Special Assistant for Board and Community Affairs contacts/notifies applicant of the Board of Supervisors action.

- Clerk to the Board of Supervisors prepares follow-up letter (for Board members signature) to applicant with notification of board action and contact person for funds.

- Budget and Management tracks and coordinates transfer of funds to department or prepares check request for payment to organization.

- If denied:

- County Attorney's Office notifies requestee and Board member or

- gives (Special Assistant for Board and Community Affairs) reason (and language for standard letter) for denial

- **For all School related requests - notify to School Superintendent staff of request (*Special Assistant for Board and Community Affairs*)
- Copies of letter, agenda item, application and back up material filed in the District Improvement Fund File for Magisterial District (*Special Assistant for Board and Community Affairs*)

CHESTERFIELD COUNTY

DISTRICT IMPROVEMENT FUNDS APPLICATION

This application must be completed and signed before the County can consider a request for funding with District Improvement Funds. Completing and signing this form does not mean that you will receive funding or that the County can legally consider your request. Virginia law places substantial restrictions on the authority of the County to give public funds, such as District Improvement Funds, to private persons or organizations and these restrictions may preclude the County's Board of Supervisors from even considering your request.

1. What is the name of the applicant (person or organization) making this funding request?	
2. If an organization is the applicant, what is the nature and purpose of the organization? (Attach organization's most recent articles of incorporation and/or bylaws to application.)	
3. What is the amount of funding you are seeking?	\$0.00
4. Describe in detail the funding request and how the money, if approved, will be spent.	
5. Is any Chesterfield County Department involved in the project, event or program for which you are seeking funds?	<i>Drop-Down</i>
Provide name of other department	
6. If this request for funding will not fully fund your activity or program, what other individual or organization will provide the remainder of the funding?	
7. If the applicant is an organization, answer the following	
Is the organization a corporation	<i>Drop-down - corporation</i>
Is the organization non-profit?	<i>Drop-Down - non-profit</i>

<p>Is the organization tax-exempt?</p>	<p><i>Drop-Down - tax-exempt</i></p>
<p>8. Applicant information:</p> <p>Mailing Address</p> <p>Telephone Number</p> <p>Fax Number</p> <p>E-Mail Address</p>	<p><i>- address</i></p> <p><i>- phone</i></p> <p><i>- fax</i></p> <p><i>- email</i></p>
<p>Signature of the applicant – If you are signing on behalf of an organization you must be the president, vice-president, chairman/director or vice-chairman.</p>	<p><i>Name of Applicant</i></p> <p><i>– Title</i></p> <p><i>If signing on behalf of organization</i></p> <p><i>- printed name</i></p> <p><i>- date</i></p>

For Internal Use

Date Received: _____

District: _____

Form: Updated 2/7/2013

ADJOURN